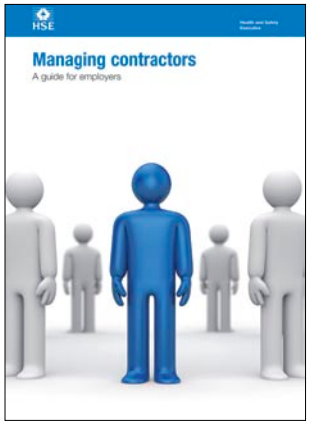
Managing contractors

A guide for employers



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Managing contractors has been written as a guide for small to medium-sized companies in the chemical industry, but it will also be of use to other industries and larger companies.

Safe working with contractors presents a challenge, but being a smaller company has its advantages. You can be more flexible in your approach and decisions can be made more quickly. Lines of communication are shorter, usually there are not too many people involved and it is easier to know who is around.

In this guidance we aim to help you understand what you need to do and give sound practical advice for action. Working together helps everyone to work safely.

This second edition brings guidance and references up to date.

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This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance as illustrating good practice.

This guidance was written and developed by HSE with the help of Cambridge Training and Development (CTAD) Ltd and in consultation with small to medium-sized chemical businesses.

Contents

Foreword

The use of contractors in the chemical industry is commonplace. Many companies turn to contractors to supplement their engineering staff. They are also used for specialist tasks, often involving hazardous activities. This could involve working on critical process plant and equipment or carrying out non-routine activities where there is a greater potential for harm if their work is not properly managed.

It is important to ensure that contractors are properly briefed on and understand the chemical and major hazard risks associated with your activities in order for them to be able to work safely and to safeguard the integrity of your plant and processes.

This guide should help you understand what you need to do. It gives sound practical advice for action.

Working together helps everyone to work safely.

Peter Baker
Head of the Chemical Industries Division (CID)
Health and Safety Executive

Introduction

This publication explains your responsibilities for health and safety when using contractors and describes good practice.

Who should read this book?

It is aimed at owners, directors and managers of small to medium-sized (SME) chemical companies but will be of use to other industries and larger companies. It focuses on companies with 50 staff or less and has been produced in consultation with chemical companies.

It aims to help you to:

- assess your current practice;
- understand and comply with the law;
- apply good practice.

It does not claim to be comprehensive but offers guidance and practical ways of managing jobs involving contractors (whether it is one individual or several contractors), building health and safety into every stage.

What is in the book?

Sections 1–3 offer guidance on:

- understanding some of the problems;
- understanding the law; and
- assessing current arrangements and drawing up an action plan.

There are four key exercises to carry out. They are designed to help you assess your knowledge of the law and your company's position in terms of managing contractors. They lead to an action plan for making improvements.

Section 4 is divided into five steps, offering practical guidance on safe working. You may find the information in this section particularly helpful if you:

- plan jobs involving contractors;
- want guidelines for tendering and selecting contractors;
- arrange agreements with them on behalf of the company;
- work with them at any stage when they are on site;
- want help with monitoring or reviewing contractors' jobs.

How to use this book

This publication may be used as:

- an aid for planning;
- learning material for self-study;
- a reference to dip into;
- a staff training aid about managing contractors.

At the end of each section there is a summary of the key points.

Section 1 Why manage contractors?

'We haven't had a major problem but I know we need to tighten up. We've got safe systems for staff, but they don't always get passed on to contractors. The contractor coming in to repair a leak doesn't know anything about the chemical industry!'
Operations manager

This section is about the need for managing contractors, whether it is one individual or several different contractors, as accidents and ill health can be costly. After working through it you can start to look at your own procedures and see if there is room for improvement.

Who counts as a contractor?

A contractor is anyone you get in to work for you who is not an employee. Using contractors – for maintenance, repairs, installation, construction, demolition and many other jobs – may be routine in your company. But many accidents involve contractors working on site.

Sometimes you may have more than one contractor on site. You need to think about how their work may affect each other and how they interact with your activities. Clearly, in these circumstances there is more chance of something being overlooked.

'The cost of a major fire – which could easily happen – would be horrendous. Cutting corners on health and safety is not an option.'
Operations supervisor

The costs of getting it wrong

No one plans to have an accident. No one wants to become ill as a result of their work. Yet there is no shortage of examples – some major, or fatal – all serious and costly.

You may have heard the saying: 'If you think safety is expensive, try an accident!' Among the losses, sometimes uninsured, are:

- production time;
- key workers;
- products;
- equipment.

There may be compensation to pay and other legal penalties.

Recovery can take many years and sometimes involves civil law claims. Insurance premiums may increase, or cover might be refused because of a poor claims record. Weigh up the costs. Saying 'It can't happen to us' or 'Why should we think about all this – we've never had an accident with a contractor!' is asking for trouble. You're in danger of not doing anything until after the problem. Then it could be too late.

It has been found that employers who put real effort into making health and safety practices effective gained many benefits from doing so. For example, they save money from tighter control over using and storing materials. Better understanding of health and safety leads to improved staff morale and industrial relations.

Communicate with contractors

Accidents happen more easily when the contractor's job is excluded from your usual methods of safe working if:

- the hazards of their job haven't been identified and steps have not been taken to minimise risks;
- no one is around to make sure the contractor follows health and safety rules on site.

Accidents with contractors can be caused by poor communication – when staff don't know there is a contractor working nearby and when contractors don't know the dangers on site.

Include contractors

Bring contractors into your health and safety procedures. They may be strangers to your site and won't know:

- about the hazards on your site;
- your site rules and safety procedures;
- what to wear;
- about special equipment they need to use;
- what to do in an emergency;
- the sound of the alarm, and how and when to raise it.

You may take good practice for granted in-house, but don't assume the same applies to contractors. Even regular contractors may need reminding.

Do you need to improve your procedures for work with contractors? Are you sure they cover all contractors, every time? Maybe you've never had an accident involving a contractor – yet!

Delegation

If you delegate the task of managing contractors, decide who will take responsibility for the details. Use Section 4 of this guide to help make contractor arrangements a practical reality for you.

Contractor injured in fall

Contractors had been called in to replace some damaged pipework lagging. They needed to work high up and access was difficult. They ended up working from a ladder which was leaning against a tank. During the middle of the morning one of the contractors fell from the ladder.

Injury
He landed on some nearby plant and suffered serious internal injuries, but eventually recovered.

The company said:	'We expected them to come in and finish the job yesterday but they didn't turn up. We didn't even know they were on site this morning.'
The contractor said:	'Our men couldn't finish the job yesterday as the weather was too bad.'
The company said:	'We didn't know they were working from a ladder – we would have expected them to put up some scaffolding or use a mobile elevating work platform. It was difficult to get to the pipe.'
The contractor said:	'The company didn't include this section of pipework in their original request – it was an add-on when they realised the problem was more widespread.'

What went wrong?
Communication with the contractors was poor. They were left to get on with it and the company didn't even know when they were on site. The job changed and no one considered the risks. The contractors' method of working was unsafe.

Key points

Accidents are expensive! You can lose staff, productive days, products, equipment and money.

Contractors are subject to even greater hazards and risks than staff because they are new to your business. Don't leave them out of your in-house health and safety procedures.

Questions: Managing contractors in your organisation

Think about your current practice when working with contractors. Choose the response that most closely matches what you do now. Put down what **actually** happens, not what you **think** should happen.

1 We always know who's on site

(a) yes
(b) most of the time
(c) occasionally

2 There has never been a major incident or accident involving contractors on site

(a) true
(b) don't know
(c) false

3 We assess contractors' competence in health and safety and check for evidence before they get the job

(a) always
(b) usually
(c) sort of

4 We look into contractors' procedures for health and safety to make sure they can fit in with ours

(a) always
(b) usually
(c) sometimes

5 We plan for the contractor's job and assess the hazards at each stage

(a) always
(b) some of the time
(c) it's been known to happen

6 We inform them of the hazards on site and of our emergency procedures before they start

(a) without fail
(b) usually
(c) rarely

7 We keep track of their progress until the job finishes

(a) always ☐
(b) sometimes ☐
(c) rarely ☐

8 After the job, we talk to the contractor about the work, including health and safety. If necessary, we keep records

(a) always ☐
(b) when possible ☐
(c) no, hardly ever ☐

Scoring

Add your scores **(a) = 8 (b) = 5 (c) = 1**

If you scored between:

56–64 Very effective
You are doing well. Identify what you might improve and do it!

35–55 Need to improve
In theory, you are halfway there. You still need to develop procedures in some areas. Make sure your procedures are followed by all employees. List the urgent and important matters to work on. Use the action plan in Section 3.

8–34 Need to start
Top marks for honesty. Perhaps the questions have helped you to identify some shortcomings. If there are urgent developments needed, plan them using the action plan in Section 3.

Your goal is to be able to answer (a) every time. No one says it is easy. But your goal is good practice. And you will find much of it is plain common sense.

Section 2 The law and you

'We know we have responsibilities towards our contractors as they have to us. The view that 'what contractors get up to is their business' is asking for trouble.'
Engineering manager

All work activities are covered by health and safety law. Not all of it will apply to everything you do, but you need to know the main points. Knowing the key Acts and Regulations and how they apply to your work activities is your responsibility.

If you need help, get:

- the Regulations and Acts themselves;
- HSE's Approved Codes of Practice (ACOPs) or guidance books.

There are a number of specific regulations. Only the basics of those most relevant to working with contractors are included here. If you manage contractors you need to be familiar with the requirements of the:

- Health and Safety at Work etc Act 1974 (the HSW Act);
- Management of Health and Safety at Work Regulations 1999 (the Management Regulations);
- Construction (Design and Management) Regulations 2007 (CDM);
- Control of Substances Hazardous to Health Regulations 2002 (COSHH).

Other construction regulations you may need to know about deal with a wide range of health and safety problems, such as:

- the structure of working platforms;
- provision of guard rails to prevent falls;
- use of lifting tackle and lifting equipment, including cranes and hoists;
- welfare arrangements.

Further guidance is in References – read these publications if you want help in understanding the law.

The HSW Act

The Act applies to all work activities. It requires employers to ensure, so far as is reasonably practicable, the health and safety of:

- their employees;
- other people at work on their site, including contractors;
- members of the public who may be affected by their work.

Employers with more than five employees must have a written, up-to-date health and safety policy.

Employees and contractors have to take care not to endanger themselves, their colleagues or others affected by their work.

Contractors also have to comply with the HSW Act and other health and safety legislation. Clearly, when you engage contractors, the activities of different employers do interact. So co-operation and communication are needed to make sure all parties can meet their obligations. Health and safety inspectors can visit your workplace to carry out inspections. They may want to check that you have effective arrangements for managing contractors working on your site. Inspectors can:

- give advice;
- require improvements to be made (including serving improvement notices);
- stop the job (by serving prohibition notices);
- prosecute.

Ultimately the courts can impose sanctions for breaches of health and safety law. Usually this involves levying fines.

The Management Regulations

These Regulations apply to everyone at work and encourage employers to take a more systematic approach to dealing with health and safety by:

- assessing the risks which affect employees and anyone who might be affected by your work, including contractors. Companies who employ five or more people must record the significant findings of the assessment.
  A risk assessment is nothing more than a careful examination of how people could be harmed by your work – you decide whether you have already taken enough precautions or should do more to prevent the risks.
- setting up emergency procedures;
- providing training;
- co-operating with others on health and safety matters, eg contractors who share your site;
- providing temporary workers, such as contractors, with health and safety information. Some of these may already be covered in your safety policy.

The Management Regulations specifically state that where two or more employers share a workplace – whether on a temporary or a permanent basis – each employer shall:

- co-operate with other employers;
- take reasonable steps to co-ordinate between other employers to comply with legal requirements;
- take reasonable steps to inform other employers where there are risks to health and safety.

The same principles of co-operation, co-ordination and communication between organisations underpin the CDM Regulations, explained next.

For more information on the Management Regulations, read the Approved Code of Practice.[1]

A useful guide to risk assessment is provided on HSE's website at www.hse.gov.uk/risk/index.htm.

CDM

Chemical businesses often engage contractors at one time or another to build plant, convert or extend premises and demolish buildings.

The construction industry has traditionally had high rates of serious accidents and a poor health record. Many construction accidents happen because of poor management. Other accidents arise because designers have not adequately considered the health and safety aspects during the design and planning process.

What is CDM about?

The CDM Regulations 2007 came into force on the 6 April 2007.

The key aim is to integrate health and safety into the management of the project and to encourage everyone involved to work together to:

- improve the planning and management of projects from the very start;
- identify hazards early on, so they can be eliminated or reduced at the design or planning stage and the remaining risks can be properly managed;
- target effort where it can do the most good in terms of health and safety; and
- discourage unnecessary bureaucracy.

These Regulations are intended to focus attention on planning and management throughout construction projects, from design concept onwards. The aim is for health and safety to be treated as an essential but normal part of a project's development – not an afterthought or bolt-on extra.

Summary of main changes of CDM 2007

- CDM 1994 and the Construction (Health, Safety and Welfare) Regulations 1996 consolidated into a single set of regulations.
- The Regulations are grouped by dutyholder, so it is easier for each to see what their duties are.
- Projects for domestic clients no longer need to be notified.
- The Regulations apply to all construction work as defined in the Regulations (Parts 1, 2 and 4), and there are additional duties (Part 3) for sites where construction work lasts more than 30 days or takes more than 500 person days.
- Provision for a 'client's agent' removed.
- The planning supervisor role ceases to exist. A 'CDM co-ordinator' is introduced to advise and assist the client, to co-ordinate the planning and design phase, and to prepare the health and safety file.
- There is a single trigger for the appointment of the CDM co-ordinator and principal contractor and preparation of a written health and safety plan. These appointments/notifications should be made before the start of a project which is expected to last more than 30 days/500 person days.
- Demolition is treated in the same way as any other construction activity, except that a written plan is required for all demolition work.
- Clearer guidance is given in the ACOP on competence assessment, which it is hoped will save time and reduce bureaucracy.
- There is an enhanced client duty (making explicit duties which already existed under the HSW Act and the Management Regulations) to ensure that the arrangements other dutyholders have made are sufficient to ensure the health and safety of those working on the project.
- A new duty is placed on designers to ensure that any workplace which they design complies with relevant sections of the Workplace (Health, Safety and Welfare) Regulations 1992.

- Clients and contractors (including the principal contractor) must tell those they appoint how much time they have allowed, before work starts on site, for appointees to plan and prepare for the construction work.

This experience of using the CDM Regulations was given by an engineering manager in a medium-sized chemical company:

'In some ways the CDM Regulations have changed how we do things here. In the past we've always regarded contractors as knowing their job. We have had to think through the different roles and designate staff. We need to write things down more and have a health and safety plan that tracks the job from start to finish. We do need a more formal assessment before a job starts. We are planning our work much better. This has resulted in better communication between different parties and the work has often been completed quicker than expected.'

If you need to know more, see References.

COSHH

These Regulations aim to protect the health and safety of people who may be exposed to hazardous substances on site. They are particularly important in companies manufacturing, storing and using chemicals. The Regulations require an assessment to be carried out on all jobs where there is a risk of exposure to hazardous substances. This should not be too difficult since you know what the substances are and how they can affect people if not properly managed. The assessment should generally be written down together with any further action.

In all cases employees need to be told about any risks and need to use control measures such as ventilation equipment or PPE for the particular job.

Contractors need to do the same for their employees and they may want to discuss this with you.

See References and read *A step-by-step guide to COSHH assessment*[2] and other publications if you want more help with COSHH.

Key points

- **You need to understand the law.**
- **You have a legal responsibility towards your contractor. They have to work safely and owe a responsibility to you.**
- **Communication and co-operation are needed on both sides – something that requires active management.**

Questions: The law

Test your knowledge of some aspects of the law by answering these questions. Tick the box of your choice.

1 A contractor is:

(a) any visitor to your site ☐
(b) anyone coming on site to do work for you of any kind ☐
(c) anyone working on site, including the statutory emergency services (eg fire officers, ambulance crews) ☐

2 Under the HSW Act, inspectors can:

(a) visit at any reasonable time ☐
(b) give advice to employers ☐
(c) stop dangerous work ☐
(d) do all of the above ☐

3 The HSW Act applies to:

(a) employers carrying out high-risk activities ☐
(b) activities which could only affect members of the public ☐
(c) all employees and all work activities ☐

4 Under the HSW Act:

(a) employees have no responsibilities for the health and safety of others ☐
(b) employers are responsible for taking care of the health and safety of employees and others, including contractors ☐
(c) temporary workers such as contractors have no responsibilities ☐

5 Under the Management Regulations employers must:

(a) carry out a risk assessment ☐
(b) set up emergency procedures ☐
(c) exchange relevant health and safety information ☐
(d) do all of the above ☐

6 COSHH states that an assessment must be carried out:

(a) for all jobs ☐
(b) where there is a risk of exposure to substances hazardous to health ☐
(c) on jobs involving five or more workers ☐

7 The Construction (Design and Management) Regulations 2007 (CDM) apply:

(a) to all construction work on your site as defined in the Regulations ☐
(b) additional duties when the construction work lasts more than 30 days or takes more than 500 person days ☐
(c) to all demolition ☐
(d) to all of the above ☐

Check your answers at the bottom of the page.

These questions about the law are basic. If any of your answers are wrong or you have doubts about what the law requires, brush up on your knowledge. Read the publications listed in References or visit the HSE website www.hse.gov.uk.

Answers:

1 = b, 2 = d, 3 = c, 4 = b, 5 = d, 6 = b and 7 = d

Section 3 Your action plan

'We have safety procedures the whole company follows; I'm not saying we're perfect – we are always trying to improve. But until recently, contractors were only covered verbally. Now they are included in our site rules and other systems.'
Production director (Chemical business employing 50 staff)

This section is to help you assess your existing procedures and practice, including the way your workers are involved. After reading it you should be able to summarise your company's current strengths and weaknesses and draw up an action programme based on an analysis of your own arrangements.

Health and safety management

The checklist below will help you gain an overview of health and safety and managing contractors. It covers five aspects of health and safety management:

1 **policies** – your health and safety policy, including arrangements for contractors;
2 **organising** – involving those working in the organisation, in-house staff and contractors; lines of communication and authority;
3 **planning and doing** – practical arrangements and methods of working used; contracts/agreements whether written or not;
4 **monitoring** – keeping track of what actually happens;
5 **reviewing and learning** – checking on how the company is getting on with contractor management, deciding what needs to be improved and how to go about it.

These aspects are based on HSE's leaflet *Managing health and safety. Five steps to success*.[3]

Your checklist

Use the checklist to help you assess your current position. Think about your company's current approach and tick the column that applies. The columns are:

- **need to start** – means you don't yet have in place the good practice described. Or if you do, it is not used;
- **need to improve** – means you don't think current approaches are effective enough. There is room for improvement;
- **very effective** – means you are happy with the way things are because they are effective. The business has high quality standards for safe work with contractors and the approaches are proving successful.

The checklist is general but you could customise it by adding good practice to the left-hand side or supplying more detail to the existing descriptions.

You may also want to do more than simply tick the box. Note down any thoughts that come up, especially those that help you to assess your current approach.

Before using the checklist and action plan in this section, it could be helpful to copy them so they can be used again. Or you may want to adapt them, changing the headings and columns to fit in better with your own way of planning.

Checklist: Successful health and safety management

		Need to start	Need to improve	Very effective
Policies				
1	We have one! – a clear statement of management's commitment to health and safety			
2	It says who is responsible for health and safety			
3	It states or refers to our arrangements for managing contractors			
4	It is regularly reviewed, based on its effectiveness in preventing injuries and reducing losses, and is updated if needed			
Organising				
5	Staff know their responsibilities for managing contractors on site			
6	Staff responsible have enough knowledge about the risks and preventative measures for all jobs involving contractors			
7	Staff responsible know what to look for when checking that contractors are working safely and know what action to take if they find problems			
8	Health and safety is a **key** criterion in the selection of contractors			
9	We take steps to ensure our contractors are competent in health and safety			
10	Staff are involved in discussing contractor arrangements for management and supervision			
Planning and doing the job				
11	We discuss and agree the job with contractors. Our requirements and the contractors' responsibilities for health and safety are in writing			
12	We have safe working procedures and site rules. Contractors are made aware of them in advance			
13	Staff responsible plan the contractor's job with them. We ask for a safety method statement			
14	Contractors sign in and out – we always know where they are			

		Need to start	Need to improve	Very effective
15	Contractors are given site information before starting the job			
16	We go through the job before allowing work to start			
Monitoring				
17	Staff responsible check on progress with the job and that contractors are working safely			
18	Staff responsible take correct action if contractors aren't working safely			
19	We check on contractors' arrangements for supervision			
20	We tell contractors to report all incidents/ accidents (even minor ones)			
21	If the contractor sends different staff we will know			
Reviewing and learning				
22	When a job is finished, staff responsible review how it went, including the health and safety performance of the contractor			
23	The review is recorded for future use			
24	The company is good at learning from mistakes and improving contractor arrangements			

Use your responses to identify the actions needed to improve your management of contractors.

Prioritise the urgent and important actions and plan your contractor safety improvement programme. At the end of this section you can use this information to develop an action plan.

Making it happen: An action plan

As a reminder of the strengths and weaknesses in your current practices, look back over your:

- responses to the checklist on in this section;
- scoring in the questions on your organisation in Section 1;
- answers to the questions on the law in Section 2.

Use your strengths and weaknesses to:

- list what you need to start or improve. Include plans for understanding the law;
- mark the urgent actions on your list;
- note the important ones;
- prioritise actions that are both urgent and important.

Action plan: Managing contractors

What needs to be done	By whom	When	Resources

Action plan: Managing contractors

What needs to be done	By whom	When	Resources

Section 4 Five practical steps for safe working

'When I'm pressed for time it's easy to rush too quickly into getting someone in to do a job. In my opinion the time I take in planning a job properly is time well spent.'
Engineering manager (Chemical company employing 45 staff)

This section introduces a five-step approach on how to manage contractors and ensure safe working. Key points are summarised at the end of each step.

Safety at each step

No matter how small the job, or how fast you need it to be completed, health and safety doesn't start when the contractor arrives on site. You need to think about health and safety as soon as you know a job needs to be done.

Health and safety considerations at each step are summarised.

Managing contractors: five steps

Step 1: Planning

- Define the job
- Identify hazards
- Assess risks
- Eliminate and reduce the risks
- Specify health and safety conditions
- Discuss with contractor (if selected)

Step 2: Choosing a contractor

- What safety and technical competence is needed?
- Ask questions
- Get evidence
- Go through information about the job and the site, including site rules
- Ask for a safety method statement
- Decide whether subcontracting is acceptable. If so, how will health and safety be ensured?

Step 3: Contractors working on site

- All contractors sign in and out
- Name a site contact
- Reinforce health and safety information and site rules
- Check the job and allow work to begin

Step 4: Keeping a check

- Assess the degree of contact needed
- How is the job going:
  – As planned?
  – Is the contractor working safely and as agreed?

  - Any incidents?
  - Any changes in personnel?
- Are any special arrangements required?

Step 5: Reviewing the work

- Review the job and contractor
  - How effective was your planning?
  - How did the contractor perform?
  - How did the job go?
- Record the lessons

Managing contractors – checkpoint ✔

The steps are linked.

During **Step 3: Contractors working on site**, different needs could emerge and the job may change. If so, you need to return to **Step 1: Planning**.

At **Step 5: Reviewing the work** evaluate all the previous steps:

- your plan;
- your contractor;
- the job;
- how you kept a check.

Try not to see each step in isolation.

Step 1: Planning

- Define the job
- Identify hazards
- Assess risks
- Eliminate and reduce the risks
- Specify health and safety conditions
- Discuss with contractor (if selected)

This step is about how to plan the contractor's job. After working through it you will be able to understand more about the practicalities of risk assessment and planning to reduce risks.

You need to answer these two questions:

- What is the job?
- How can it be done safely?

Once you know what the job is, you need to build in health and safety by carrying out a **risk assessment**:

- **identifying hazards** – anything that can cause harm, for example, a corrosive chemical;
- **evaluating risks** – the chance of harm actually being done, for example, burns due to contact with the corrosive chemical. This will help you work out what action to take to eliminate or reduce those risks.

In spite of the terms, which may be off-putting, identifying hazards, assessing the risks and planning how to get rid of them is a straightforward process, largely a matter of common sense. You know best the hazards in your business.

Contractors have responsibilities for preparing a risk assessment under the Management Regulations. Their risk assessment should fit in with your own and provide you with information. Likewise contractors will need information from you about the job, the state of plant etc when preparing their assessment.

Clearly, there is a need for communication and close co-operation between you and the contractor so that all risks associated with the job are covered.

Contractors may prepare a detailed safety method statement on how they intend to carry out the job so that risks are controlled and managed. This should be based on an assessment of risks to the health and safety of employees and others who could be affected by the work. The next three exercises will help you identify hazards, evaluate risks and decide what precautions may be required. You may need about 10–20 minutes for completing all of them.

Managing contractors – checkpoint ✔

- Do you ask contractors to provide risk assessments or safety method statements?
- Keep a check for those who don't or are unwilling.
- Make sure you agree exactly how to do the work.

Exercise 1: Identify the hazards

Identify the hazards of installing a new section of pipework between two flanges to replace an existing corroded section. The work needs to be done at a height of 3 metres. Write down every hazard you can think of under the two headings.

You may have identified these hazards from the job itself:

- difficult access;
- the job is close to operating plant;
- heavy and complex items to handle;
- chemicals present;
- items to be lifted to a considerable height;
- exposure to wind and rain;
- falling objects.

There may well be others.

Hazards in the contractor's work include:

- erecting temporary lifting equipment;
- erecting temporary access platform;
- operating lifting equipment;
- breaking flanges.

Again, you may think of more.

The job itself

What the contractor has to do

Exercise 2: Assess the risks

Using the same job – replacing pipework at a height – consider the risks arising from each hazard.

To help you decide about the risks, ask yourself:

- What is the worst result?
- How likely is it to happen?
- Who could be hurt if something goes wrong?

Put down the risks arising from:

- contact with corrosive chemicals;
- working at height;
- handling heavy plant and equipment.

If you have a job where the CDM Regulations do apply, there are special tasks you will need to carry out. Look back to Section 2 for an introduction to CDM or see References.

The risks you may have included are:

- falling from height;
- chemical burns;
- manual handling injury, eg backstrain;
- falling objects;

... and there may be others.

Exercise 3: Eliminate and reduce the risks

Ask yourself whether it is possible to eliminate any of the risks. It may not be possible in this example but in other circumstances you may be able to work out different ways of doing things. Think ahead for future maintenance requirements.

Finally, using the same job again, list ways to reduce the risks. Work out the precautions to take.

Tick the column to identify which precautions are: up to you; up to the contractor; a joint responsibility.

You may need to agree who will be responsible for what, depending on the circumstances. Suggested precautions include the following:

Ask yourself whether the precautions:

- meet the standards set by a legal requirement;
- comply with recognised industry standards;
- represent good industry practice;
- reduce risk, so far as is reasonably practicable.

See the risk management section of HSE's website at www.hse.gov.uk/risk/index.htm. It contains useful information on assessments. See References for other material.

Precautions to reduce the risk	Your responsibility	Contractor's responsibility	Joint responsibility
Decontaminate old pipework and isolate it from the plant	X		
Erect a proper working platform with safe access	X	X	
Provide protective equipment			X
Cordon off work area and put up warning notices in the work area and area below it	X	X	
Inform the contractor of the nature of chemicals, emergency procedures etc before the job starts	X		
Use safe working methods, eg for breaking the flanges		X	
Train to use equipment safely, including personal protective equipment (PPE)	X	X	

Permit-to-work systems

Permits-to-work (PTWs) are an essential part of safe systems of work for many maintenance activities on chemical plants. Permits are used for high hazards and unusual jobs. They are required if there is a risk of serious injury which cannot be adequately controlled by normal physical safeguards. Permits specify the work to be done and precautions to be taken and provide a clear record that all foreseeable hazards have been considered.

Separate permit forms may be needed for different tasks such as:

- entry into confined spaces;
- hot work;
- work on electrical systems.

In this way enough emphasis can be given to the particular hazards present and the precautions needed.

Managing contractors – checkpoint ✔

In the chemical industry many jobs involving contractors are hazardous:

- entering confined spaces;
- breaking containment;
- working on electrical systems;
- using welding/burning equipment.

Think about whether a PTW system could improve your practice. Do you need one? Your decision to use a PTW system depends on the hazards involved in the work.

Why have a PTW system?

A third of all accidents in the chemical industry are maintenance-related. The main causes are either due to lack of a PTW system or the system not being effective.

A PTW system helps to safeguard contractors and others working on site. Contractors must know they cannot do anything unless:

- they have been given a permit; or
- they've been told they don't need one because it doesn't apply to the particular job.

Essential elements of a permit-to-work

1 **Permit title**.

2 **Permit number** – reference to other relevant permits or isolation certificates.

3 **Job location**.

4 **Plant identification**.

5 **Description of work to be done and its limitations**.

6 **Hazard identification** – including residual hazards and hazards introduced by the work.

7 **Precautions necessary** – person(s) who carries out precautions, eg isolations, should sign that precautions have been taken.

8 **Protective equipment**.

9 **Authorisation** – signature confirming that isolations have been made and precautions taken, except where these can only be taken during the work. Date and time duration of permit.

10 **Acceptance** – signature confirming understanding of work to be done, hazards involved and precautions required. Also confirming permit information has been explained to all workers involved.

11 **Extension/shift handover procedures** – signatures confirming checks have made and that the plant remains safe to be worked upon, and new acceptor/ workers made fully aware of hazards/precautions. New time expiry given.

12 **Hand back** – signed by acceptor certifying work completed. Signed by issuer certifying work completed and plant ready for testing and recommissioning.

13 **Cancellation** – certifying work tested and plant satisfactorily re-commissioned.

Example: Contractor thought the job was finished

A contract fitter was scalded by an escape of high-pressure steam from an open pipe. The accident happened while two contractors were working on the pipes under a permit system. The first thought the job was completed and returned the permit to the process operator who opened the steam. The second contractor had not finished his part and was still working on the pipe. The permit did not have a signing-off procedure.

An engineering professional suggests:

'Chemical businesses can benefit from a permit-to-work system because the chemicals themselves are hazardous. Contractors are likely to be near or in contact with them. Processes in the industry are complex, the equipment is expensive and operations are very often continuous. Yet for the contractor, the hazards may be hidden – not obvious at all.'

Key points

You need to follow these three key points for health and safety:

- plan all jobs involving contractors;
- carry out a risk assessment during the planning stage and use it to decide what precautions are needed;
- exchange information.

Exercise 4: Planning for safety

This exercise helps you to practice planning for safety. Allow around 15–30 minutes. Identify a real job which needs to be done. Draw up a plan noting the following:

- hazards – anything that can cause harm;
- risks and how they will be eliminated or reduced;
- health and safety communication needed with contractors;
- people who need to be involved for health and safety;
- working methods and procedures for health and safety.

If you are stuck for jobs, these may help you:

- install new lighting;
- repair a pipework leak;
- change a valve;
- inspect an item of plant;
- clean a tank.

Identify the job

- Has this job or one similar to it been done before?
- Is there a record of how it was done and the hazards involved?
- What are the hazards?
- What are the risks?

Plan how it will be done safely

- How can the risks be eliminated or reduced?
- How do the risks affect how the job should be done?
- What precautions are needed?
- Who needs to be involved?
- What procedures and working methods should be used?
- What do the people involved need to be told before the job begins?

Step 2: Choosing a contractor

- What safety and technical competence is needed?
- Ask questions
- Get evidence
- Go through information about:
  - the job
  - the site, including site rules
- Ask for a safety method statement
- Decide whether subcontracting is acceptable. If so, how will health and safety be ensured?

'It's not uncommon for a less experienced production supervisor – or even senior management – to go for the DIY approach, especially if the job is small or sudden. To save money or time they'll try to sort it out themselves or call in someone they know, not always the most competent person, to get the job done fast or cheaper.'
Site manager

Since the use of contractors is increasing in chemical businesses, your choice of contractor can have a big impact on health and safety in your company.

This step looks at how to assess the contractor's competence before you make your choice. After working through this step, you should be able to describe what is involved, identify some health and safety questions to ask contractors and explain the benefits of using preferred contractors.

Managing contractors – checkpoint ✔

- Look out for the quick fix!
- Take care when you need someone in a hurry – don't miss out safety.

Successful selection of contractors

Approach contractor selection with care. It is not something to do casually. It could be said that since contractors are not as familiar with the industry as potential employees, selecting them needs even greater attention!

'Everyone working on your premises should know the health and safety standards they have to achieve.'
HSE

'I've got their health and safety policy – now what?'

Companies often ask for contractors' health and safety policies but rarely do anything with them. They are important and will tell you a lot about the contractor. A good policy should include or refer to the arrangements the contractor has made for putting the policy into practice. It will be supported by sensible procedures and working practices.

Spell out the conditions

Before the work starts, spell out the conditions your contractor has to meet and select the one best equipped to meet them. Health and safety is one of your conditions. Identify health and safety procedures associated with the job and include them in the contractor's specification. When bids are received, check them against the specification to make sure that proper provision has been made for controlling risks.

The deciding factors about the contractor you choose may include:

- **Availability** – contractor W is available ... but do they know about the hazards of working on a chemical site?
- **Cost** – contractor X is the cheapest ... but are they the safest?
- **Technical competence** – contractor Y seems technically competent ... but last time they were on site there was an accident!
- **Reliability** – contractor Z did the job last time ... but they always sent different people each day.
- **Health and safety** – check their policy, performance and procedures.

Managing contractors – checkpoint ✔

Subcontractors are at arms' length. Make the point to your main contractor that they must:

- manage their subcontractors;
- make sure the subcontractor complies with site rules, working methods and procedures.

Subcontractors

Problems can arise when there is further subcontracting unless there are good arrangements between all parties. You may wish to set down rules about subcontracting.

A work supervisor explains:

'The main contractor may have a safety method statement and a health and safety policy. But sometimes their subcontractors are just a couple of men and the contractor leaves the subbie to get on with it. Now we give main contractors our site rules and go through it with them. They have to abide by them if they want our work. We are very strict about the use of subcontractors and make sure the main contractors know their responsibilities. It has helped the situation with subcontractors.'

Look around for contractors

Suppose your company needs someone to clean out a tank. Six companies are listed in the *Yellow Pages* or trade press. How do you find someone competent, with the right approach to health and safety and with experience in the chemical industry? It's not just a matter of cleaning. It's how to do it safely, given the particular hazards present.

- **Build relationships to set up preferred contractors** – this happens over time and has definite advantages. You can check their safety record from time to time and keep them in touch with your rules and standards. You'll have a contractor in place with considered and reliable arrangements for safe working. You can save carrying out a complete selection process every time.
- **Use your contacts in the business** – are there networks you can use? Others in your kind of work will be using the same sort of contractors. Find out who they think has a professional approach. Ask your contacts what they know about the contractor's health and safety competence.
- **Use informal networks** – listen to others in your company. People on site may have heard of experiences with particular contractors or have seen a contractor at work in a different context.

- **Interview different contractors** – ask them for information. Get them to say how they work, what they know about health and safety and how they implement their own health and safety policy. Use the Checklist: Questions for contractors below.

Ask questions and get evidence

You are unlikely to need to ask all the questions in the checklist. The depth of questioning needs to be tailored to the risks of the job. Pick out which are the most important given your knowledge of the job and the skills the contractor needs.

You may also need to include questions about key people who would be put on the job. Ask who will be supervising and managing the work. What is their experience and knowledge of the particular health and safety issues and their level of awareness and training?

Decide how much evidence is necessary to support what they say. Some contractors may have attended a basic safety awareness course or received safety passport training such as that provided by the Client/Contractor National Safety Group (CCNSG).

The CDM Regulations say that you must select competent contractors. Competence is not just a matter of technical qualifications or training achievements, although these may be important. You need to assess the wide range of abilities needed for the work.

Checklist: Questions for contractors

This is not a complete checklist – can you think of anything else which needs to be added?

Experience

- What experience do you have of our type of chemical business?
- How familiar are you with the hazards in our business?
- Have you done this sort of job before? What are the main problems?
- Can you provide existing risk assessments or safety method statements, eg for a similar job?
- Can you supply references?

Health and safety policy and practice

- Do you have a health and safety policy?
- Has HSE ever taken action against your activities?
- What are your health and safety procedures?
- Do you plan to use any subcontractors?
- Will you provide a safety method statement for this job?
- What safety checks do you make on equipment and materials?

Training and competence

- Are you a member of a trade/professional body?
- How do you ensure your subcontractors are competent?
- How do you prepare them for working safely while on site?
- What health and safety training do you provide?
- How is information about health and safety passed on to staff and subcontractors?
- Can you show us your training programme and records?
- Have they got current certificates of competence and participation in health and safety training?

Supervision

- How do you plan to supervise this job?
- Who will be responsible for supervision on site?
- How are changes which arise during a job dealt with?
- How will you liaise with us?
- If you identify a problem, what action do you take concerning your staff or subcontractors?
- Will you report incidents/accidents to us?
- Are you prepared to abide by our rules?

Add your own questions that may arise over time and from experience.

You are trying to gauge how seriously they take the subject. How do they react if you ask to see evidence of safe working procedures or training records? Beware of companies who say they'll provide them, then don't. How willing is the contractor to learn about, and comply with, your standards? What about any regular contractors? If you don't know much about their health and safety procedures and technical competence, find out.

Example: Selecting a contract haulier

'We needed a contract haulier – we don't have our own transport vehicles. We sorted out the packaging and labelling and knew that our product came under the Regulations covering transport of dangerous goods by road.

'We asked around. That was useful and we got some names. We contacted some companies and asked about their experience in transporting dangerous goods. We followed up on some references – that was even more useful. One of the referees told us that one of his hauliers had been reported to HSE by the police for not securing the load properly or carrying firefighting equipment.

'We know our contractor well now, but if they send us a driver we don't know, we ask for evidence of their training. It's important for drivers of dangerous loads. After all, it's our reputation at stake as well.'

Agreeing the job

An agreement doesn't need to be written for it to be legally binding. At its most basic, the company agrees to pay the contractor when the contractor does a job. However, writing your agreement can help to make each party's responsibilities clearer. You can specify everyone's responsibilities for health and safety.

Prepare information in advance about your company's rules and procedures to give to contractors. Complying with these can be part of the agreement between you.

Key points

This step is about establishing the contractor's competence. You need to:

- **select contractors with health and safety as one of your key conditions;**
- **specify your requirements for health and safety;**
- **ask questions and get evidence. Find out their:**
  - experience;
  - health and safety policy and practice;
  - training and competence;
  - supervision arrangements;
- **develop preferred contractors – those you can rely on, with established arrangements for health and safety.**

Step 3: Contractors working on site

- All contractors sign in and out
- Name a site contact
- Reinforce health and safety information and site rules
- Check the job and allow work to begin

This step covers the job itself – signing in and knowing who is on site; establishing a named contact and briefing contractors before the job starts. It explains ways to sign in, gives examples of prepared materials to use, what to check and information to provide about the job before it starts.

'The secret for a small company is the system at entry. Sorting that out was one of the first things we changed. In the past we were too open – we only have 30 people and we thought between us we'd know who was around. But we didn't. So we needed to do something about it. All staff were involved in planning our present system.'
Site manager

Arrival on site

All businesses need to control the coming and going of people in and out of their premises. Maybe you already have a reception area with a book for visitors to sign. It is worth looking at your arrangements to see if there is room for improvement. Do you always know who is with you – and where they are?

Safety rules

You probably have site health and safety rules – such as use of eye protection or other protective equipment; whether or not smoking is permitted; what to do in the event of an emergency etc. Contractors need to be told about these. You may have sent the contractor a copy of your site rules in advance. It is a good time to recap on these when contractors arrive on site.

Site hazards

Contractors need to be told about the hazards they face when they come on site. Often an induction talk is the best way of passing this information on. It is worthwhile checking that they have understood any essential points.

Ready references

Standard information can be made up in advance, eg cards, notices, booklets.

Some companies use an induction video about the company and the site. It shows the key health and safety messages before any work starts.

Site contact

Contractors need a site contact – someone to get in touch with on a routine basis or if the job changes and there is any uncertainty about what to do. The site contact should be somebody nominated who is in a managerial position with sufficient authority and competence.

The site contact will go over the job with the contractors:

- checking what precautions are necessary for any risks involved and whether a PTW is needed;
- ensuring everything necessary has been done;
- agreeing further contact, supervision arrangements and a time limit for the job, if appropriate.

Assess your approach to signing in and contacts. Tick the column that applies. If you have ideas which are not in the left-hand column, add them.

Signing in and contact on site	No need to improve	Need to improve	Need to start
We have a reception area			
Contractors sign in daily			
Contractors always use site passes			
We give written site rules to contractors			
New contractors are taken through our site rules			
All contractors have a contact person while on site			
We insist they make daily contact with the site contact			
ALL contractors are covered (including subcontractors)			

The signing in procedure links to the next stage in the process of managing contractors.

Example: One approach to managing contractors on site

The diagram shows how one small company manages contractors coming on to the site. Going through the procedure with new contractors takes about 15 minutes.

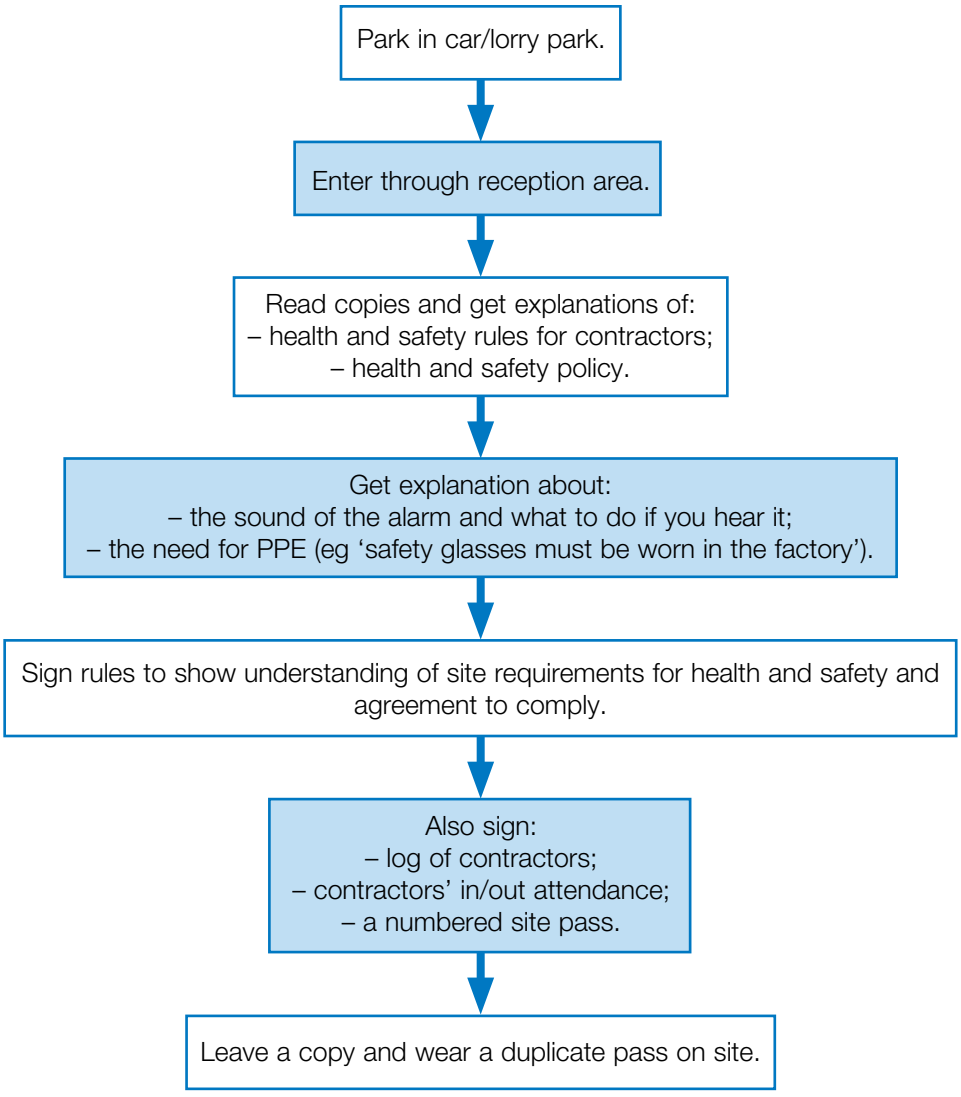
The company blends chemicals to create solvent-based products. There are just under 50 staff. They don't claim to be a model but their approach offers practical ideas.

Take note!

The contact is notified by the employee covering reception. The contact escorts the contractor to wherever the contractor is based on site. They run through the planned job with the contractor so that we know how the work will be done.

Contractors sign out whenever they leave the site.

Contractors who are always with the company – those working with the maintenance departments, for example – carry their own pass. All contractors must sign in each day they come on site.



An engineering director explains:

'There are unexpected advantages to our signing in procedure. When I get a bill for six hours' work I can check the signing-in book. If the contractor goes off site they sign out, and then sign in again when they come back. I have evidence on paper about the time they're actually on site.'

Managing contractors – checkpoint ✔

Don't let contractors or their subcontractors turn up and just get on with the job, even if they were there the day before. Things may have changed.

Key points

- Signing in and out is important for all contractors, whenever they come and go.
- All contractors need a site contact.
- Pass on information about the site – the hazards and risks, site rules, emergency procedures, the alarm, first-aid facilities etc.
- Exchange information with them about the job and go through any safe working methods before work begins.

Step 4: Keeping a check

- Assess the degree of contact needed
- How is the job going:
  - As planned?
  - Is the contractor working safely and as agreed?
  - Any incidents?
  - Any changes in personnel?
- Are any special arrangements required?

'The safest system of work will fail without training, instruction or supervision of the personnel involved ... supervision of contractors may need to be greater than that for permanent employees if the safe systems devised are to be complied with.'
HSE

This step is critical in controlling jobs with contractors. It's about monitoring, checking on what is being done and how, and whether the job is going as planned. Changes can be sorted out and agreed if there are problems.

After working through this step you should be able to assess the degree of contact needed and identify what to check up on.

Working to plan

You need to have a plan against which you can check (see Step 1).

Don't do this: Have a quick look and say something vague like: 'How are things going? ... OK ... fine. Carry on ... .'

Do this: Check to see that the contractors are doing the job in the way you agreed.

How much checking is needed and how often?

Contractors are responsible for supervising their own work and for ensuring that they work safely. However, you can't just leave them from the start to get on with the job and pay them when they've finished. Too much could go wrong in between.

You do not need to watch them all the time. You have to weigh up what is reasonable. The amount of contact with the contractor must be related to the hazards and risks associated with the job. It needs to be decided and agreed at the beginning of the job. For high-risk jobs, eg where a PTW is used, more contact is needed than for jobs which you consider low risk. What are the main areas of risk? What could change and how quickly? Think about their work, how it affects the safety of your employees and vice versa.

The start and finish of the day are important times for going through the job and reviewing progress. However, the contractor should expect to see their site contact at other unspecified times when they will be looking out for safe working practices.

You selected the contractor who met your conditions and specified the terms in your agreement. As the work proceeds, make sure your terms and conditions are being met. You may need to check more often at the beginning of the job until you are satisfied of their standards. There are other important reasons besides safety for doing this. Look for competence – in safe working as well as technical ability.

Encourage contractors to report incidents, near misses and injuries – even minor ones – to you. This gives you both the opportunity to look at any underlying causes and put matters right before someone is hurt. This approach takes time and requires a degree of mutual trust, but it pays off in terms of safe working.

Managing contractors – checkpoint ✔

- Is the work being done as agreed, eg using necessary PPE according to the conditions of the PTW?
- The scope of the job – is the contractor going beyond the scope intended? Have any problems arisen which mean you need to rethink the job?
- Are any special arrangements needed, eg due to changes in timing, out of hours or weekend work?
- Are there changes in workers – new people who haven't been on site before and who need information?

Contract fitter injures eye

A contract fitter sustained eye injuries which needed emergency hospital treatment due to contact with an irritant powder. He had been installing a new bagging-off point and weighing scales. During the job, he decided to move a section of the delivery chute. Powder was released which had been in the hopper above.

The company said:	'We thought he could have done the job without moving the chute. We didn't know he was going to do that. We thought he knew what he was doing – they are a specialist company.'
The contractor said:	'The company told me what the job was and left me to it. I didn't see anyone after that – until I had the accident, then they were all running around.'
The company said:	'It was obvious he should have been wearing eye protection so this shouldn't have happened. We've got a sign up.'
The contractor said:	'I didn't know that the powder was hazardous – it was all over the place. No one told me anything.'

What went wrong?
No one from the company checked-in the fitter or went through the hazards on site and the risks involved in the job. No one told him eye protection was required – it's easy to miss a sign if you're new to the site. He turned up without eye protection and started the job anyway.

Key points
It is important that you keep a check on how the work is going against:

- **the plan;**
- **your agreement, including the job specification;**
- **agreed working methods, including any PTW or safety method statement.**

Try to be proactive, not reactive. Don't just leave contractors to get on with the job.

Step 5: Reviewing the work

- Review the job and contractor:
  – How effective was your planning?
  – How did the contractor perform?
  – How did the job go?
- Record the lessons

Finally, the job is over – or is it? This step is about learning from the job and about the contractor when the work is completed. It explains the need for reviewing, identifies what to review and describes how reviews can be used.

'We got most things right. When we do that job again there are one or two things I would do differently. The contractors did have to be reminded to tidy up after themselves but this was a minor criticism – I would have them back again.'
Engineering supervisor

Why does the job need reviewing?

The contractor's job is complete when the work has been done according to plan and the agreement between you. Reviewing is about evaluating the quality of the work against both the job and the contractor's performance.

The other reason for reviewing is to learn what will be done differently next time to improve your practice.

Review involves evaluating the health and safety of all other steps:

1 your planning;
2 choice of contractor;
3 the work;
4 effectiveness of the contact and supervision.

Any surprises and lessons learned are recorded and used for the next time. The record can be used when revising your list of preferred contractors.

Checklist: For review

This checklist shows some review questions. Others may come to mind as well. The list is not complete.

The contractor

- Were there any health and safety problems?
- Would you accept them back on site again?
- Did you need to take action?
- Did you have to pull them up on anything?
- How good are they at housekeeping?
- Would you give them a reference?
- Do you know enough about them to include them on a preferred list?

The job

- How was your planning – was the hazard identification and risk assessment adequate?
- Has the work been done as agreed, for example, as in the contract or in accordance with a safety method statement?
- Has any necessary testing been done, checked and recorded?
- Were all the permits signed off?
- Have any remaining actions been agreed and taken into account?
- Is there a record of achievements and shortfalls?
- Do plant records, including any drawings, need modification?
- If the job is likely to be done again in future, is it recorded to assist planning next time?

Managing contractors – checkpoint ✔

What happens now when your contractor is finished? Do you just get the bill? Make sure you don't miss the review step.

Who is involved in reviewing?

If you are responsible for managing the job, you carry out the review as part of the process. The contractor may participate. After all, they should know if they have to improve. They will add useful information from their own point of view.

Put the review in writing

The results of the review can be recorded for future reference. They need only be brief. Why not copy it to the contractor? If there were problems, they need to improve.

Key points

After the job is finished, review it to:

- **evaluate quality;**
- **learn what went well and what didn't so the lessons may be applied next time.**

Review the:

- **contractor;**
- **work.**

Keep a record!

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Further information

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