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Management of contactors – key messages for anyone using contractors



A recent prosecution by the HSE has highlighted the need for clarity of roles and responsibilities at the client interface with contractors.

A formwork carpenter was seriously injured when a temporary platform collapsed at a development in south London. The carpenter suffered multiple injuries when he fell approximately 10 metres onto a concrete staircase when the platform he was working on gave way. He required extensive treatment and physiotherapy, has been left with limited movement in his right arm and is no longer able to work in construction.

The HSE investigation identified that the principal contractor failed to properly plan and manage the construction work so as to avoid risks to safety. In particular, they had failed to ensure that their sub-contractors had developed and implemented safe systems of work in relation to the management and use of temporary works.

The HSE Inspector said “It is vitally important that principal contractors appreciate that managing and monitoring contractors involves more than merely requiring them to provide risk assessments and method statements, and then carrying out basic hazard spotting inspections.”

“They need to make sure that there is a proper assessment of the content of the documentation provided to ensure that they make sense and properly address the risks associated with the work being carried out.”

“In this case, the principal contractor concerned themselves more with the existence than the content of the sub-contractor safety documents, and although they themselves carried out regular site safety inspections, all of these were superficial and failed to identify significant systemic failures.”

The company subcontracted for the construction activity was also prosecuted over the incident.

Although this case relates to construction, there are important lessons regarding management of health and safety for clients engaging contractors for any type of work in any environment:

- Define the scope of the work, including health and safety responsibilities
- Check the competence of the contractors tendering for the work:
 - Technical ability to carry out the work
 - Health and safety performance (ask for injury / illness data, check the HSE website, ask for references from previous clients)
 - Gauge the commitment of the senior manager(s) to health and safety
- Review the tender responses to ensure all aspects of health and safety are identified and managed

- Discuss the management of health and safety with tenderers, 'look them in the eye' to confirm their commitment
- Discuss CDM (if it applies) to ensure work is coordinated and the interface with other contractors and the public are pro-actively managed. This is equally important for projects where CDM does not apply!
- Ensure the successful tenderer uses health and safety as an enabler to deliver the project efficiently and effectively....but ultimately safely
- Ensure hazards are actively managed in the design phase by adopting the principles of 'Safety by Design'
- Discuss the 'buildability' of the design with those who are constructing the project
- Ensure access to the construction site is controlled
- Confirm a thorough induction of all workers is carried out
- Confirm the contractors safety management system is being implemented and roles and responsibilities are understood and discharged
- Pro-actively discuss the work with the contractor
- Request evidence that hazards / near misses are being recorded, investigations are being carried out and lessons learned
- Set high standards and don't walk by anything that falls below that standard – be uncompromising!
- Talk to people – find out what really happens (remember people deliver safety, paperwork is just that bits of paper!)
- Record site visits and safety walks, particularly any actions arising on the contractor (who did you talk to?)
- Act as a visible safety leader

Be mindful of the boundary between your client duties and the contractor / employer legal duties and responsibilities but work together to deliver the work efficiently and effectively, but most importantly safely!

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