



# Contractor Control Policy

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## Document Control Information

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| 10.1    | December 2024  | Risk Team          | A            | Formatted to Trust template                                                                    |
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A = Approved D = Draft

Document Author = Health and Safety Manager

To support this policy, there are a number of related documents that underpin the risk management arrangements:

- Health & Safety Policy
- Health and Safety Risk Assessment Policy
- Risk Management Policy
- Incident Management Policy
- Process for Inspection for Improvement - SOP
- Statutory and Mandatory Training Policy and Procedure

In addition, there are a number of specific process / guidance documents relating to the safe selection and management of contractors:

- Temporary Worker Procedure
- Visitors to YAS Premises Policy

Template forms and information sheets for use when developing departmental procedures for contractor management are also available from the Health and Safety Manager.

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## Staff Summary

|                                                                                     |
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| YAS is committed to ensuring that contractors are appropriately managed             |
| YAS will implement management practices to mitigate contractor risks to staff       |
| YAS will select competent contractors using robust procurement processes            |
| YAS will provide information to contractors regarding the risks of working with YAS |
| YAS will support departments to implement good contractor management processes      |
| YAS will adequately plan contractor work                                            |
| YAS will comply with health and safety legislation relating contractor control      |
| YAS will monitor contractor work to identify risks                                  |
| YAS will review contractor work to prevent future risks                             |

### 1.0 Introduction

- 1.1 The Yorkshire Ambulance Service (YAS) Trust Board is committed to ensuring the health and safety of its employees and any other persons who may be affected by its activities. Working together with staff, YAS is committed to addressing health and safety issues in a proactive way. As part of this, YAS recognises its role as a client with regards to the use of contractors and the need to ensure that work of this nature is appropriately managed.

### 2.0 Purpose/Scope

- 2.1 It is the aim of this policy to protect the interests of staff, stakeholders, patients, and the public i.e. all those affected by Trust business by embedding the concepts and ideas of contractor management into the working practices of all relevant departments. By doing this it will enable the Trust to fulfil its legal responsibilities with regards to health and safety legislation and contribute to compliance with CQC standards.
- 2.2 To mitigate contractor risks, the Trust will select competent contractors to carry out work on its behalf and will also undertake to plan, monitor, and control contract work. This document details the process' through which these things will be achieved.

### 3.0 Process

#### 3.1 Outline of Process

- 3.1.1 Any department within the Trust has the potential to use contractors. Contractors are defined as persons or organisations who have been engaged to carry out a defined amount of work for the Trust in return for a fixed sum of money i.e., they are not salaried YAS employees (see definitions for examples).
- 3.1.2 An agreement detailing the works to be done and the amount to be paid is usually set out in a contract for works which both parties sign, hence the term "contractor."
- 3.1.3 Examples of the type of work conducted by contractors at YAS are as follows:
- A&E support services
  - PTS support services
  - Building maintenance work
  - Vehicle maintenance work
  - Equipment maintenance work
  - Consultancy services
  - ICT services
  - Temporary / agency staff

- Delivery and collection services e.g. medical gas, laundry, waste

3.1.4 When using contractors, there is an important process that has to be followed from the planning stages of the work through to the end of the contract. This is to ensure that YAS meets its legal health and safety responsibilities in relation to contract work and standing financial instructions.

3.1.5 Any department within YAS that engages contractors or uses temporary / agency staff must have in place a procedure that details their arrangements for managing this process.

3.1.6 The procedural documents should include details on how each of the following are managed:

## 3.2 Planning Contract Work

3.2.1 The first step when beginning to work with a contractor is to plan the work. When planning contract work there are several steps that have to be carried out:

- Define the work that has to be done including the task and place of work.
- Identify any hazards that are likely to be introduced by the work and any risks arising from YAS business that may affect the contractors.
- Assess the risks.
- Eliminate the risks by considering whether it is possible to separate the contractors work from YAS activities either by segregation or times of work.
- Specify any health and safety conditions that the contractor must abide by
- Discuss with contractor if they have already been selected.

## 3.3 Selecting a Contractor

3.3.1 After the work has been planned and risk assessed, a competent contractor must be selected.

3.3.2 When selecting a contractor there are a number of issues that need to be considered:

- What safety and technical competence is needed to carry out the work?
- What evidence is necessary to demonstrate this safety and technical competence?
- Is subcontracting acceptable and if so, how will the principal contractor provide assurance that health and safety is adequately controlled?

## 3.4 Managing Contractors

3.4.1 Once a contractor has been engaged, the work they then carry out has to be managed.

3.4.2 Whether contractors are working on or off YAS sites, it is the Trust's responsibility to ensure they are managed appropriately. Key issues to consider are:

- Who will be the nominated / named contract manager?
- Contractors will sign in to site on each and every visit.
- How do contractors gain site access and egress?
- Who do the contractors contact if they have questions / problems?
- How are contractors provided with health and safety information and site rules?
- Are the contractors clear on what work they are undertaking?
- Does the contractor(s) require access to the Trusts computer network and access to Trust information assets to carry out and fulfil the terms of the contract? On what

device will that access be provided and where will the contractor(s) undertake their work from?

- Are there any restricted areas where contractors are not permitted entry unless they have a permit to work to enter that area which has been issued by YAS Estates Department
- That contractors follow any agreed method statements and have access to any risk assessments.

### 3.5 Monitoring Contractors

3.5.1 Once work is underway, the work of the contractors has to be monitored.

3.5.2 The need to monitor contractors will vary depending on the type of work being carried out and the length of the contract therefore the degree of contact / checking that is required will need to be established. Key questions to ask when monitoring are:

- How is the job going – is it keeping to plan?
- Is the contractor working safely?
- Have there been any incidents and how are they reported?
- Are there any changes that need to be accommodated? i.e. new risks that have been created?
- Are there any special arrangements required?
- Is the standard of work as expected?
- Have any complaints been received from YAS staff or service managers?

3.5.3 The level of monitoring will vary depending on contracts; however, a formal record must always be made of any monitoring activities and their outcome.

3.5.4 Where monitoring detects poor standards, this should be addressed immediately with the contractors and monitoring increased. Where appropriate, i.e. where there is a significant risk, work should be stopped whilst the issue is resolved. In either case the contract manager has to fully document the issues of concern and the remedial actions taken.

### 3.6 Reviewing Contractors

3.6.1 Once work has been completed by the contractors, a review should be conducted.

3.6.2 When reviewing it is essential to review the planning and management of the project as well as the work of the contractor. Key questions to ask are:

- How effective was the planning of the work?
- How did the contractor perform?
- How did the work go? - smoothly or were there problems?
- Does the quality of work meet the specification and any applicable industry standards.?
- Did the contractor comply with health and safety rules and method statements?
- Were there any reported incidents?
- Have ID badge(s) (access card) been returned to Office Services?
- Have ICT Service Desk been notified in writing (by the YAS nominated contact) that Network Access must be revoked?
- How effective was the communication between YAS and the contractor and vice versa?
- Can the process of contractor control be improved?
- Would you recommend using the contractor again?

3.6.3 A formal record of the review will need to be made and shared with the appropriate stakeholders so that positive feedback can be provided or lessons learned.

### 3.7 Information Governance

3.7.1 The procedural document for each department must also include all relevant information governance arrangements where necessary for contractor access to Trust premises, the Trust IT network, and the expected standards for confidentiality. Please see Data Protection Policy and Visitors to YAS Premises Policy for further details.

### 3.8 Other Help and Guidance

3.8.1 Template forms and information sheets for use when developing departmental procedures for contractor management are available from the Trust Health and Safety Manager.

## 4.0 **Training expectations for staff**

4.1 In departments which use or manage a high number of contractors e.g. Fleet, Estates, Procurement, contractor management training will be provided to relevant staff by those departments. The Health and Safety Manager will advise where required.

## 5.0 **Implementation Plan**

5.1 The latest approved version of this Policy will be posted on the Trust Intranet site for all members of staff to view. New members of staff will be signposted to how to find Trust policies and procedures during Trust Induction.

## 6.0 **Monitoring compliance with this Policy**

6.1 Compliance with the Contractor Control Policy will be assessed as part of wider health and safety compliance monitoring as detailed in the Trust's Health and Safety Management System. Please see Health and Safety Policy.

## 7.0 **References**

- Using Contractors, A brief guide. HSE. March 2013.
- Managing Contractors - A guide for employers. HSE. 2011
- Construction Industry information area on HSE website. HSE. April 2023.

## 8.0 **Appendices**

8.1 This Policy includes the following appendices.

Appendix A – Definitions

Appendix B – Roles and responsibilities

## Appendix A – Definitions

|                        |                                                                                                                                                                                                                                                                                                                                                               |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Contractor</b>      | <p>Persons or organisations who have been engaged to carry out a defined amount of work in return for a fixed sum of money i.e. they have entered into a contract for works and are not salaried YAS employees.</p> <p>This can cover a vast range of services engaged by the Trust from office work to construction to collection and delivery services.</p> |
| <b>Stakeholders</b>    | Those people and organisations who may affect, be affected by, or perceive themselves to be affected by a decision, activity, or risk                                                                                                                                                                                                                         |
| <b>Hazard</b>          | Anything with the potential to cause harm                                                                                                                                                                                                                                                                                                                     |
| <b>Risk Assessment</b> | Process for identifying hazards, assessing the risks they pose and identifying control measures to reduce the risk where necessary                                                                                                                                                                                                                            |

## **Appendix B - Roles & Responsibilities**

### **The Trust Board**

The Trust Board has overall responsibility for health and safety management. The Trust Board requires that the Chief Executive, the Executive Directors and their staff implement the requirements of this policy within all areas of the organisation covered by their portfolio.

Specific duties and responsibilities for the management of contractors are shown below:

### **Strategic Health & Safety Group**

The Strategic Health & Safety Group (H&SG) is the expert level committee for YAS relating to health, safety, and security and as such considers policies relating to contractor control in line with its policy development role.

The H&SG receive reports relating to investigations, consider changes to work procedures and / or the introduction of new technology, carry out and receive the findings from risk assessments, monitor and audit the safety and security of relevant risks and report to the Senior Management.

The H&SG is established in partnership with Staff Side Worker Representatives who have agreed to also represent the interests of non-union affiliated employees within the Trust.

### **Health & Safety Manager (Nominated Competent Person)**

The Health & Safety Manager is responsible for advising on effective contractor management processes across the Trust. The Health & Safety Manager will develop a policy on the control and management of contractors within YAS, provide assistance with the development of departmental procedures for the management of contractors, and provide specialist health and safety advice and assistance on short- and long-term contract work.

### **Head of Procurement and Logistics**

The Head of Procurement and Logistics is responsible for ensuring that the Trust engages contractors who provide a good quality service which is value for money and who do not present a risk to the Trust itself, and all persons connected with it and its undertakings. The Head of Procurement and Logistics will provide advice and guidance on the selection of contractors and will ensure relevant and robust processes are in place to facilitate good contractor management.

### **Head of Estates and Facilities / Head of Property and Projects**

A significant amount of contract work takes place around the maintenance of the Trust's property portfolio which is managed by the Estates department. Therefore, it is expected that the Head of Estates and Facilities and Head of Property and Projects will ensure that robust procedures are in place for contractor management within the Estates Department.

In addition, a proportion of this work will fall within the definition of "construction" and is therefore subject to the requirements of the Construction (Design and Management) Regulations 2015 (CDM Regulations). Where this is the case, the Head of Estates and Facilities and the Head of Property and Projects will ensure, in collaboration with other relevant departments, that the Trust's specific responsibilities under this legislation are met.

### **Head of Fleet Services**

A significant amount of contract work takes place around the management and maintenance of the Trust's vehicles, and associated workshop equipment, which is managed by the Fleet department. Therefore, it is expected that the Head of Fleet will ensure that robust procedures are in place for contractor management within the Fleet Department.

**Information Governance Team**

The Information Governance Team provides advice and guidance to all managers as necessary on ensuring compliance with information governance requirements in relation to all stages of the procurement and management of Trust contractors.