

HSE POLICY ON THE MANAGEMENT OF HEALTH AND SAFETY IN CONTRACT WORK: CO-OPERATION AND COORDINATION WITH CONTRACTORS AND OTHERS 2022

FAST FACTS provide a brief overview of various health and safety topics to support our managers, employees, safety representatives and others. Why not bring this to your Safety Committees/Departmental Meeting for discussion? Additional information is available by visiting our website at: <https://healthservice.hse.ie/staff/health-and-safety/>

This FAST FACT provides a brief overview of the **HSE Policy on the Management of Health and Safety in Contract Work: Co-operation and Coordination with Contractors and Others 2022**. The policy can be downloaded [here](#).

DID YOU KNOW THAT anyone engaging contractors has health and safety responsibilities, both for the contractors and anyone else that could be affected by their work. Contractors themselves also have statutory health and safety duties. Working closely with the contractor in accordance with this policy will reduce the risks to your staff and the contractors themselves. Remember that contractors may be at particular risk– they may be strangers to your workplace and unfamiliar with your local procedures, rules, hazards and risks.

DEFINITION (AS PER POLICY) Contractor A person or firm who contracts to supply materials or work equipment (any machinery, appliance, apparatus, tool or installation) for use at work. See Table 1 Examples of Contractors.

POLICY STATEMENT

The HSE recognises its responsibilities to ensure:

- Duties under Health & Safety legislation are fulfilled with respect to direct HSE Employees and in respect of Temporary Employees /Agency Staff.
- Working conditions are such as will protect the safety, health & welfare at work of any Temporary Employee working in the undertaking.
- Persons engaged through a Temporary Employment Business/Employment Agency act in accordance with the policies of that Employer.
- So far as is reasonably practicable, that in the course of the work being carried on, individuals at the place of work (not being direct HSE employees) are not exposed to risks to their safety, health or welfare.
- All contractors carrying out work or providing labour or services to the HSE shall:
 - Provide such information and documentation to the HSE as is reasonably requested.
 - Cooperate with the HSE on all matters discussed in the Policy.

Note: Failure to comply with any aspect of the Policy may result in the termination of a contract or the discontinuation of the agency/contractor services.

PURPOSE This Policy sets out key general duties of the HSE and any Contractor in relation to the management of health and safety in contract work/services and any associated cooperation and coordination arrangements.

SCOPE

- This Policy is applicable throughout the HSE, to all contractors engaged in the provision of works/services or labour to or on behalf of the HSE, to all those who work under the direct control of a contractor or who are employed by a contractor and are under the control of HSE line management.
- In line with the [HSE Code of Governance \(2021\)](#) Section 38 and Section 39 organisations are to adopt this policy or develop a policy of their own which is consistent with this policy and provide an assurance to the HSE regarding same.

KEY HEALTH AND SAFETY LEGISLATION

- Safety, Health & Welfare at Work Act, 2005 & associated Regulations
- Safety, Health and Welfare at Work (Construction) Regulations, 2013 and amendment Regulations
- European Union (Prevention of Sharps Injuries in the Healthcare Sector) Regulations 2014



MANAGERS KEY ROLES AND RESPONSIBILITIES

- For each project or contract, a suitable HSE Contract Manager is appointed.
- There are formal processes for ensuring cooperation and coordination with Contractors who work for, or on sites under control of the Senior Manager.
- There are suitable local arrangements for timely provision of relevant safety and health information, instruction and training to contractors and fixed term and temporary employees as appropriate.
- Suitable procedures are implemented for monitoring, review and audit of contract (including works, service and labour) management and delivery.

APPOINTED HSE CONTRACT MANAGER KEY ROLES AND RESPONSIBILITIES

With regard to any contract, including provision of services or labour to the HSE, a manager of appropriate seniority shall be appointed as the “HSE Contract Manager”. They shall:

- Ensure that the HSE’s (employer and the client) duties, for the safe and effective delivery of the contract are fully discharged. This includes ensuring any foreseeable hazards and risks within the HSE’s control arising from the project, service or contract and the potential control measures are identified and assessed.
- Consider, when developing the specification, and clearly state in the tender documentation, the minimum requirements e.g. Insurance/indemnity, Garda Clearance etc... (Refer to Section 3.4.2, Part A of the Policy).
- Ensure, when selecting Contractors: That all relevant tender/contract award procedures are followed, that each applicant Contractor’s competency is given due consideration and that all applicable criteria in 3.4.2 are met) and that due regard is paid as appropriate to—the Corporate Safety Statement (and other relevant Statements, Policies), Financial Regulations, Procurement Guidelines, Capital Works Management Framework, the Safety, Health & Welfare at Work Act, 2005 and the Safety Health and Welfare at Work (Construction) Regulations, 2013.

Detailed Roles and Responsibilities are outlined in the HSE Policy on the Management of Health and Safety in Contract Work: Co-operation and Coordination with Contractors and Others 2022.

KEY GUIDANCE

- The Policy includes the five practical steps for Health and Safety in Contract Management, please refer to Section 2.0, Part A of the Policy.

TABLE 1: EXAMPLES OF CONTRACTORS

		Examples (non-exhaustive)	
Contractor		<ul style="list-style-type: none"> • General Building Contractor • Laundry Services/Garment Rental and Washroom Services • Housekeeping Services • Security • Pest Control • Training • TV/AV installation and maintenance • Window cleaning 	<ul style="list-style-type: none"> • Clinical equipment installation and maintenance • Passenger lift inspection and maintenance • Event Catering Services • Catering Services • Landscaping and Grounds Maintenance • Inspection, validation and audit services
	Temporary Employment Business	<ul style="list-style-type: none"> • Healthcare locum agency-Medical 	<ul style="list-style-type: none"> • Nursing Agency
	Temporary Employee	<ul style="list-style-type: none"> • Anaesthetics Consultant • Psychiatry Registrar • GP 	<ul style="list-style-type: none"> • NCHD • Nurse • Healthcare Assistant
	Fixed Term Employee	<ul style="list-style-type: none"> • Registrar • NCHD • SHO 	<ul style="list-style-type: none"> • Radiographer Clinical Specialist • Director of Nursing • Care Assistant