

Management of Contractors Policy

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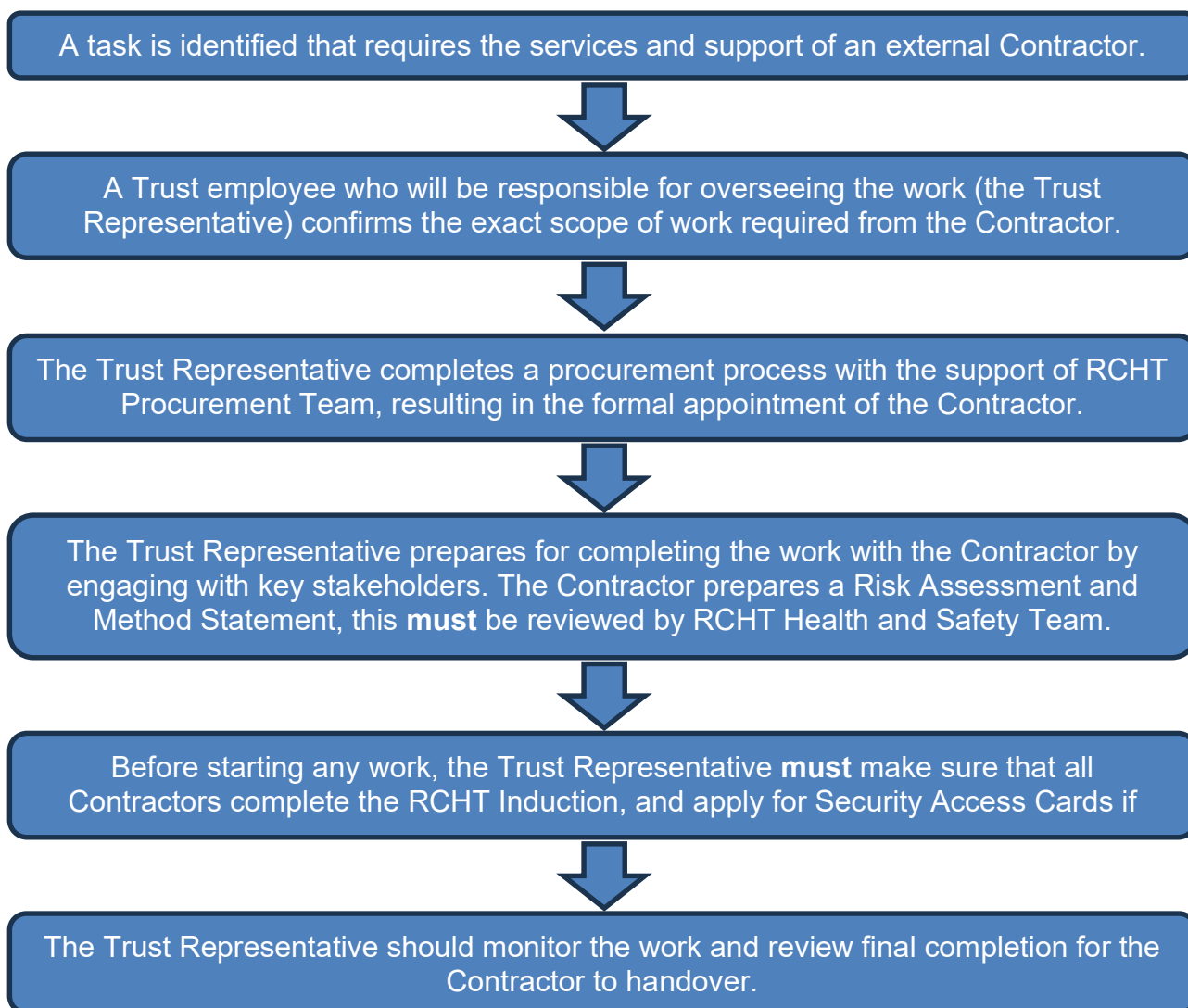
Summary

The Management of Contractors Policy explains the requirements and procedures for using the services of Contractors across all sites operated by Royal Cornwall Hospitals NHS Trust.

The Trust has a moral and legal duty to provide a safe environment for anyone on our hospital sites, including Contractors. When Contractors come to work on Trust property, they may be working in an environment in which they are not used to working, therefore, it is vitally important that they receive appropriate management, induction to site, and ongoing support and monitoring during the delivery of their work.

This policy, and the associated documents, defines the key roles and responsibilities of all Trust staff in the safe and effective management of Contractors, from procurement through to review and acceptance of the results of their work.

Summary of Contractor engagement process from procurement through to completion:



There are further guidance notes and instructions for each stage of Contractor management. These documents are listed within this policy (see Associated Documents).

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Data Protection Act 2018 (UK General Data Protection Regulation – GDPR) Legislation.

The Trust has a duty under the Data Protection Act 2018 and UK General Data Protection Regulations 2016/679 to ensure that there is a valid legal basis to process personal and sensitive data. The legal basis for processing must be identified and documented before the processing begins. In many cases we may need consent; this must be explicit, informed, and documented. We cannot rely on opt out, it must be opt in.

Data Protection Act 2018 and UK General Data Protection Regulations 2016/679 is applicable to all staff; this includes those working as contractors and providers of services.

For more information about your obligations under the Data Protection Act 2018 and UK General Data Protection Regulations 2016/679 please see the Information Use Framework Policy or contact the Information Governance Team.

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1. Introduction

- 1.1. This Policy provides information and instruction on the management of Contractors working for, or on behalf of, the Royal Cornwall Hospitals NHS Trust (RCHT).
- 1.2. The RCHT and staff have legal duties and responsibilities they must comply with when working with Contractors, as defined in the Health and Safety at Work etc. Act 1974 (HaSWA), the Management of Health & Safety at Work Regulations 1999, and, where appropriate, the Construction Design and Management Regulations 2015 (CDM).
- 1.3. In addition to general duties, these regulations also require employers (like RCHT) to co-operate with Contractors on matters of health and safety where work activities occur in the same workplace, and this is particularly relevant to Contractors working on Trust sites.
- 1.4. When RCHT is commissioning work on premises owned and/or managed by the Trust (i.e. the Trust is the Client), then the Trust is responsible for enabling the Contractor to manage health and safety related to their works. RCHT has a duty to ensure that the Contractor has suitable arrangements in place to manage their works safely and the Trust will take reasonable steps to ensure the Principal Contractor and Principal Designer are managing their health and safety obligations.
- 1.5. However, not all contractors undertaking work will be subject to CDM regulations that only apply to construction activity, generally such works will be governed by other health and safety legislation.
- 1.6. The Trust, and Staff who are responsible for Contractors, are not automatically responsible for all acts and omissions of Contractors if the Trust, and Staff, have carried out their own legal and other duties.
- 1.7. It is critical that the Trust has policies and procedures in place, and all Staff involved in the selection, appointment and management of Contractors receive the information and training necessary to be able to assess and manage the potential liabilities involved in the management of Contractors.
- 1.8. The successful implementation of this Policy requires the full cooperation and commitment from all RCHT Staff as well as Contractors. It is critical that Contractors understand this Policy with regards to their responsibilities and the processes RCHT works to when utilising Contractors' services on Trust premises.
- 1.9. With sufficient information and training, RCHT Staff who appoint and manage Contractors on behalf of the Trust (the Trust Representative) must make sure that Contractors, or contracting organisations, are provided with comprehensive information and instruction relevant to their activities and the location(s) in which the work will be carried out.
- 1.10. This version supersedes any previous versions of this document.

2. Purpose

- 2.1. The purpose of this policy is to define the responsibilities involved in the management of Contractors at RCHT, and the standards required to make sure all Staff and Contractors can work cooperatively, in a safe environment.
- 2.2. The aim of this Policy is to achieve continued best practice, and influence a culture of continuous review and improvement, with regards to the management of Contractors on RCHT premises.
- 2.3. The responsibilities, standards, and procedures defined in this policy communicate the risks involved in the use of Contracted services and the mitigation required to minimise those risks in meeting collective moral and legal responsibilities for health, safety, and the environment.

3. Scope

- 3.1. This policy applies to all RCHT Staff that are involved in work being completed by Contractors, this may include any stage of Contractor engagement or service provision (procurement, appointment, planning, delivery, handover, or review).
- 3.2. This policy applies to any scenario in which RCHT employs the services of an external provider (a Contractor) on Trust premises to complete a specific task, excluding services procured through a recognised agency (agency staff).
- 3.3. This policy applies to all forms of Contractor service provision, including, but not limited to consultancy, survey, design, maintenance, repair, installation, construction, or demolition.
- 3.4. This policy applies to all forms of Contractual agreement for Contractor activity on all premises for which RCHT holds responsibility for estate management.

4. Definitions / Glossary

RCHT or “the Trust”

Royal Cornwall Hospitals NHS Trust.

Trust sites

All premises, areas, sites, and buildings for which RCHT holds responsibility for estate management.

(RCHT) Staff

Any direct employee of RCHT or agency staff appointed through recognised Trust staffing agencies (including KernowFlex). This includes all forms of direct employment contract with RCHT.

Trust Representative (TR)

For the purposes of this policy a Trust Representative is any member of RCHT Staff who, in the course of their regular duties and responsibilities, is responsible for overseeing the service provision of a Contractor. All Contractors must have a designated Trust Representative who will oversee any stage of Contractor engagement: procurement, appointment, planning, delivery, handover, and any post-completion review.

The TR must be suitably qualified and/or experienced in overseeing the management of the contract.

The designated Trust Representative may change during different stages of Contractor engagement and throughout the duration of a Contract.

The Trust Representative role is commonly fulfilled by Capital Project Managers/Assistant Project Managers and by Operational Estates Managers/Officers/Team-Leaders.

RCHT Project Manager (PM)

A member of Staff with designated responsibility for the planning and execution of a defined project – a sequence of tasks intended to achieve a pre-defined outcome within the Trust estate. A RCHT Project Manager is a Trust Representative with regards to management of Contractors, as defined in this policy.

Contractor

Any external organisation, or individual, who undertakes work, or provides services on behalf of RCHT on the Trust's estate, infrastructure, equipment (including medical equipment), or provides services within one of the Trust's departments/Care Groups. The provision is time-limited (temporary) and defined within a form of contractual agreement. This excludes the provision of Agency Staff through a recognised Trust staffing agency. A contractor could also include a sub-contractor and their staff.

Health Technical Memorandum (HTM) and other NHS Estates Technical Guidance

Health Technical Memoranda (HTMs) give comprehensive advice and guidance on the design, installation and operation of specialised building and engineering technology used in the delivery of healthcare. ([NHS England » Estates technical guidance](#)).

Authorised Person (AP)

An Authorised Person has the key operational responsibility for a high-risk activity, specialist service, or engineering discipline. The AP is qualified and sufficiently experienced and skilled to fully operate and manage their area of responsibility. The AP will be assessed by an independent Subject Matter Expert or Authorising Engineer and recommendations for appointment made to the Designated Person.

Construction Design and Management (CDM) Regulations 2015

CDM Regulations apply to all types of construction work in Great Britain, irrespective of the size of a project, complexity or value of work being undertaken. These regulations define the legal duties of all parties, and individuals, involved in any type of construction activity with the aim to improve standards and safety for everyone involved in, or affected by, construction work.

Principal Contractor (PC)

A Principal Contractor (as defined in CDM 2015) is the Contractor with control over the construction phase of a project. The PC is appointed in writing by the Client (RCHT for the purposes of this policy) and must be appointed on any construction project involving more than one contractor, including any sub-contractors.

Principal Designer (PD)

A Principal Designer (as defined in CDM 2015) is a designer who is an organisation

or individual (on smaller projects) appointed in writing by the client (RCHT for the purpose of this policy) to take control of the pre-construction phase of any project involving more than one contractor including any sub-contractors.

Risk Assessments and Method Statements (RAMS)

Risk Assessment is an important and legally required but simple process that looks at a work activity to Identify hazards, Decide who may be harmed and how, Evaluate the risks and decide on control measures to avoid, eliminate or reduce those risks, Document findings and implement them, and Periodically review controls and update if required.

Method statements are equally important and build on the information outlined in the work activity risk assessments (it is likely that each job will involve more than one work activity and thus there may be multiple risk assessments). Method statements detail how specific activities will be carried out safely in a step-by-step manner, describing how control measures and safety precautions will be implemented, what tools and equipment will be utilised, and who will carry out key roles.

Work or Works

For the purpose of this policy, 'work' or 'works' includes all activities carried out by a Contractor for, or on behalf of, the Trust:

Planned Work

Planned Work is completed in accordance with RCHT procurement policies and procedures, and in accordance with this policy with respect to planning and preparing in advance of works being undertaken. Sufficient time is available to provide notice to all parties that may be affected by the work, and for safe systems of work to be put in place before work starts.

Emergency Work

This applies to any work that must be performed urgently in response to an unexpected issue or change of circumstances. The timescale required to complete this work does not allow for all standard procedures to be followed with respect to planning and preparation.

5. Ownership and Responsibilities

All RCHT staff have responsibilities and duties for Health and Safety placed upon them by the Trust Health and Safety General Policy and Health and Safety at Work etc. Act 1974 (HaSWA). In addition, some RCHT staff are required to perform, and comply with, the specific roles and responsibilities defined in this policy with respect to the safe management of contractors.

5.1. Role of the Chief Executive Officer

The Chief Executive Officer of RCHT has overall accountability for the Trust's health, safety, and risk management programme, and for making sure it operates effectively, as defined in the Trust [Health and Safety \(General\) Policy](#).

5.2. Role of the Named Executive Director for Health and Safety

Responsibility for the practical implementation of the health, safety and risk management programme is delegated to the Chief Operating Officer (COO) - as

the named Executive Director for Health and Safety. This role facilitates communication between the Trust Board, Executive Directors, and the Trust Health and Safety Committee for all health and safety matters, including the management and control of Contractors.

5.3. Role of the Executive Directors

All Executive Directors are responsible for overseeing a programme of risk management and health and safety, in accordance with the Trust's policies and procedures, for their respective areas of authority. All Executive Directors are required to inform and advise the Named Executive Director for Health and Safety on all matters relating to the management of Contractors for their respective areas of authority.

5.4. Role of the Director of Estates and Facilities

- 5.4.1. The Director of Estates and Facilities is responsible for all works involving the maintenance of, or amendment to, the existing physical estate or infrastructure (including utilities and services). They are also responsible for all works to develop plans for, and construct, new infrastructure across the whole Trust estate.
- 5.4.2. The Director of Estates and Facilities shall provide assurance to the Trust Board that all Contractors working on the Trust estate have been appointed through RCHT policies and procedures, are competent to deliver the works, and are managed through sufficient safe systems of work before they start any work.
- 5.4.3. Where statutory or best practice health and safety compliance cannot be reasonably achieved prior to starting work, the Director of Estates and Facilities will provide the Trust Board with an expert assessment of the risks, and potential consequences, of delivering the proposed works, to allow for an informed discussion and subsequent decision to be made on how to proceed.
- 5.4.4. The Director of Estates and Facilities is the Designated Person for RCHT, as defined in: [HTM-00: Policies and Principles of Healthcare Engineering](#), with the exception of HTM01 Decontamination where the Chief Operating Officer undertakes this role.
- 5.4.5. The Designated Person will appoint Authorised Persons (AP) as recommended by the Subject Matter Expert (where there is no HTM) or Authorising Engineer as appropriate.

5.5. Role of the Head of Estates Operations (HEO)

- 5.5.1. The Head of Estates Operations is responsible for the policy, procedures, and standards of Contractor management across the Trust.
- 5.5.2. The HEO is responsible for making sure that this policy, and associated documents, are available to all Trust Staff and Contractors, and that suitable training/briefing is in place for all existing Staff and all new entrants.

- 5.5.3. The HEO is responsible for making sure that all Staff within their direct area of responsibility are suitably trained and familiar with relevant policies and procedures before they take on responsibility for Contractor Management.
- 5.5.4. The HEO shall provide assurance to the Director of Estates and Facilities that all Contractors operating under the instruction of Estates Operations are managed in accordance with this policy and associated documents.
- 5.5.5. The HEO shall provide assurance to the Director of Estates and Facilities that compliance with this policy within Estates Operations is being monitored and that Staff are supported through training and briefings.

5.6. Role of the Associate Director – Major Capital Projects

- 5.6.1. The Associate Director – Major Capital Projects is responsible for making sure that all Staff within their direct area of responsibility are suitably trained and familiar with relevant policies and procedures before they take on responsibility for Contractors attending RCHT premises.
- 5.6.2. The Associate Director – Major Capital Projects shall provide assurance to the Director of Estates and Facilities that all Contractors operating under the instruction of Major Capital Projects are managed in accordance with this policy and associated documents.
- 5.6.3. The Associate Director – Major Capital Projects shall provide assurance to the Director of Estates and Facilities that compliance with this policy within Major Capital Projects is being monitored and that Staff are supported through training and briefings.

5.7. Role of the Chief Procurement Officer (CPO)

The CPO is responsible for making sure that there is a means of identifying suppliers / service providers who are categorised as Contractors under the definition in this policy for the purpose of making sure that this policy, and associated guidance / instructions, are being followed. The CPO is responsible for making sure that processes are in place for formally communicating responsibilities and procedures defined within this policy to all Contractors during procurement, and for making sure that these responsibilities are formally agreed to as part of the formal appointment/contract award.

5.8. Role of the Head of Health and Safety (HHS)

The HHS is responsible for making sure that Health and Safety Advisors are available to be consulted and provide advice on the management of Contractors with regards to health and safety matters. The HHS is responsible for making sure that processes are in place for the Health and Safety Department to oversee any investigation into accidents or incidents related to Contractor activities at RCHT.

5.9. Role of the RCHT Health and Safety Advisors

- 5.9.1. In support of the Trust Representative, RCHT Health and Safety Advisors are responsible for reviewing all safety-related documents (including RAMS) submitted by Contractors prior to commencing work.
- 5.9.2. RCHT Health and Safety Advisors are not responsible for routine inspection of Contractor activities or sites of work but may carry out ad-hoc checks to confirm the safety of the activities and adherence to RCHT policies and procedures.
- 5.9.3. RCHT Health and Safety Advisors have the designated authority of the Named Executive for Health and Safety to enter any work site and stop any part of the works where it is believed, with reasonable cause, that there is an imminent or serious risk to the health, safety, or wellbeing of any person, or if there is a risk of reputational or actual harm to the Trust.

5.10. Role of Heads of Service, Managers, and Team Leaders

- 5.10.1. All Heads of Services, Managers, and Team Leaders are responsible for making sure that all Staff within their area of responsibility are suitably trained and familiar with relevant policies and procedures before they take on responsibility for Contractors attending RCHT premises.
- 5.10.2. These roles are responsible for making sure that policies and procedures are adhered to when Contractors are engaged by their Staff, and that Contractors are suitable and competent for the tasks or services they are required to complete on behalf of RCHT.
- 5.10.3. Heads of Services, Managers, and Team Leaders shall engage with contact made from a Trust Representative /Clerk of Works/Contractor with regards to works to be carried out in their area of responsibility.
- 5.10.4. Team Leaders and Managers are responsible for informing the Trust Representative /Clerk of Works/Contractor of any known hazards in the area of the planned work, or operational requirements that may restrict the works (E.g. time restrictions, biosecurity hazards, etc.).

5.11. Role of RCHT Trust Representative (TR)

- 5.11.1. The TR may also be the Project Manager (see definitions). However, this may not always be the case.
- 5.11.2. The TR is responsible for familiarising themselves with the requirements of this policy, associated documents, and executing these requirements in their management and control Contractors working under their instruction.
- 5.11.3. The TR is responsible for making sure that all relevant standards and procedures defined in this policy, and associated documents, are adhered to when utilising the services of Contractors.
- 5.11.4. The TR is responsible for leading all stages of Contractor engagement, including procurement and contract specification, planning and preparation, on-boarding and induction of Contractors, delivery of the

works, operational handover, and review.

- 5.11.5. The TR is responsible for communicating with any relevant stakeholders who may be impacted by Contractor works.
- 5.11.6. The TR is responsible for making sure the Contractor's relevant safety documents (including RAMS) are obtained, reviewed, and acknowledged prior to works commencing.
- 5.11.7. The TR is responsible for immediate response to any accident or incident involving a Contractor, reporting via the Trust Datix Incident Reporting System, reporting directly to the Health and Safety Department, and contributing to any subsequent investigation.
- 5.11.8. The TR is responsible for making sure that all applicable Operation and Maintenance information and Health and Safety File (where appropriate) is submitted to Estates Operations upon completion of the work and within the timescales agreed between all parties.

5.12. Role of RCHT Clerk of Works

- 5.12.1. The Clerk of Works is responsible for preparing for, and monitoring, any construction related works undertaken by Contractors on RCHT premises.
- 5.12.2. A Clerk of Works may also operate as an NEC Supervisor as appropriate to the contract.
- 5.12.3. The Clerk of Works, in conjunction with the TR, is responsible for making sure that all safety documentation (including RAMS) is received and reviewed prior to works commencing. In addition, the Clerk of Works is responsible for monitoring any changes to plan that may require changes to safety documentation and making sure that those changes are made (and reviewed) as soon as reasonably practicable.
- 5.12.4. The Clerk of Works, in conjunction with the TR, is responsible for making sure Contractors are inducted and register their attendance whilst on RCHT premises (sign-in and sign-out).
- 5.12.5. The Clerk of Works, in conjunction with the TR, is responsible for making sure that any RCHT Permits to Work that are required for Contractor work are requested with sufficient time and issued before any related work is started.
- 5.12.6. The Clerk of Works is responsible for monitoring of construction works for adherence to: Health and Safety standards, works specification, quality, schedule performance, and overall contractual obligations.
- 5.12.7. The Clerk of Works is responsible for overseeing testing, commissioning and handover of construction works completed by Contractors at RCHT, including coordination of any witnessing required by RCHT Staff.

5.13. Role of All RCHT Staff

- 5.13.1. All Staff have responsibilities and duties regarding Health and Safety, as explained in the RCHT Health and Safety Policy. All Staff must remain vigilant to the works being undertaken by Contractors. Where Staff have legitimate reason to enter an area/site fully or partially under the control of a Contractor, Staff must observe the Contractor's site rules.
- 5.13.2. All Staff have a responsibility to make sure that any activities undertaken by Contractors which are perceived to be a danger to Staff, patients, visitors, or others are reported immediately. Staff shall report the situation to their Line Manager or the Trust Representative/Clerk of Works in the first instance and record formerly with a report on the Trust Datix Incident Reporting System.

5.14. Role of Contractors

- 5.14.1. All Contractors are responsible for the health, safety, and management of their own employees. As employers, they maintain their own legal obligations and liabilities for the actions of their employees as referred to in this policy and national legislation.
- 5.14.2. All Contractors are responsible for engaging with the instructions, standards, and procedures defined in this policy and associated documents, and for communicating these requirements to their employees.
- 5.14.3. In addition to Trust Staff who will monitor Contractor works, the Contractor is responsible for monitoring their own employees for adherence to their own policies and procedures, as well as those imposed by RCHT whilst on Trust premises.
- 5.14.4. All Contractors must familiarise themselves with, and follow, all appropriate Trust policies.

6. Standards and Practice

6.1. RCHT Obligations

RCHT has specific obligations when working with Contractors, anyone involved in the management of Contractors must comply with these obligations, which include:

- Exercise due diligence in selecting Contractors who have the necessary competence and resources to meet their legal obligations for health and safety during the execution of the work they are appointed to undertake.
- Take reasonable measures to make sure that any place of work provided for use by the Contractor is safe and without risk to any individual's health and safety.
- Advise the Contractor of any risks created by RCHT operational activities, equipment, or facilities that could impact on the work of the Contractor.

- Seek information about any risks that the Contractor may create and make sure that the necessary precautions are taken for the health and safety of their own employees and anyone else who may be at risk (Staff, patients, visitors, or other Contractors).
- Advise the Contractor about any emergency arrangements that are in place that the Contractor may need to comply with or take part in.
- Obtain reassurance and declaration from the Contractor that they have an adequate level of competent resource available to carry out the above requirements.

6.2. Contractor Obligations

Contractors have specific obligations when working with client organisations like RCHT. Contractors must adhere comply with these obligations, which include:

- Deploy personnel with the necessary competence and resources to undertake the work in compliance with their legal obligations for health and safety.
- Make suitable and sufficient assessment of the risks from their work, considering relevant information supplied by RCHT, and provide for the necessary controls to reduce these risks to an acceptable level.
- Advise RCHT (their client) of risks that their activities may pose to others, and any controls that have been applied to avoid, eliminate, or reduce these risks.
- Comply with and/or take part in RCHT emergency arrangements, in accordance with the information and instructions provided.
- Advise RCHT where the emergency arrangements identified for their own activities require input from RCHT.

6.3. Contractor Procurement and Appointment

- 6.3.1. The procurement of any Contractor services must comply with the RCHT procurement policies and procedures, and the Trust Representative leading Contractor procurement should engage with the RCHT Procurement Team throughout the process.
- 6.3.2. Contractor procurement must follow the Trust's Procurement policy ([Procurement Policy \(cornwall.nhs.uk\)](https://www.cornwall.nhs.uk/procurement-policy)) and the Trust's Tenders and Quotations - Financial Procedures ([Tenders and Quotations - Financial Procedures \(cornwall.nhs.uk\)](https://www.cornwall.nhs.uk/tenders-and-quotations-financial-procedures)).

6.4. Contractor Disclosure and Barring Service (DBS) Checks

- 6.4.1. All Contractors who are required to work on Trust premises must undertake a minimum of a **Standard** Disclosure and Barring Service (DBS) check.

- 6.4.2. All contracts must include specific terms and conditions referring to the Disclosure and Barring Service check.
- 6.4.3. The TR is responsible for obtaining written assurance from a Contractor, or Contracting Business, that their employees have completed DBS check prior to commencing work. Receipt of this assurance shall be recorded on the Contractor's Record of Induction.
- 6.4.4. All Contractors must obtain a new DBS check when their induction is renewed, at least every 12 months. Where an employee of a contractor changes employment then a new DBS check and induction must be undertaken.
- 6.4.5. All costs relating to DBS checks will be the responsibility of the Contractor.
- 6.4.6. Any criminal convictions recorded on a DBS Check must be disclosed and reported to the Trust TR. Failure by the Contractor to provide this information will lead to exclusion from all RCHT sites.
- 6.4.7. If a criminal conviction is reported, the TR shall, with appropriate support, complete a Risk Assessment of the individual's suitability to work on Trust premises. The Risk Assessment will be reviewed by a Senior Trust Manager with appropriate delegated authority. Consultation with relevant, appropriate, departments such as People and Organisational Development, Procurement and Security must be undertaken.
- 6.4.8. Approval may be given based on the outcome of the Risk Assessment process by a Senior Trust Manager and the TR will inform the Contractor of the decision. Where approval is not given the Contractor will be excluded from site.
- 6.4.9. The Trust will ensure all details will remain confidential between the TR, Trust representatives detailed in section 6.4.7 and the Contractor.

6.5. Contractor On-Boarding and Induction

- 6.5.1. Inducting someone at a new place of work is a legal requirement under the HaSWA and the purpose of an induction is to make the individual aware of the hazards, risks, and their responsibilities on the site.
- 6.5.2. All Contractors must complete the RCHT Contractor Induction, this includes reading the RCHT Site Rules and/or watching the RCHT Site Rules video. Contractors must sign a declaration confirming their acceptance and compliance with these instructions as well as Patient Confidentiality and Code of Practice.
- 6.5.3. A RCHT Contractor Induction is valid for a maximum of 12 months, a Contractor must renew their induction every 12 months, even if they have continued to work on Trust sites during the 12-month period. Any change of employment by the contractor will lead to a new induction being required.

- 6.5.4. The TR (with the support of a Clerk of Works, if applicable) is responsible for making sure that their Contractors complete an induction before starting work.
- 6.5.5. Further information about Contractor inductions is available from the Estate Operations department.

6.6. Contractor Registration

- 6.6.1. Before starting any work, all Contractors must record their attendance by signing-in on the Contractor Register and collecting the appropriate pass.
- 6.6.2. Passes must be worn at all times whilst moving around Hospital sites.
- 6.6.3. Contractors must sign-out at the Contractor Registration Point before leaving site and return their Pass.
- 6.6.4. If a Contractor needs to work outside of the normal operational hours of the site that they are on, the Trust Representative must plan for how they will supervise/monitor the Contractor during this time and instruct the Contractor on what actions must be completed to record their attendance on site (sign-in and sign-out).
- 6.6.5. Outside of normal operational hours, the TR is responsible for ensuring there is suitable monitoring in place, and that they are notified when their Contractor(s) leave site safely. If the TR does not receive this notification and is unable to contact the Contractor(s) they must treat this as a potential incident and escalate to the Estates On-Call Manager.
- 6.6.6. The Estates On-Call Manager must follow-up any reports of unsupervised Contractors by trying to establish contact either remotely or by sending a Trust employee to the Contractors last known location to attempt to confirm the Contractor's whereabouts and safety.
- 6.6.7. For further information about Contractor daily registration and the process that should be followed refer to the **RCHT Estates Operations Instruction – Contractor Registration and Access** (see Section 7 – Associated Documents) on the Trust Document Library.

6.7. Contractor Access Control

- 6.7.1. If a Contractor requires access to restricted areas for their planned work, the TR can apply to Access Control as part of the Contractor Induction.
- 6.7.2. Access to restricted areas must be risk assessed considering the operational requirements of the contractor against the safety and security of patients, staff and property.
- 6.7.3. Access/ID Cards shall be issued by the Estates Helpdesk and must only be issued once Contractors have completed the RCHT Contractor Induction, including DBS check.
- 6.7.4. Access will be authorised through the processes defined in the Trust

Access Control Policy ([Access Control Policy \(cornwall.nhs.uk\)](https://www.cornwall.nhs.uk/Access-Control-Policy)).

6.7.5. Contractors shall be issued with appropriate RCHT branded Access Cards, as defined in the RCHT Security Policy ([Security Policy \(HSP 028\) \(cornwall.nhs.uk\)](https://www.cornwall.nhs.uk/Security-Policy-HSP-028)).

6.7.6. For further information about Contractor access control and the process that should be followed refer to the **RCHT Estates Operations Instruction – Contractor Registration and Access** (see Section 7 – Associated Documents) on the Trust Document Library.

6.8. Fixed-Term Contractor ID Badge

6.8.1. Fixed-Term ID Badges are reserved for Contractors who have a contractual agreement with the Trust to support on-call emergency responsibilities or Contractors who are based on Trust premises full-time for a **minimum** of 3 consecutive months.

6.8.2. If a Contractor requires Fixed-Term ID for access to any of the Trust main Hospital sites, the Trust Representative may apply to Access Control for a Fixed-Term Contractor ID Badge.

6.8.3. The Trust Representative must provide suitable justification for this elevated level of Trust ID.

6.8.4. Contractors in possession of Fixed-Term Contractor ID Badges may not be required to sign-in and sign-out on daily basis depending on type of work and risks involved.

6.8.5. Contractors with Fixed-Term Contractor ID Badges shall be issued with appropriately branded ID Badges, as defined in the RCHT Security Policy.

6.8.6. Applications for Fixed-Term Contractor ID Badges must be made following the appropriate processes dependent on type of contract and area of work. These must be approved by the Trust Representative's Head of Service.

6.8.7. Any access requirements will follow the Trust Access Control Policy.

6.8.8. For further information about Fixed-Term Contractor ID Badges and the process that should be followed refer to the **RCHT Estates Operations Instruction – Contractor Registration and Access** (see Section 7 – Associated Documents) on the Trust Document Library.

6.9. Safe Systems of Work

Safe systems of work are structured processes designed to reduce the risk of harm when employees face unavoidable hazards at work. Instructions or procedures are adequate for most work activities, but some require extra care in the form of an additional safe system of work.

6.9.1. Risk Assessments and Method Statements (RAMS)

6.9.1.1. All Contractors are required to complete Risk Assessments and

Methods Statements (RAMS) before starting work on any Trust Site. Contractors may have Standard RAMS in place for generic activities, these RAMS should be reviewed and refined for the specific task they are due to complete. The nature, complexity, and frequency in which a task is completed will dictate the level of review and refinement required. Such review may be by way of a point of work risk assessment.

- 6.9.1.2. For more complex work and activities, Contractors are required to prepare Task-Specific RAMS. The RAMS must be completed for a specific task, and risks assessed based on the defined location and time for which the work is planned.
- 6.9.1.3. Contractors' RAMS must be prepared and submitted to the Trust Representative and a Trust Clerk of Works for review. In addition, a Trust Health and Safety Advisor must review Contractors' RAMS before any works commence.
- 6.9.1.4. Contractors' RAMS must be reviewed and acknowledged in accordance with the **RCHT Estates Operations Guidance Note – Contractor RAMS Review** (see Section 7 – Associated Documents) on the Trust Document Library.

6.9.2. **Point-of-Work Risk Assessments**

All Contractors should complete a Point-of-Work Risk Assessment before starting work on RCHT premises. The purpose of a Point-of-Work Risk assessment is to confirm understanding of RAMS prepared in advance of the work starting and identify any additional location and time specific hazards and risks that require further consideration and mitigation before starting work.

6.9.3. **Permits to Work (PTW)**

- 6.9.3.1. A Permit to Work (PTW) system is a documented procedure that authorises certain people to carry out certain work within a specified time frame when completing work associated with defined high-risk activities.
- 6.9.3.2. The PTW system is the highest level of standard safety control of specialist services, engineering disciplines, and high-risk activities at RCHT. Permits to Work apply to anyone undertaking work related to a specific specialist service, engineering discipline, or high-risk activity.
- 6.9.3.3. Permits to Work can only be issued by an appointed Authorised Person (AP) following the appropriate guidance (such as HTM) and they must be requested at least 5 days prior to the planned work being carried out.
- 6.9.3.4. For further information about Permits to Work and how they should be requested refer to the [RCHT Guidance Note – Permit to Work Requests](#) on the Trust Document Library.

6.10. Planning and Preparation

- 6.10.1. It is critical that any work is properly planned, and all parties are prepared before works start. The TR is responsible for leading this preparation and organising any pre-start meetings.
- 6.10.2. Depending on the type of work and associated risks, a detailed programme of works may need to be created. The TR may delegate responsibility for creating a detailed programme of works to their Contractor.
- 6.10.3. Key stakeholders must be included in the planning and preparation for works to start. Specifically, management of any day-day operational activities that will be affected by the work need advanced notice so they can make their own arrangements to limit the impact on operational activities.

6.11. Communications and Stakeholder Engagement

- 6.11.1. It is critical that the TR considers and engages with any stakeholders that may be affected by the works undertaken by a Contractor at every stage of Contractor engagement (including during procurement and **before** Contractors are appointed).
- 6.11.2. Depending on the type of work required, key stakeholders may insist on restrictions to Contractor activities for operational or safety reasons. Therefore, it is vital that these stakeholders are considered as early as possible to avoid potential incidents during delivery of the works or unnecessary delays to the start of works.
- 6.11.3. Defined projects should have communication and/or stakeholder engagement plans in place as part of their overall project governance.

6.12. Works Delivery and Monitoring

- 6.12.1. The TR and Clerk of Works (if applicable) are responsible for monitoring progress of works being completed by Contractors.
- 6.12.2. It is important that progress is monitored against the expected plan to either make sure the work will be completed as planned or begin to prepare for any changes or delays as soon as possible.
- 6.12.3. The Contractor is responsible for escalating any issues during delivery of the works that may impact the successful completion of the works.

6.13. Stopping Works

- 6.13.1. Anyone has the right and responsibility to report an unsafe act or condition.
- 6.13.2. Anyone can request work to be stopped where it is believed, with reasonable cause, that there is an imminent or serious risk to the health, safety, or wellbeing of any person.

- 6.13.3. Where works are stopped, the TR (or Clerk of Works if applicable) and Trust Health and Safety Team must be notified as soon as possible.
- 6.13.4. Any stoppage in works shall be limited to the amount of time required to restore safety and assurance that the issues or risks identified have been adequately mitigated.
- 6.13.5. The TR, with the support of the Contractor (and the Clerk of Works if applicable) is responsible for coordinating the response to a stoppage to works and resolving the initial cause(s) of the stoppage.

6.14. Completion, Handover, and Acceptance

- 6.14.1. The TR is responsible for ensuring appropriate assessment is undertaken on the completion of the Contractor's work and confirming acceptable achievement of the scope of work / specification.
- 6.14.2. The TR shall engage other Trust Staff to support this assessment and acceptance for technical and operational assessment where required.
- 6.14.3. Where applicable, satisfactory completion may be based on successful completion of any testing or commissioning of equipment.
- 6.14.4. The Contractor is responsible for handing over any completion documents and/or manuals in a timely manner (as defined within their contract).
- 6.14.5. The TR will refer to the contract for to resolve any issues such as snagging, defects or failures during and prior to the final handover to the Trust. The TR must ensure any such works identified are completed prior to handover.
- 6.14.6. Where a defects period is defined then this must be clearly detailed as part of the handover process with information provided to the officer of the Trust taking operational responsibility on completion.
- 6.14.7. Following final handover, and before the Contractor has fully demobilised, the TR is responsible for leading any required review of the works. This may take the form a formal review with Lessons Learned and Best Practice recorded and shared with the Contractor and relevant teams within the Trust.

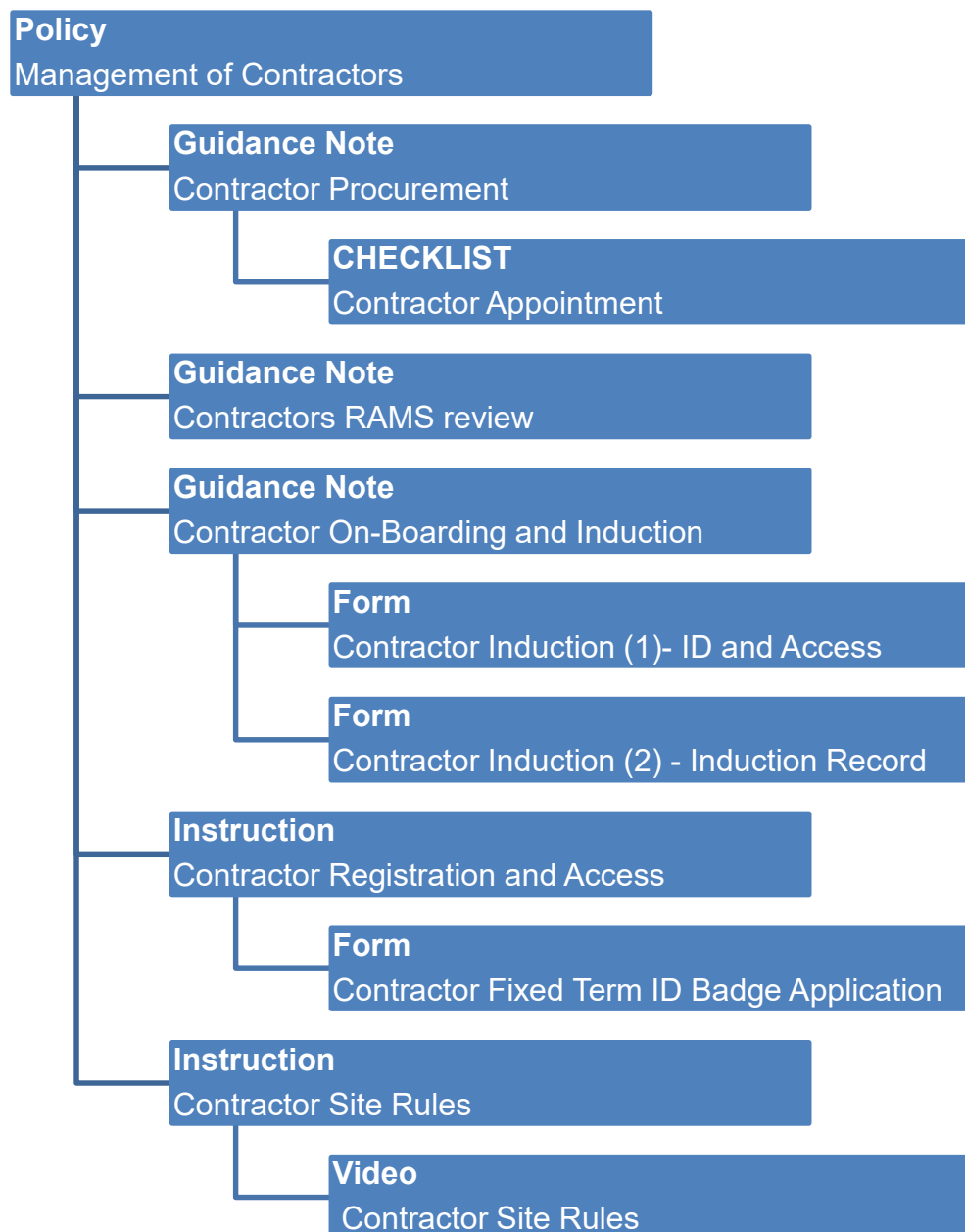
6.15. Emergency Works

- 6.15.1. There are occasions when RCHT requires the support of Contractors to complete work at short notice or in an emergency. In these circumstances the standard procurement and planning activities described in this policy, and associated documents are unlikely to be possible due to the need to resolve the issue based on operational or safety concerns.
- 6.15.2. Where appropriate, the TR may escalate matters to the relevant Senior Trust Manager, Senior On-Call Manager, or other officer of Trust ensuring the safe management and response required.

- 6.15.3. In all circumstances, the priority of emergency attendance is to make a situation safe. If further/final rectification of the issue can wait until the works have been planned correctly, and the situation poses no further risk to anyone, then the usual Contractor management processes (procurement, planning, delivery) should be followed.
- 6.15.4. There are areas of the operation where risks are known and well understood, for these circumstances the relevant department and designated Trust Representative shall put in place service and maintenance contracts which include emergency (on-call) attendance of Contractors.
- 6.15.5. Within any emergency attendance arrangements, standard safe systems of work (including RAMS) must be provided by the Contractor and recorded by the Trust Representative overseeing this contract/process on behalf of RCHT. Standard safe systems of work should be reviewed by Contractors and re-submitted to RCHT **every 12 months** or when the scope of work and/or associated risks change.
- 6.15.6. Contractors with emergency attendance / on-call responsibilities have justification of the issue of Contractor Fixed-Term ID Badges, as defined in this policy.
- 6.15.7. For unforeseen circumstances where the risk of an emergency requirement for a Contractor has not been foreseen or viewed as not of high enough risk/likelihood to justify a specific arrangement, the Trust Representative shall utilise the services of a Contractor already known to RCHT. If this is not possible, the TR shall identify a suitable Contractor based on their knowledge and experience and obtain the specific authorisation from their respective Head of Service before putting the Contractor to work.
- 6.15.8. Any suitable Contractor must already have standard RAMS in place for the type of work they are required to complete for any client organisation. If this information is not available, it would suggest that the Contractor is not suitable, and their attendance may pose further risk to the situation, the Trust Representative should find an alternative Contractor.
- 6.15.9. In all cases when attending an emergency, a Contractor should complete a Point of Work Risk assessment before starting works, however for reasons of expediency this may be carried out in a dynamic manner and undocumented until the emergency is resolved.
- 6.15.10. The TR must record actions and decisions that take place in the management of a Contractor for unplanned/emergency work, including all Standard and Point of Work Risk Assessments. Learning from the situation should be recorded and communicated to RCHT colleagues as appropriate.

6.16. Associated Documents

The following documents are governed and controlled by this policy:



All documents listed above are published and available on the RCHT Document Library.

7. Dissemination and Implementation

- 7.1. The final published document will be held centrally on the Trust online Document Library and will be available to Staff, Contractors, and members of the public.
- 7.2. Upon publication, awareness to all staff will be raised by notification within the Trust's regular email circulars and through Health and Safety Committee feedback from both management and staff representatives.
- 7.3. Trust Representatives, and Clerks of Work, who bring Contractors on to Trust

premises are required to make their Contractors aware of the contents of this policy and associated documents.

8. Monitoring Compliance and Effectiveness

Information Category	Detail of process and methodology for monitoring compliance
Element to be monitored	The standards and practice of management of Contractors defined in this policy.
Lead	The Head of Estates Operations and Associate Director for Major Capital Projects shall monitor compliance with these standards within their respective teams. The Estates and Facilities Performance Improvement, Governance and Compliance Manager shall monitor and audit compliance with these standards across the Estates and Facilities Directorate. The Head of Security shall monitor compliance of Contractors using Daily Authorisation Passes and Contractor ID Cards correctly.
Tools	Inspection of Contractor Register. Inspection of Contractors' work sites. Monitoring of Datix Incident Reporting System for reports of non-compliance. Internal audit of project documentation. Monitoring of Contractors in possession of Passes, ID, and all relevant documentation. Ad-hoc observation and monitoring of Contractors on Trust premises.
Frequency	The Contractor Register shall be monitored by Estates Operations Staff daily, as defined in this policy. The Head of Estates Operations and Associate Director for Major Capital Projects shall incorporate their monitoring of Contractor management into their respective monthly department compliance monitoring and reporting procedures. The Estates and Facilities Performance Improvement, Governance and Compliance Manager shall complete quarterly internal audits within their Governance Team Workplan. The Head of Security shall instruct their team to continuously monitor and challenge Contractors on Trust premises for possession and correct use of Daily Authorisation Passes, Access Cards, and ID Cards.

Information Category	Detail of process and methodology for monitoring compliance
Reporting arrangements	Estates Operations and Major Capital Projects department compliance reports. Management of Contractors internal audit reports. Estates and Facilities Performance and Governance Group shall review these reports.
Acting on recommendations and Lead(s)	The respective Heads of Service is responsible for acting on recommendations related to their area of responsibility. With overall ownership and responsibility for the Management of Contractors Policy, the Head of Estates Operations shall monitor, and record completion of any corrective actions required related to the standards and practice of this policy.
Change in practice and lessons to be shared	Required changes to practice will be identified and actioned within 1 month of agreed action. A lead member of the team will be identified to take each change forward where appropriate. Lessons will be shared with all the relevant stakeholders.

9. Updating and Review

- 9.1. This document shall be reviewed every three years and/or in the event of any significant change within the RCHT organisational structure. All revisions of this document will be subject to consultation via the Estates Senior Leadership Team, Estates and Facilities Performance and Governance Group, and the Trust Health and Safety Committee.
- 9.2. Associated documents related to, and governed by, this policy, may be reviewed, and revised in consultation with the Estates and Facilities Department without formal notice to the Trust Health and Safety Committee, provided that the amendments do not impact upon the general intentions or key provisions of the policy.

10. Equality and Diversity

- 10.1. This document complies with the Royal Cornwall Hospitals NHS Trust service Equality and Diversity statement which can be found in the [Equality Diversity And Inclusion Policy](#) or the [Equality and Diversity website](#).
- 10.2. Equality Impact Assessment

The Initial Equality Impact Assessment Screening Form is at Appendix 2.

Appendix 1. Governance Information

Information Category	Detailed Information
Document Title:	Management of Contractors Policy V5.0
This document replaces (exact title of previous version):	Management of Contractors Policy V4.0
Date Issued / Approved:	November 2024
Date Valid From:	11 December 2024
Date Valid To:	11 December 2027
Author / Owner:	Richard Parris, Head of Estates
Contact details:	01872 253400 Rch-tr.RCHTEstatesHelpdesk@nhs.net
Brief summary of contents:	Standards and processes for the management and control of Contractors working for RCHT on Trust premises.
Suggested Keywords:	Contractor, Contractors, Procurement, Induction, Contractor Access, Contractor Management, Contractor Control, RAMS, Permit to Work, PQQ, Specification, Site Rules
Target Audience:	RCHT: Yes CFT: No CIOB ICB: No
Executive Director responsible for Policy:	Director of Estates and Facilities
Approval route for consultation and ratification:	Estates and Facilities Senior Leadership Team Group
Manager confirming approval processes:	Head of Estates Operations
Name of Governance Lead confirming consultation and ratification:	Performance and Governance Manager (Estates and Facilities)

Information Category	Detailed Information
Links to key external standards:	HTM-00: Policies and Principles of Healthcare Engineering Health and Safety at Work etc. Act 1974 Management of Health and Safety Regulations 1999 Construction (Design and Management) Regulations 2015
Related Documents:	Risk Management Policy Risk Management Strategy Health and Safety Policy Incident Reporting Policy and Procedure Manual Handling Policy Control of Infection Policy Training and Development Policy Biological Hazards Policy Emergency Plan Electrical Equipment and Portable Appliance Testing Policy Policy for the prevention of Nosocomial Invasive Aspergillosis during demolition/construction/renovation activities Note: this is not an exhaustive listing.
Training Need Identified:	Yes – See HandS Training Matrix
Publication Location (refer to Policy on Policies – Approvals and Ratification):	Internet and Intranet
Document Library Folder/Sub Folder:	Estates and Facilities / Estates

Version Control Table

Date	Version Number	Summary of Changes	Changes Made by
May 2011	V1.0	First Draft	J Robin Gatenby Health and Safety Advisor (Interim)
March 2013	V2.0	Complete Review, update of template	J Robin Gatenby Health and
May 2013	V2.1	Minor revision to definition for clarity	J Robin Gatenby Health and Safety Manager

Date	Version Number	Summary of Changes	Changes Made by
March 2015	V3.0	Full review of document, amendment and addition of various paragraphs, addition of appendix 3 – Project Notification Form	J Robin Gatenby Health and Safety Manager
May 2015	V3.1	Post HandS Committee comments	J Robin Gatenby Health and Safety Manager
July 2015	V3.1.1	Post HandS Committee Comments	J Robin Gatenby Health and Safety
December 2016	V3.2	Updated to reflect the change to the management of Contractor ID Badges and other general changes.	Phil Bond, Governance Lead, Estates
April 2017	V3.3	Minor update to section 6.1 in relation to DBS requirements and checking	Phil Bond, Governance Lead, Estates and
July 2021	V4.0	Complete redraft of the Policy in advance of the launch of the Management of Contractors Safety Group	Roberta Fuller, Head of Hospital Reconfiguration Phil Bond, Performance and Governance Manager
October 2024	V5.0	Review of whole policy and associated procedures for review due date and in response to internal audit.	Richard Parris, Head of Estates Phil Bond, Performance and Governance Manager

All or part of this document can be released under the Freedom of Information Act 2000.

All Policies, Strategies and Operating Procedures, including Business Plans, are to be kept for the lifetime of the organisation plus 6 years.

This document is only valid on the day of printing.

Controlled Document.

This document has been created following the Royal Cornwall Hospitals NHS Trust [The Policy on Policies \(Development and Management of Knowledge Procedural and Web Documents Policy\)](#). It should not be altered in any way without the express permission of the author or their Line Manager.

Appendix 2. Equality Impact Assessment

Section 1: Equality Impact Assessment (EIA) Form

The EIA process allows the Trust to identify where a policy or service may have a negative impact on an individual or particular group of people.

For guidance please refer to the Equality Impact Assessment Policy (available from the document library) or contact the Equality, Diversity, and Inclusion Team

rcht.inclusion@nhs.net

Information Category	Detailed Information
Name of the strategy / policy / proposal / service function to be assessed:	Management of Contractors Policy V5.0
Department and Service Area:	Estates and Facilities
Is this a new or existing document?	Existing
Name of individual completing EIA (Should be completed by an individual with a good understanding of the Service/Policy):	Phil Bond, Performance and Governance Manager
Contact details:	01872 253400

Information Category	Detailed Information
1. Policy Aim - Who is the Policy aimed at? (The Policy is the Strategy, Policy, Proposal or Service Change to be assessed)	Establish The Trust's position for the management of contractors undertaking works for or on behalf of the Trust.
2. Policy Objectives	Establish a uniform approach towards the management of all external Contractors working for the Trust.
3. Policy Intended Outcomes	Facilitate a safe environment for all Staff, Patients, Visitors and Contractors.
4. How will you measure each outcome?	Through incident reporting and stated policy monitoring activities.
5. Who is intended to benefit from the policy?	All Trust stakeholders.

Information Category	Detailed Information
6a. Who did you consult with? (Please select Yes or No for each category)	- Workforce: Yes - Patients/ visitors: No - Local groups/ system partners: No - External organisations: No - Other: No
6b. Please list the individuals/groups who have been consulted about this policy.	Please record specific names of individuals/ groups: Estates Operations Staff Estates and Facilities Performance and Governance Group RCHT Health and Safety Committee
6c. What was the outcome of the consultation?	Acceptance of the policy
6d. Have you used any of the following to assist your assessment?	National or local statistics, audits, activity reports, process maps, complaints, staff, or patient surveys: None.

7. The Impact

Following consultation with key groups, has a negative impact been identified for any protected characteristic? Please note that a rationale is required for each one.

Where a negative impact is identified without rationale, the key groups will need to be consulted again.

Protected Characteristic	(Yes or No)	Rationale
Age	No	This policy does not impact on age.
Sex (male or female)	No	This Policy does not impact on gender.
Gender reassignment (Transgender, non-binary, gender fluid etc.)	No	This Policy does not impact on gender reassignment.
Race	No	This Policy does not impact on race.
Disability (e.g. physical or cognitive impairment, mental health, long term conditions etc.)	No	This Policy does not impact on disability. Parking arrangements for contractors employing anyone with a disability and have a "blue badge" have been considered in the Site Rules.
Religion or belief	No	This Policy does not discriminate with any religious or cultural beliefs.

Protected Characteristic	(Yes or No)	Rationale
Marriage and civil partnership	No	This Policy does not impact on marriage/ civil partnership .
Pregnancy and maternity	No	This Policy does not impact on pregnancy / maternity.
Sexual orientation (e.g. gay, straight, bisexual, lesbian etc.)	No	This Policy does not impact on sexual orientation.

A robust rationale must be in place for all protected characteristics. If a negative impact has been identified, please complete section 2. If no negative impact has been identified and if this is not a major service change, you can end the assessment here.

I am confident that section 2 of this EIA does not need completing as there are no highlighted risks of negative impact occurring because of this policy.

Name of person confirming result of initial impact assessment: Phil Bond, Performance and Governance Manager

If a negative impact has been identified above OR this is a major service change, you will need to complete section 2 of the EIA form available here:
[Section 2. Full Equality Analysis](#)