

BI- HAS-004 CONTRACTOR POLICY

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Version control

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01 December 2020	1.0	Archived	Updated in the 2020 Policy Review
27 September 2021	1.1	Archived	Removal of civil proceedings wording from Further Information (all policies) & BBT
14 June 2023	1.2	Active	Addition of PQQ in definitions plus required contractor insurance indemnity levels in sections 5.2, 5.3 and 5.6.

Document approval

Define the approval authorities for the document

Document version	Document approved by	Position	Date
1.0	Policy Review Working Group	N/A	01 December 2020
1.1	Karen Vincent	Head of Governance	06 October 2021
1.2	Olly Stokoe	Head of Governance and Projects	15 June 2023

Distribution

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15/06/23	1.2		
This policy should be assigned to the following groups; Please tick one box for each group.			
Group Name	Mandatory	Group Name	Mandatory
All Users	☐	Heads of Department	☐
Trustees	☐	BCE Staff	☐

Researcher (Wet)	☐	Nursery	☐
Researcher (Dry)	☐	Visitors	☐
BSU Staff	☐	Credit Card Users	☐
BSU Users	☐	Ionising Radiation Users	☐
Notes: Optional for all staff and trustees			

Associated policies, procedures and guidance

This policy should be read in conjunction with:

BI-HAS-001 General Health & Safety Policy

Contractors page on The Hub

BRC-BCE-001 Babraham Campus Engineering Policy

Supervisors should bring inherent risks in the proposed area of work to the attention of the contractors, see the Institute H&S Hub pages and the relevant policy(s) on the Policies Hub page (e.g., BI-HAS-007 Ionising Radiation Safety Policy, BI-HAS-008 Chemical Safety Policy, BI-HAS-011 Working at Height Policy, etc.)

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1. Definitions

“Competent / Responsible Person”	Someone who has sufficient qualifications, training and experience or knowledge and other qualities that allow them to assist you properly. The level of competence required will depend on the complexity of the situation and the particular help required.
“Notifiable Construction Project”	A project that falls under the Construction (Design & Management) Regulations (CDM) 2015 ¹ (CDM regulations), is notifiable if the construction work is expected to last longer than 30 working days and have more than 20 workers working at the same time at any point on the project or exceed 500 person days. Every day on which construction work is likely to be carried out should be counted, even if the work on that day is of a short duration. This includes holidays and weekends.
“Permit to Work (PTW)”	A formal system stating exactly what work is to be carried out, when, and which parts are safe. A responsible person should assess the work and check the safety at each stage. The people doing the job should sign the PTW to show that they understand the risks and precautions necessary.
“Employee”	Institute employees on Institute or Babraham Institute Enterprise Ltd (BIE) terms and conditions, Institute employees on BBSRC or other terms and conditions, and Research Fellows on Institute terms and conditions.
“Staff”	Employees and Babraham Institute registered PhD students.
“Worker”	Staff, Research Fellows (honorary), Honorary Members of Faculty, visiting students, visiting researchers and workers (including consultants and secondees), workers provided by a third party / contractors, and Trustees.
“Others”	Non-worker visitors and those affected by the undertakings of the Institute.
“Contractor”	This is any person or company who undertakes work, or provides a service, who is not an employee of the Institute. Work must be governed by a service agreement.

¹ <http://www.legislation.gov.uk/ukxi/2015/51/contents/made>

Contractor work may include projects or activities such as:

- Repairing, cleaning, servicing or maintaining equipment or structures.
- Installing, commissioning or decommissioning equipment and plant.
- Inspecting or testing equipment or plant.
- Grounds work and gardens maintenance.
- Catering, cleaning and security.
- Installation and maintenance of mechanical / electrical services systems.
- Design consultancy, surveying and site investigations.
- Construction, refurbishment, alteration to buildings and demolition / dismantling or redecoration of structures (such work may fall under CDM Regulations and additional legislative requirements and notifications may apply).

“Rules and Guidance (RaG)”

In this context, a RaG document provides general rules to be followed and guidance on how to work safely for various types of work involving various hazard groups.

“Sub-contractor”

A person who is hired by the main contractor to perform a specific task as part of the overall project.

2. Commitment statement

- 2.1. At the Babraham Institute our mission is to be an international leader in research focusing on basic cell and molecular biology with an emphasis on healthy ageing through the human life course.
- 2.2. Research and operational excellence are essential to meeting our vision of being at the forefront of research that improves lives. The [Institute Values](#) set out our approach to how we operate across all Institute activities, both at an individual level and together as the Babraham Institute. The expectation of the Institute is that each staff member looks to represent and reflect the Institute Values within their own contributions and function, and to support and not hinder the expression of these Values in the work of others.
- 2.3. The control of contractors can represent a significant challenge for the Institute and the failure to plan and manage work carried out by contractors can increase the likelihood of exposing people and property to unacceptable risks with potential financial and legal penalties.
- 2.4. This policy sets out how the Institute will manage contractors whilst they are working on the Babraham Research Campus (the Campus) in areas for which the Institute is responsible.
- 2.5. For the avoidance of doubt, this policy does not form part of any Employee’s terms and conditions of employment and may be amended by the Babraham Institute at any time.

3. Purpose

- 3.1. The Institute owes a duty of care under the Health and Safety at Work Act 1974 to all workers and others who may be put at risk within areas for which it is responsible, including contractors undertaking work in those areas. The Institute will ensure that all works undertaken by contractors, for or on its behalf, are carried out in such a manner as to avoid, reduce, or control all foreseeable risks to health and safety to a tolerable level.
- 3.2. The Institute will work to good practice and fulfil the requirements of the [Construction \(Design & Management\) Regulations \(CDM\) 2015](#)² (CDM regulations; where they apply). This will include taking all steps, so far as is reasonably practicable, to pursue the following principles:
- Only competent contractors will be selected and any risks associated with contractor undertakings will be minimised to a tolerable level.
 - The Institute will ensure that its contractors comply with relevant good practice standards and law.
 - A management framework (in place for all contractor activities) will be followed to ensure the appropriate level of planning, coordinating, control and monitoring to safeguard workers and protect the Institute's property, environment and assets.

4. Scope

- 4.1. This policy applies to:
- Institute employees on Institute or Babraham Institute Enterprise Ltd (BIE) terms and conditions
 - Institute employees on BBSRC or other terms and conditions
 - Research Fellows on Institute terms and conditions
 - Research Fellows (honorary)
 - Honorary Members of Faculty
 - Babraham Institute registered PhD students
 - Visiting students
 - Visiting researchers and workers, including consultants and secondees
 - Workers provided by a third party / contractors
 - Trustees
- 4.2. The following should refer to their agreement for working on site and / or employer's policies, in conjunction with this policy:
- Workers provided by a third party / contractors

5. Responsibilities

5.1. The Institute Director & Board of Trustees

- 5.1.1. The Institute Director and Board of Trustees have overall responsibility for health and safety and will ensure that robust mechanisms are in place for management and control of contractors within the areas for which the Institute is responsible.

² <http://www.legislation.gov.uk/uksi/2015/51/contents/made>

5.2. Head of Babraham Campus Engineering (BCE), Technical Services Manager & Building Managers

5.2.1. The Head of BCE, Technical Services Manager and Building Managers are responsible for ensuring that:

- Suitable competent contractors are identified and appointed in collaboration with the relevant procurement parties and adhere to tendering processes.
- All contractors have satisfactorily completed a 'Contractor health & safety Pre-Qualification Questionnaire (PQQ)' form. The documents accompanying the completed forms should include proof that each contractor has a limit of indemnity of £5M (or greater) for Public liability insurance and Employers liability insurance (as well as a limit of £5M for single events). If professional indemnity insurance (for consultancy) or product liability insurance (where a product is to be supplied) is also required, then the limit should also be £5M or greater in each case.
- All contractors engaged to do hot works supply proof of insurance each time they come to the Institute.
- Where appropriate, that the CDM regulations are complied with, and works meeting the notification requirements under CDM regulations are notified in a timely manner to the Health and Safety Executive (HSE).
- There are sufficient competent persons and resources in place to manage and monitor contractor activities and there is effective liaison / cooperation / communication between all parties involved in or affected by the contracted works.
- The Institute Health & Safety (H&S) team is given details of any projects or maintenance works that could have health and safety or fire safety implications for workers, visitors or others impacted by the Institute's activities. The Institute H&S team should be invited to verify that buildings are safe for use after commissioning or refurbishment.

5.3. Supervisors of contractors

5.3.1. Only Institute employees can act as supervisors of contractors and it is their responsibility to ensure that contractors are aware of this policy.

5.3.2. Employees engaging, managing and supervising contracted works are responsible for ensuring that:

- Prior to contractors coming on site they have satisfactorily completed a 'Contractor health & safety Pre-Qualification Questionnaire (PQQ)' form and have the required limit of indemnity of £5M (or greater) for Public liability insurance and Employers liability insurance (as well as a limit of £5M for single events). If professional indemnity insurance (for consultancy) or product liability insurance (where a product is to be supplied) is also required, then the limit should also be £5M or greater in each case.
- All contractors working on their sites are made aware of any specific hazards and local safety standards for the site and are provided with relevant information (including any requirements for a Permit to Work [PTW]).

- Contractors and their sub-contractors are provided with induction training and that records of training are kept.
- Contractor method statements and risk assessments have been provided in good time, reviewed and, where appropriate, other workers informed.
- Routine monitoring and periodic assessment of contractors during the course of their work is carried out to ensure that they are complying with the method statements and local site rules.
- If applicable for certain projects / activities, communication channels (e.g., regular meetings) are established for the two-way flow of information between site workers and contractors.
- Any incidents / near-misses as a result of contractor activities are recorded in the site's incident reporting systems, followed up where necessary and that serious / significant events are reported without delay to the Institute central H&S team, and, as appropriate, Head of BCE, Technical Services Manager and / or Building Manager.

5.4. Workers

5.4.1. All workers engaged with or affected by contracted work must ensure that:

- They take notice of all information available concerning the contractors who are working within their areas and abide by any restrictions put into place.
- Report any hazards or concerns regarding the activities or conduct of contractors in their area to their line manager or the Institute H&S Manager, who can notify the appropriate person.
- Ensure that their work does not endanger contractors who are working in their vicinity.

5.5. H&S Manager

5.5.1. The Institute H&S Manager is responsible for:

- Providing advice when drawing up the content of contractor inductions or health and safety documentation specific to contractors.
- Verifying that buildings and areas are safe for use after commissioning or major refurbishment.
- Having an awareness of any relevant legislative requirements that apply to the activities being carried out.
- Ensuring where appropriate, investigations are carried out into incidents / near-misses and recommendations are made to prevent or minimise recurrences; that any Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) requirements are met.

5.6. Contractors

5.6.1. Contractors are responsible for:

- Providing an up to date PQQ including proof of our specified limit of indemnity of £5M (or greater) for Public liability insurance and Employers liability insurance (as well as a limit of £5M for single events). If professional indemnity insurance (for consultancy) or product liability insurance (where a product is to be supplied) is also required, then the limit should also be £5M or greater in each case.
- Supplying proof of insurance each time they are engaged to do hot works at the Institute.
- Providing a method statement where appropriate, detailing the activities necessary to carry out the task and take into account how this will interact with the activities of the area of work.
- Providing a risk assessment of hazards and the associated control measures to ensure the health, safety and welfare of their own employees and others who may be affected by the contractor's activities.
- Ensuring that any sub-contractors they employ are competent.
- Communicating with other workers regarding any hazards arising from the associated work activities.
- Adhering to all relevant legislative requirements and their host's Rules and Guidance (RaG) and procedures, including local site rules (e.g., fire safety, security, parking, housekeeping, incident reporting, etc.).
- Making themselves identifiable to other workers on site.
- Reporting all injuries, incidents and near-misses to their supervisor at the Institute, as well as their own company.
- Attending the induction training and any other training necessary on site in order to carry out the works.

5.7. Authorised Persons signing a PTW

5.7.1. Authorised Persons signing a PTW must ensure that the PTW:

- Identifies and manages the risks associated with the work tasks.
- Is issued with sufficient time to allow for clearance / decontamination / monitoring activities to take place (where appropriate).
- Is managed and monitored effectively.

6. Arrangements

6.1. To achieve the objectives of this policy, the Institute will ensure that it has in place suitable arrangements for managing and controlling contractors. The measures put in place will be consistent with the level of risk; the greater the risk of the work, the more that needs to be done. It is acknowledged that there will be procedural variations in different work areas as to how this is achieved, which will be addressed in the documentation covering each particular work area.

6.2. However, the following points are common to all work areas:

- Each work area will ensure it has procedures in place to carry out suitable competency and safety performance checks on prospective contractors during the selection process.

- All contractors are to be provided with the necessary information and instruction to undertake their works in accordance with this policy.
- BCE must ensure that all Campus asbestos management plans and registers are in place and up to date (see the Babraham Campus Engineering Policy [BRC-BCE-001]). Procedures must also be in place to inform contractors about asbestos if it is relevant to their intended works.
- Where appropriate, use of welfare facilities should be clarified (e.g., smoking points, use of canteen, washrooms, parking facilities, mobile phone usage, etc.).
- Contractors should be instructed about local area emergency procedures, including the nature of alarms, and evacuation and medical emergency procedures. In the event of an emergency in the contractors' work environment or that results from their activities, emergency procedures, which have been arranged with their host, must be in place.
- Contractors must be made aware of accident / incident reporting procedures and how they can report such occurrences.
- If contractors are involved in an accident / incident, a procedure must be in place to inform the management of the contractor organisation.
- It must be ensured that contractor risk assessments and method statements are reviewed by competent employees. Conversely, inherent risks in the proposed area of work need to be brought to the attention of the contractors (see the Institute H&S Hub pages and the relevant policy(s) on the Policies Hub page; e.g., BI-HAS-007 Ionising Radiation Safety Policy, BI-HAS-008 Chemical Safety Policy, BI-HAS-011 Working at Height Policy, etc.).
- Waste disposal arrangements should be clarified and waste procedures confirmed prior to works commencing.
- It must be ensured that any circumstances where a PTW is required (e.g., confined spaces, hot works, high voltage electrical work, excavations, working at height, etc.) are identified and correct procedures are followed for their issue and signing by competent, authorised personnel.
- Where relevant, the correct processes and procedures are followed to ensure that areas are safe for contractors to enter and carry their work (e.g., decontamination and clearance certificates).
- Once the project is completed, arrangements must be in place to ensure all contractor work items (e.g., equipment, tools, excess materials and waste) are removed from site.
- Where required, steps must be taken to ensure that the contractors are aware of any quarantine requirements prior to undertaking their work; this may be achieved by pre-start meetings and inductions.

7. Reporting

7.1. Institute employees responsible for contractors should have procedures that monitor contractor performance throughout the course of the work and on its completion.

Performance reviews should consider aspects such as:

- Observing safe work procedures.
- Observing site rules.
- Wearing of personal protective equipment as required.
- Accidents and incidents, quality of work, and housekeeping.
- Waste management and the timely completion of tasks.
- Reports should be made to the Institute Health and Safety Committee, who should regularly discuss and review the findings of all incidents involving contractors, and monitor the progress of any action plans.
- All serious accidents and / or those with high-risk potential must be reported to senior management. Poor safety performance of contractors should lead to them not being eligible for future work.

8. Further information

8.1. For further information see:

<https://www.hse.gov.uk/pubns/eh76.pdf>

- 8.2. This policy will be reviewed regularly to incorporate any changes, legislative or otherwise. The next review date is specified on the cover sheet.
- 8.3. Associated policies, procedures and guidance are listed on the cover sheet. The Policy Owner named on the cover sheet can be contacted with any queries.
- 8.4. This policy may be varied, withdrawn or replaced at any time by the Institute at its absolute discretion.