



**Isle of Man
Government**
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Isle of Man Government

Management of Contractors

Cabinet Office
Oik Coonceil ny Shirveishee

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Foreward

This document provides guidance on appointment of Contractors, when using the Safety document for Contractors. Relevent associated documents include; Safety Documents for Contractors, Permit to access, Permit to Work and Contractor Checklist.

Introduction

The Isle of Man Government (Government) is committed to the management of health and safety for both government employees and all contractors engaged to carry out works. Managing contractors is an integral part of the internal control framework for managing health and safety effectively.

The Isle of Man Government recognise that we engage contractors to work on our premises, we have obligations to plan, monitor and control their work for the safety of everyone who could be affected by their activities. The contacting organisation also holds similar responsibilities' and it is therefore our policy to work together with our carefully selected competent contractors to ensure that our workplace remains safe and without risk to health. Compliance with our health and safety requirements forms a contractual obligation.

For the purposes of this guidance document, a contractor is defined as a person or company who are under contract to provide materials or labour to perform a service or to do a job. This definition does not include temporary contracted office workers involved with office activities.

It is sometimes necessary to appoint a contractor when the skills are not in-house or work demands require the additional support.

Attached documentation can be used to provide a robust framework for the appointment and management of contractors.

The aim is to ensure that the contractor is competent, adequately insured, worker arrangements including rules are agreed in advance.

This document applies a consistent approach to the methodology in use for appointing and managing contractors throughout Government Departments.

This document also seeks to ensure for compliance with local and relevant UK legislation adopted as good practice.

The person appointing the contractor must be accountable for their appointment and carrying out control checks prior to the works being agreed with the contractor.

This is usually done through experience and cost. It is important to collect evidence and ensure quality assurance before works are agreed and progressed. Our separate document **Safety Document for Contractors** will guide you through key elements.

Those appointing contractors through the scheme known as The Manx Accredited Construction Contractors Scheme (CIOM) have a level of assurance that some checks have already been carried out however they must review and satisfy themselves that they are appointing the correct contractor.

Local contractors who have entered into this scheme have been through the process of checks which includes evidencing for

- Workmanship
- Qualifications
- Insurance
- Health and safety
- Professional standards
- References

Works vary from planned preventative maintenance to reactive and therefore the level of engagement with the contractor varies. The level of engagement has to be proportionate to the nature of work, where works are being carried out, how regulated any of the work elements are (asbestos, pressurised systems, hot works etc.) the contract type and risk of activity within the working area.

This is still a requirement for works of low value where tenders and preliminary checks may not be required through other internal policies.

Statutory and Regulatory Requirements

All employees must comply with the statutory and regulatory requirements set out in law. Those appointing and controlling contractors must make themselves familiar with the relevant legal and regulatory framework for managing Health & Safety.

Those responsible for a site or buildings cannot discharge all of their statutory responsibilities over to a contractor.

A level of liability will always remain and therefore those controlling contractors must be fully aware of the full scope of works, agreed controls, arrangements for Health, Safety and Welfare and any other influential matter.

Relevant statutory and regulatory requirements include:

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- [The Health and Safety at Work etc. Act 1974 as applied to the Island by Order](#)
- [The Management of Health and Safety at Work Regulations 2003](#)
- [Construction \(Design & Management\) Regulations 2003](#)
- [Control of Asbestos Application Order 2022](#)
- [Gas Safety \(Application\) Order](#)
- [Occupiers Liability Act](#)

The Isle of Man Health & Safety at Work Inspectorate states that “unadopted UK legislation is an illustration of good practice”.

Therefore, further controls and consideration must be recognised through published guidance documents by the HSE. Particularly when the HSE regulation states the need for competent people to inspect, repair and maintain plant, equipment and systems.

Relevant published documents and regulations would include:

- [Lifting Operations and Lifting Equipment Regulations 1998 \(LOLER\)](#)
- [Provision and Use of Work Equipment Regulations 1998 \(PUWER\)](#)
- [L122 - Pressure Systems](#)
- [Working at Height Regulations 2005](#)
- [Control of Substances Hazardous to Health Regulations 2002](#)

Identify Scope of Works

The scope of works or system of works is the detail of the works required for the appointed contractor to support.

The detail will vary depending on the nature and length of contract. The scope may creep if additional works are identified so this should be a living element of the contract for services.

Risk assessments must always be updated and insurance exemptions also checked to ensure that it is valid.

A checklist is provided at Attachment 003 to assist in helping you ask the right questions and prioritise your actions.

Contractor Selection and Appointment

Safety is an integral part of the selection process. Contracts must contain clear provisions to meet safety conditions and specifications consistent with our standards.

By using a contractor who is a member of the CIOM scheme, you will be able to confirm with the Isle of Man Construction Federation on a variety of preliminary information.

By making use of the "Safety Document for Contractors" you will be guided through a checklist of items to establish and agree safety standards for the appointed contractor.

Contracts of Work must contain clear provisions requiring the contractor to meet safety conditions and specifications consistent with the standards for its own employees and keeping the working environment safe.

For a contractor who is in the CIOM scheme there is a reduced number of sections for completion but you still need to collect certain documents to satisfy the management of contractors standards.

It must be stipulated in the conditions of the contract that the contractors and all of their employees must:

- Adhere to the contractors safety rules which have been issued
- Comply with their own method statements or where this is not practicable for any reason, to agree changes with our Representative in advance
- Comply with health and safety laws applicable to the work undertaken

Contractors should be selected based on technical competence, experience and suitability for the work to be done. In particular the assessment process involves a review of requested information from the Contractor including:

- Track record of experience in similar contracts.
- Membership of reputable trade bodies or approved contractor schemes.
- Legally required registrations (e.g. Gas Safe Register).
- Health and safety policies and practices.
- Recent health and safety performance (number of accidents etc.).
- Qualifications, training and skills of their staff and manager.
- Selection procedures for sub-contractors.
- Example safety method statements and risk assessments for similar work.
- Supervision arrangements.
- Arrangements for consulting their workforce.
- References from previous clients.

Training

Those who are responsible for appointing and managing contractors must be aware of their responsibilities with regards to health and safety arrangements for works.

Training level will depend on the extent you are involved. It is important that if you are responsible for part of the process you speak with the Health, Safety and Welfare Department to understand what training is necessary.

The department will ensure that those managing and supervising the work have the right combination of skills, knowledge, training and experience and that there is an adequate number of supervisors. The supervision provided will need to reflect the level of risk associated with the work/project.

The department will assess the degree of supervision needed, taking account of the skills, knowledge, training, experience and likely behaviour of the workers.

Responsibilities

The department area manager has the ultimate responsibility for ensuring that the contractor company meets the requirements of the Health and Safety at Work Act and other associated regulations.

Responsibilities for compliance with legislation and Government Standards resides with a number of functions which are involved throughout the process. Responsibilities vary through functions and all decisions have an ability to influence the scope of works, selected contractor, working arrangements, financial provision and security & safety standards.

Once a contractor has been appointed to carry out a particular task, they are under the control of the person responsible for site. This person can discharge this responsibility to a more appropriate employee such as a site foreman, caretaker or building manager.

Prior to works commencing, the site must have reviewed a risk assessment, safe system of work, insurance details and be satisfied with the arrangements for works to be carried out along with the intended controls.

Building occupiers must be made aware in writing of the intention to commence works and what the consequences of those works are, how long that works are expected to last, who the contractors will be, any information that may be pertinent to them and who to contact with any issues during the works.

Once the work is in progress, it is also the responsibility of the person controlling the contractor to ensure that they remain satisfied with controls in place and ensure a sufficient level of supervision and communication has been established.

Emergency arrangements should be included in any documentation and briefed to all on site what to do and who to contact in an emergency situation.

If you are unsure on any aspect; the Health, Safety and Welfare Team can be contacted to support any health and safety questions.

Instruction

When planning for work to be undertaken by contractors we ensure that a single person has overall responsibility for planning and coordinating the work. This individual personally takes responsibility for ensuring that:

Before Work commences

- A written or verbal client brief is issued to contractors and designers, outlining the purpose, aims and expectations of the work
- The work does not begin until there is an adequate construction phase plan in place and suitable welfare facilities for workers
- We identify the hazards that are likely to be introduced by the work and any risks arising from our business affecting the contractors and taken appropriate action to control the risks arising.
- All RAMS from contractors and Subcontractors are to be received no less than 2 weeks prior to works starting and reviewed to ensure suitable and sufficient
- Any COSHH assessments should be provided from the contractor for any substances they are using for the duration of the works so these can be assessed for any further controls for those who maybe in the vicinity during the works
- An induction to the work site with the Contractors is mandatory – During works if new contractors are introduced induction is to be carried out with them
- A pre start health and safety meeting is to be conducted to ensure all required safety procedures are implemented and everyone in the process is aware of their responsibilities and contractual obligations
- Any contractor or individual appointed to work on the project is competent
- There are suitable management arrangements for the project including the documenting of risk assessments and method statements.
- Health and safety file created and implemented

- Emergency arrangements to be included in all documentation to the contractor working on site and sub contractors. Who to contact and what to do in an emergency situation. Contractors should be inducted to the emergency arrangements on site.
- Permit to access system to be agreed and managed.
- Permit to work are to be issued if required.
- Sufficient time and resources are allowed.
- Any design or specification work undertaken by our organisation on our behalf is undertaken by competent persons who are able to eliminate hazards and control risks within the design and meet their obligations under the Regulations
- Essential health and safety information about the site, the works undertaken etc will be provided at the planning stage
- A responsible person is appointed to meet the contractor's representatives, ensure that they sign in/out and brief them with essential health, safety and emergency information.

During Works

- All contractors are to be advised they must sign and in and out of the work site
- All contractors should wear Hivis jackets whilst on site so they can be identified
- Works and safety standards should be monitored
- The contractors' work is segregated from the other activities taking place on site where necessary for health or safety – either by scheduling the work out of hours or by physical separation.
- A contract review is undertaken to ensure that any problems are identified and recurrence is prevented by changes to procedures etc.

Works that are to be conducted within Nobles Hospital must be coordinated within the Estates team on site and the relevant permits can then be issued by the Appointed persons. For a list of permits required at Nobles please see the addendum at the back of this document.

Contractor Briefing

To enable contractors to take account of all issues affecting health and safety essential health and safety information must be provided. All contractors should receive a site induction/briefing and are valid for a maximum of 12 months. Inductions will include, but not limited to:

- Parking and signing in/out arrangements.
- Any hazards that the workers may create for other building users/the general public.

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- Any hazards arising from other activities on site.
- A reminder of the locations of any known asbestos containing materials, rules for working in those areas and that work must stop immediately if suspect materials are identified or disturbed.
- Agreed safe working methods and the importance of not doing any work which has not been previously agreed.
- Toilet location and any other welfare facilities for their use.
- COSHH Requirements
- Access and egress routes on site
- Code of conduct
- Key contacts from the department
- Infection control requirements
- Information about other people who could be present on the premises, or could be at risk, *i.e. vulnerable persons such as children, the elderly, the disabled and those with special educational needs*
- Specific activities requiring a permit to work and how this will be issued and by whom, before the contractor commences work.
- The fire procedure and smoking rules.
- The need to report any accidents or hazards.
- Arrangements for waste storage and removal.

Risk Assessment Review

Risk assessments must be carried out prior to works being carried out. The risk assessment must be suitable and sufficient and meeting the requirements of necessary regulations.

Contractors supporting the work must be aware of the risk assessment and be able to implement and follow stated controls and understand where support can be gained to reduce risks further or those not identified through the initial process.

Risk assessment for the workplace is to be determined for any new or changed risk controls to be introduced for the duration of the work and after it is completed. The risk assessment should be collected and retained by the Government employee controlling the works. They must review the risk assessment against their own for site and consider whether or not it is practical during normal working hours.

Contractors risk assessment and method statement must be provided and reviewed no less than 2 weeks prior to works commencing and these should be thoroughly checked to ensure they are suitable and sufficient for the work tasks being undertaken.

Consultation of Works

All workers and sub-contractors must have clear lines of communication to query works, report concerns and establishing direction.

It may be appropriate to also involve employees. If the work is over long term duration or is likely to be disruptive, employees should be informed.

The contractor must ensure that they communicate and co-ordinate with their own employees and sub-contractors so that they too know what is expected of them and when.

Manage and supervise the works

The extent to which a contractor is monitored will depend upon the type of work being carried out. For example, low level replacement of a tap washer may need less supervision than a roof replacement project.

Monitoring could take the form of appointing a project manager, regular spot checks by an employee or weekly meetings.

What's necessary will depend on the circumstances and what has been agreed.

Monitoring and Compliance

Regulatory responsibility cannot be discharged entirely to a contractor. The person controlling the contractor should ensure that there are arrangements in place for monitoring and compliance, this should also include a relevant document review and when housekeeping checks should be carried out.

The degree of monitoring depends on the type of work involved. Where monitoring detects poor standards, this must be addressed with the contracting company concerned and, if necessary, monitoring frequency is then increased. Where appropriate, work is stopped whilst a solution is found

All work conducted by Contractors should be monitored periodically to:

- Review progress.
- Check quality of workmanship.
- Check that the workers on site are those expected and who have signed in.
- Identify any problems or unanticipated risks at an early stage.
- Check that work is restricted to the areas anticipated and not creating additional risks by spreading beyond the agreed area or involving unauthorised work.
- Check that method statements are being followed, that the sub-contractor's employees are complying with site rules and that they are generally working in a safe manner.
- Ensure that workers continue to have access to welfare facilities.

Further Guidance

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|---|---|
| Isle of Man Government Health & Safety Inspectorate | https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/regulation-directorate/health-and-safety-at-work-inspectorate/ |
| HSE, UK A-Z Health & Safety | http://www.hse.gov.uk/a-z/z.htm https://hr.gov.im/health-and-safety/health-and-safety-guidance/ |
| Construction IOM | https://www.constructioniom.im/about |
| Manx Utilities – Site Safety for Contractors | https://www.manxutilities.im/media/1741/electricity-safety-for-contractors-2018.pdf |

Attachment 001: Checklist

| Questions you should ask: | Yes/no |
|--|--------|
| Have you identified all aspects of the work you want the contractor to do? | |
| Have you included the health and safety implications of the work in the job specification? | |
| Is the work construction or building work? If so, do you know what more you need to do to comply with the Construction (Design and Management) Regulations 2007? | |
| Have you made enquiries about the competence of the contractor? If so, have you checked for evidence before they get the job? | |
| Have you assessed the risks of the work and agreed action to control the risks with the contractor? | |
| Have you provided the contractor and their employees with information about the risks? | |
| Have you provided the contractor and their employees with your emergency procedures? | |
| Have you provided instructions, information and training for your own employees? | |
| Have you put in place arrangements with the contractor to coordinate your activities during the work? | |
| Have you consulted your employees about the work and how they can raise any concerns? | |
| Have you identified who will be responsible for the work and what you will expect them to do? | |
| Have you identified who will supervise the work and how? | |
| Have you put in place arrangements to keep a check on how the work is going against what you have agreed with the contractor? | |
| Have you agreed how the job will be reviewed to learn any lessons from it? | |