



Contractor Control Policy

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1	7 December 2010	ST/RH	D	
2	31st Jan 2011	ST	D	Clerical amendments - appendices numbering
3	9 th Feb 2011	ST	D	Minor amendments to sections 8, 9 and 10
4	23 rd Jan 2012	ST	D	Minor amendments to departments and titles
V5.0	8 th April 2013	SJ (previously ST)	D	2 yearly review of document conducted
V5.1	16 th August 2013	SJ	D	Re-format to new template. Removal of forms and information sheets from appendices
V6.0	6 November 2013	SJ	A	Approved SMG
V6.1	25 th May 2015	CS	D	Addition of expected behaviours when using the Trusts computer network, confidentiality agreement, ID badge issue and governance process in relation to key safes.
V7.0	December 2015	SJ	A	Approved by TMG
V7.1	January 2017	SJ	D	Rework of policy following effectiveness review. All departments who manage or engage contractors are to have in place their own procedures. Information governance requirements have also been put into a separate guidance document.
V8.0	8 March 2017	SJ	A	Approved at TMG
V8.1	Feb 18	Risk Team	D	Document formatted – New visual identity
V8.2	April 19	SJ	A	TMG approved extension until June 19.
V8.3	May 19	SJ	D	2 yearly review of document conducted. Minor amendments made i.e. job title changes
V8.4	October 19	SJ	D	EIA started
V8.4	Feb 21	SJ	D	EIA completed
V9.0	March 2021	Risk Team	A	Approved at TMG

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
- Risk Assessment Procedure
- Risk Management Policy
- Incident and Serious Incident Management Policy
- Investigations and Learning 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:

- Guidance for Contractor Management – Information Governance
- Agency Workers Management Guide

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

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 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).
- 3.2 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".
- 3.3 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

- IT services
 - Temporary / agency staff
 - Delivery and collection services e.g. medical gas, laundry
- 3.4 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.
- 3.5 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.
- 3.6 The procedural documents should include details on how each of the following are managed:

3.6.1 Planning Contract Work

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

3.6.2 Selecting a Contractor

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

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?

3.6.3 Managing Contractors

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

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.

3.6.4 Monitoring Contractors

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

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

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

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.

3.6.5 Reviewing Contractors

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

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?

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.

3.6.6 Information Governance

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.

The Guidance document “ Contractor Management – Information Governance” provide details on the standards that should be implemented including template documents for obtaining ID badges, a confidentiality agreement and expected behaviours with regards to network access.

3.7 Other Help and Guidance

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 The implementation of this policy and therefore training for staff will be facilitated by the Health & Safety Manager who will work closely with departments that use contractors to ensure the policy is understood and a departmental procedural is in place.

Where deemed necessary, the Health and Safety Manager will arrange specific health and safety related training, training for managers within departments which use or manage a high number of contractors e.g. Fleet, Estates, Procurement.

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

- Code of Practice for Contractors. Yorkshire Ambulance Service. February 2009.
- Managing Contractors – A guide for employers. HSE. January 2010.
- Working with Contractors – A Barbour Guide. Barbour. 2008.
- Health and Safety Arrangements for the Control of Contractors – A Model Policy. Barbour. March 2010.
- Managing Health and Safety in Construction. Construction (Design and Management) Regulations 2007. Approved code of practice. HSE. March 2010.
- Construction Industry information area on HSE website. HSE. November 2010.

8.0 Appendices

Appendix A - Definitions

Contractor	<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. For examples of the type of contractor work that would fall within the scope of this policy, please see Contractor induction information matrix available on the intranet or from Estates Department.</p>
Stakeholders	Those people and organisations who may affect, be affected by, or perceive themselves to be affected by a decision, activity or risk
Hazard	Anything with the potential to cause harm
Risk Assessment	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 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 Committee

The Strategic Health & Safety Committee (H&SC) 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&SC 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 Group. The H&SC is established in partnership with Staff Side Safety 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 Associate Director for Procurement 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 Associate Director for Procurement 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 Facilities Management / 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 Facilities Management 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 Facilities Management 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

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 Manager

The Information Governance Manager 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.