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| **Review Sheet** | |
| Last Reviewed Last Amended Next Planned Review in 12 months, or  09 Nov '20 09 Nov '20 sooner as required. | |
| Business impact | Changes are important, but urgent implementation is not required, incorporate into your existing workflow.  **MEDIUM IMPACT** |
| Reason for this review | Scheduled review |
| Were changes made? | Yes |
| Summary: | This policy details how the safety and wellbeing of visiting contractors to the service can be managed. It has been reviewed with additional legislation added around PUWER and LOLER and implemented actions and additional references included. |
| Relevant legislation: | * Lifting Operations and Lifting Equipment Regulations 1998 * Provision and Use of Work Equipment Regulations 1998 * Control of Substances Hazardous to Health Regulations 2002 * The Electricity at Work Regulations 1989 * Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions) * The Food Safety and Hygiene (England) Regulations 2013 * The Gas Safety (Installation and Use) Regulations 1998 * The Hazardous Waste (England and Wales) Regulations 2005 * Health and Safety at Work etc. Act 1974 * The Health and Safety (First Aid) Regulations 1981 * The Health and Safety (Miscellaneous Amendments) 2002 * Management of Health and Safety at Work Regulations 1999 * The Manual Handling Operations Regulations 1992 * The Regulatory Reform (Fire Safety) Order 2005 * The Workplace (Health, Safety and Welfare) Regulations 1992 * The Health and Safety (Miscellaneous Amendments) Regulations 2002 * The Control of Substances Hazardous to Health Regulations 2002 * Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) * The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012 |
| Underpinning knowledge - What have we used to ensure that the policy is current: | * Author: HSE, (2014), *Health and safety in care homes (HSG220) Chapter 13*. [Online] Available from: <https://www.hse.gov.uk/pubns/books/hsg220.htm>[Accessed: 9/11/2020] * Author: HSE, (2013), *Managing for health and safety HSG65*. [Online] Available from: <https://www.hse.gov.uk/pubns/priced/hsg65.pdf>[Accessed: 9/11/2020] * Author: HSE, (2013), *Using contractors (INDG368)*. [Online] Available from: <https://www.hse.gov.uk/pubns/indg368.pdf>[Accessed: 9/11/2020] * Author: HSE, (2020), *Contractors*. [Online] Available from: <https://www.hse.gov.uk/toolbox/workers/contractors.htm>[Accessed: 9/11/2020] * Author: HSE, (2011), *Managing contractors*. [Online] Available from: <https://www.hse.gov.uk/pUbns/priced/hsg159.pdf>[Accessed: 9/11/2020] |
| Suggested action: | * Encourage sharing the policy through the use of the QCS App * Share ‘Key Facts’ with all staff * Ensure relevant staff are aware of the content of the whole policy |

QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.

Equality Impact Assessment:



**1. Purpose**

* 1. To comply with statutes, regulations and quality standards.
  2. To maintain the highest industry standards of health and safety.
  3. To support Holbeach & East Elloe Hospital Trust in meeting the following Key Lines of Enquiry:

# Key Question Key Lines of Enquiry

|  |  |
| --- | --- |
| CARING | C3: How are people's privacy, dignity and independence respected and promoted? |
| SAFE | S2: How are risks to people assessed and their safety monitored and managed so they are supported to stay safe and their freedom is respected? |
| SAFE | S6: Are lessons learned and improvements made when things go wrong? |
| WELL-LED | W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed? |

* 1. To meet the legal requirements of the regulated activities that {Holbeach & East Elloe Hospital Trust} is registered to provide:
     + Lifting Operations and Lifting Equipment Regulations 1998
     + Provision and Use of Work Equipment Regulations 1998
     + Control of Substances Hazardous to Health Regulations 2002
     + The Electricity at Work Regulations 1989
     + Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)
     + The Food Safety and Hygiene (England) Regulations 2013
     + The Gas Safety (Installation and Use) Regulations 1998
     + The Hazardous Waste (England and Wales) Regulations 2005
     + Health and Safety at Work etc. Act 1974
     + The Health and Safety (First Aid) Regulations 1981
     + The Health and Safety (Miscellaneous Amendments) 2002
     + Management of Health and Safety at Work Regulations 1999
     + The Manual Handling Operations Regulations 1992
     + The Regulatory Reform (Fire Safety) Order 2005
     + The Workplace (Health, Safety and Welfare) Regulations 1992
     + The Health and Safety (Miscellaneous Amendments) Regulations 2002
     + The Control of Substances Hazardous to Health Regulations 2002
     + Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
     + The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012



**2. Scope**

* 1. The following roles may be affected by this policy:
     + All staff
  2. The following Service Users may be affected by this policy:
     + Service Users
  3. The following stakeholders may be affected by this policy:
     + Family
     + Advocates
     + Representatives
     + Commissioners
     + External health professionals
     + Local Authority
     + NHS



**3. Objectives**

**3.1** To ensure the safety and wellbeing of all visiting contractors on premises owned or controlled by Holbeach & East Elloe Hospital Trust and to ensure that they work in a safe manner.



**4. Policy**

* 1. Visiting contractors will be made aware of their Health and Safety responsibilities.
  2. Visiting contractors will inform Holbeach & East Elloe Hospital Trust of their safety precautions i.e.: risk assessments and safe working practices prior to the commencement of works.
  3. Visiting contractors will comply with the requirements for criminal records placed upon Holbeach & East Elloe Hospital Trust by the CQC.
  4. Visiting contractors will ensure that they are appropriately insured, and that Holbeach & East Elloe Hospital Trust is kept up to date as to the appropriateness and currency of that insurance.



**5. Procedure**

* 1. Visiting contractors will be issued with the 'Conduct of Visiting Contractors Declaration' on their first attendance at the site. It is the responsibility of the ordering department to ensure that this has been done. The contractor will sign that they have received, read and understood the declaration
  2. Visiting contractors will be presented with a copy of the Health and Safety Policy and Procedure at Holbeach & East Elloe Hospital Trust, given adequate opportunity to read and understand it, and asked to sign that they have done so.
  3. The employee receiving the contractor will ensure that both insurance and criminal records checks are valid and current on each visit. It is the responsibility of the visiting contractor or their employer to ensure that those persons attending the premises of Holbeach & East Elloe Hospital Trust who have indirect or direct access to Service Users have the appropriate current Disclosure and Barring Check (DBS). Proof of this must be supplied on the first day of attendance. It is the responsibility of Holbeach & East Elloe Hospital Trust to ensure that this check exists and is appropriate. Holbeach & East Elloe Hospital Trust must ensure that an appropriately police-checked employee supervises the contractor at all times.
  4. Visiting contractors will ensure that they are appropriately insured and that the employing organisation is kept up to date as to the appropriateness and currency of that insurance.
  5. Responsibility for compliance with the Health and Safety at Work Act 1974 and other such legislation by visiting contractors rests with Holbeach & East Elloe Hospital Trust. Consequently, all visiting contractors must comply with the Health and Safety Policy and Procedure at Holbeach & East Elloe Hospital Trust, which is available for inspection in the office. Specifically, attention is drawn to the following:
     + All contractors must report, either in person or by telephone, to the Manager as soon as they arrive on site, before the commencement of work
     + All visiting contractors will be required to receive a full induction in health and safety, fire safety and first aid arrangements on the first day of arrival
     + All 'permits to work' must be signed prior to the commencement of works. Where hot works are to be carried out, suitable fire precautions must be in place. Any smoke detectors which need to be covered due to hot works or procedures which will result in the production of dust etc. must be agreed in advance with the home manager. The main fire detection system cannot be silenced
     + All work attempted must have been ordered or specified, verbally or in writing, by an authorised officer of Holbeach & East Elloe Hospital Trust, before the commencement of work
  6. Holbeach & East Elloe Hospital Trust reserves the right to refuse payment for goods and services provided without such an order. This does not include goods and services which can reasonably be held to have been supplied to complete a previously specified job.
  7. Contractors must, at all times, use working practices and equipment which do not endanger the health and safety of themselves or any other person on site.
  8. The Registered Manager must be informed if visiting contractors propose to use procedures, chemicals or tools which pose an unusual danger to themselves or others.
  9. The contractor will be informed of any unusual precautions which may be required with which they must comply.
  10. Visiting contractors must ensure that the site is left in a clean, tidy and safe condition each time they leave it, and at the end of each day. NB: This includes momentarily leaving the site for a break. The protection of Service Users and staff is paramount and thus, any unsafe areas must be blocked off to avoid harm whilst ensuring that fire escapes are clear.
  11. Materials and equipment must be stored at all times in a manner which poses no safety threat to persons on site.
  12. As far as is possible, access and escape routes must be kept clear and available for immediate use.
  13. In no circumstances may escape routes be obstructed overnight or at weekends.
  14. The working practices and equipment of visiting contractors will always be subject to appraisal by the Manager and his/her requirements must be complied with at all times.
  15. Visiting contractors are responsible for the provision of their own rest facilities.
  16. Any area used as a rest area must be kept in a clean and tidy condition, and all debris removed daily.
  17. Weekly proposed attendance times should be agreed in advance with the Manager.
  18. Unless previously agreed otherwise, contractors are expected to attend the site for a full day, starting at an agreed time.
  19. All accounts must specify daily attendance times, a summary of the daily work done, the hourly rate, and a detailed list of materials charged for.
  20. All contracts requiring on site work are subject to compliance with these rules and Health and Safety regulations in general.



**6. Definitions**

# Hot Works

* + - This could be using soldering equipment to weld pipes etc. e.g. a heating system where fire shields are required and a fire watch. All hot works must have a suitable fire extinguisher available for use by trained personnel. Hot works MUST include a one hour fire watch after completion of works to allow all heat exchanges to cool

# Permit to Work

* + - This is work which is deemed high risk i.e.: working at height, work in confined spaces, work with electrics, hot works etc. These works cannot be done in isolation and there must be 2 persons at all times. Permits are time framed. Should the permit time expire, a new permit will need to be issued. All permits have to be signed in and out by 2 people one of whom will be the permit holder

# Safe Working Practices

* + - This is a statement which clearly outlines:
      * Who will do the works
      * Who from the company is responsible
      * How the work will be undertaken
      * What safety precautions will be in place
      * What emergency arrangements are in place

# DBS

* + - Disclosure and Barring Service - all contractors on site need to be police-checked to ensure that they are safe to work in an environment in which vulnerable people live. This service checks any criminal records a contractor may have to ensure that they are not at risk to other persons



**Key Facts - Professionals**

Professionals providing this service should be aware of the following:

* + - Holbeach & East Elloe Hospital Trust will ensure that all key documentation is received i.e.: insurance, licences, safe working practices, health and safety policy and checked prior to the commencement of works
    - Holbeach & East Elloe Hospital Trust will ensure that Service Users and staff are kept safe from harm at all times and all arrangements are in place prior to work commencing
    - Managers and staff will be vigilant at all times particularly when works are being carried out on site with additional personnel. Any concerns including unsafe practices must be reported immediately
    - Holbeach & East Elloe Hospital Trust must be checked prior to any contractor leaving to ensure that the work area is safe and secure
    - Emergency services must have access at all times - any contractor vehicle which repeatedly blocks these will be asked to leave site
    - All professionals need to be aware that having contractors on site can be upsetting for Service Users and careful planning prior to works starting needs to be considered. Some vulnerable Service Users may need additional support during this time
    - An open line of communication will be kept at all times, keeping staff informed of any changes to current plans and receiving their feedback



**Key Facts - People affected by the service**

People affected by this service should be aware of the following:

* + - You are asked to follow the rules of Holbeach & East Elloe Hospital Trust, including any changes due to contractors being on site
    - You can speak to your Care Workers if you have any concerns



**Further Reading**

There is no further reading for this policy, but we recommend the 'underpinning knowledge' section of the review sheet to increase your knowledge and understanding.



**Outstanding Practice**

To be ‘ outstanding ’ in this policy area you could provide evidence that:

* + - Managers and staff keep an open line of communication between each other at all times
    - Managers ensure that all staff are aware of works being undertaken and keep staff informed of any changes
    - Where appropriate, walkie-talkies are used between contractors and a shift leader to monitor progress and to raise the alarm if required
    - Consider having visitors' passes issued to contractors each day to ensure that they are the only authorised personnel permitted on site



**Forms**

The following forms are included as part of this policy:

|  |  |  |
| --- | --- | --- |
| **Title of form** | **When would the form be used?** | **Created by** |
| Visiting Contractor's Declaration  - MB06 | For every visiting contractor before commencing works. Holbeach & East Elloe Hospital Trust? has the right to terminate contracts if the requirements are not met. | QCS |

Holbeach & East Elloe Hospital Trust

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Page 1/1

Visiting Contractor's Declaration - MB06



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|  |  |
| --- | --- |
| Visiting Contractor Company Name: | |
| Visiting Contractor's Name (individual): | |
| Date of First Attendance: | |
| **Ensure the Following:** | **Tick Below to Confirm** |
| Health and Safety Policy and Procedure of Holbeach & East Elloe Hospital Trust read and understood: |  |
| Visiting Contractor's Policy and Procedure read and understood: |  |
| Holbeach & East Elloe Hospital Trust given sight of Public Liability and/or Professional Indemnity Insurance proof: |  |
| DBS check seen by Holbeach & East Elloe Hospital Trust: |  |
| **Or** – I (the contractor) understand that because I do not have a current DBS check suitable for the purposes of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, I will undertake that, at all times that I am on the premises of Holbeach & East Elloe Hospital Trust, I will co-operate with Holbeach & East Elloe Hospital Trust in being supervised by an appropriate person, and I will at no time seek or place myself in the position of having access to  a Service User without that supervising member of staff being present. | |
| **Visiting contractor Sign and Date:** |  |
| **Manager or Designated Other Sign and Date:** |  |
| **One declaration to be completed by each attending contractor on first attendance at Holbeach & East Elloe Hospital Trust** | |