



HEALTH & SAFETY ASSURANCE COMMITTEE PWYLLGOR ANSAWDD IECHYD A DIOGELWCH

DYDDIAD Y CYFARFOD: DATE OF MEETING:	11 July 2022
TEITL YR ADRODDIAD: TITLE OF REPORT:	Estates Control of Contractors
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Andrew Carruthers, Executive Director of Operations
SWYDDOG ADRODD: REPORTING OFFICER:	Simon Chiffi, Head of Operational Services

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Er Sicrwydd/For Assurance

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

This report is presented to the Health and Safety Committee (H&SC) to provide information on the arrangements and protocols in place for the management of Estates Contractors.

The Health Board (HB) has a diverse property portfolio with many external contractors appointed/procured by the HB daily to undertake work on our sites. This work can range significantly in complexity, risk, duration and value.

The HB has introduced a range of policies and procedures to minimise the risks associated with the control of contractors and a series of planned improvements for 2022/23 to further strengthen our governance for contractor management.

This report therefore sets out the following:

1. Provides a brief background on previous audits/inspections on control of contractors.
2. Identifies what legislation and guidance the HB is expected to comply with.
3. Provides information on what actions have been introduced by the HB to minimise risk.
4. Lists the recommendations, actions and timelines we have in order to improve compliance.

Cefndir / Background and Aseiad / Assessment

1. Following extensive HB wide inspections by the Health and Safety Executive (HSE) in 2019, a number of Improvement Notices, and Notices of 'Material Breach of Regulations' were issued on a range of Health and Safety issues. One of the Material Breach Notifications was for contractor control and the examples cited were mainly in relation to the management of asbestos particularly IT contractors. The report also highlighted deficiencies

in communication between Estates and their Contractors and between Estates and responsible persons (RP's) on the HB sites where the work was undertaken.

In response to this, a Contractor Control Group (CCG) was set up to develop a policy and procedures to address the issues identified in the report.

The Contractor Control Policy (CCP) was ratified in March 2020. The HSE subsequently withdrew their Material Breach Notice as the HSE were satisfied with the policy and the HB's intention to transit to full implementation of the Policy and the procedures contained within it.

A Shared Services Internal Audit report of Contractor Control was also carried out in early 2020, which provided Limited Assurance. A plan of action was identified, which was in alignment with the recommendations identified by the HSE. (All audit actions have now been addressed and closed off).

2. The HB is expected to comply with the following primary regulations, 1: Health and Safety at Work etc. Act (HASAWA) 1974, covering health and safety in Great Britain. 2: Management of Health and Safety Regulations 1999 and in particular relation to contractor management is the Construction Design Management (CDM) Regulations 2015.

There are other associated regulations, codes of practice and standards imposed on both contractors and HB staff alike, for example. 1: Working at Height Regulations 2019, 2: Control of Asbestos Regulations 2012, 3: Confined Space Regulations 1997 etc.

3. The HB has introduced a range of measures to help support our compliance with the regulations and guidance and these are set out below:
 - a. A HB approved Contractor Control Policy (CCP), with a series of available shared template documents for all staff to utilise for contractor record keeping/recording.
 - b. Developed a bespoke audio PowerPoint package to be used for inducting all contractors onto our sites. Clearly highlighting the appropriate protocols to follow.
 - c. Information, instruction and training provided to support the implementation of the CCP specifically for all engaging managers, estates managers, project managers and responsible persons on site.
4. The measures listed above have vastly improved our management and control of contractors since 2019, however we feel that there are areas where further strengthening is needed. It has recently been decided by the Estates Compliance Team that a full root and branch exercise will be undertaken commencing in July 2022 to ensure that we can offer the levels of assurance necessary.

The following areas are of particular focus and scrutiny for the Estates Compliance Team, also included are the proposed mechanisms and timelines that we intend to introduce to monitor and improve compliance in this area.

- a. Specifically for multiple contractor engagement – improvements are needed in cooperation, coordination and communication between the various estates teams.
- b. As part of the CCP documentation templates, the department have also developed a local Estates CDM 2015 procedures manual. This document is currently in draft and awaiting department ratification.

- c. Improvements for local estates operational teams to ensure compliance in relation to contractor control, specifically:
- Planning and information exchange with contractors, such as the supply of health, safety and risk critical information to the contractor, to determine how the contractor proposes to manage these risks.
 - When choosing a contractor, ensuring the appropriate due diligence checks of the contractor's safety credentials are undertaken.
 - Ensuring safe systems of work before contractors start on site, in particular to the scrutiny of risk assessments, method statements and training competency.
 - Monitoring and supervision whilst on site – to ensure the contractor undertakes the work as planned and according to the scope and risk assessments, method statements.
 - Reviewing the work – to ensure that the work is completed to a satisfactory standard and that any lessons learnt are shared across the department.

How we aim to do this and by when:

- a. Agree and ratify our estates CDM (2015) Manual and provide training in support of this. (Aug 2022).
- b. Compliance team (now fully resourced) will facilitate greater cooperation, coordination and communication between project managers from various estates teams, by introducing an estates directorate wide Health, Safety and Compliance Forum. This aims to focus on risk assessments, method statements, permits to work and the essentially the CCP documentation procedures are fully understood and adhered to. (Sept 2022).
- c. Undertake an appraisal and scope the adoption and implementation of a new HB wide Health, Safety and Compliance - Risk Management Software System including membership of a safety scheme in procurement (SSIP). (Oct 2022). This will encompass all of the procedures we have in place, however, will make the process of management much more efficient and transparent for all users (minimising paperwork). This is likely to incur a small revenue cost.
- d. Appoint external CDM consultants to undertake an independent external review of the effectiveness of our systems to ensure we are made aware of any shortcomings. (March 2023).

An update status report will be prepared and presented post external audit review after March 2023.

Argymhelliad / Recommendation

The Health and Safety Committee is requested to receive assurance from the policies and procedures currently implemented for contractor management, the areas of work planned and the anticipated timelines which demonstrate the robust management arrangements for the control of contractors.

Amcanion: (rhaid cwblhau) Objectives: (must be completed)	
Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	2.1 Provide assurance around the UHB arrangements for ensuring the health, safety, welfare and security of all employees and of those who may be affected by work-related activities, such as patients, members of the public, volunteers contractors etc.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not Applicable
Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	1. Staying Healthy 2. Safe Care 2.1 Managing Risk and Promoting Health and Safety 2.4 Infection Prevention and Control (IPC) and Decontamination
Nodau Gwella Ansawdd: Quality Improvement Goal(s):	All Quality Improvement Goals Apply Protect Patients From Avoidable Harm From Care Reduce Duplication and Eliminate Waste Choose an item.
Amcanion Strategol y BIP: UHB Strategic Objectives:	2. Living and working well.
Amcanion Cynllunio Planning Objectives	3L Review of existing security arrangements
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2018-2019	2. Develop a skilled and flexible workforce to meet the changing needs of the modern NHS

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Contained within the body of the report.
Rhestr Termiau: Glossary of Terms:	Contained within the body of the report.
Partion / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Ansawdd Iechyd a Diogelwch: Parties / Committees consulted prior to Health and Safety Assurance Committee:	Actions form part of estates compliance and governance meetings.

Effaith: (rhaid cwblhau)

Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	There may be financial implications if the issues identified require monetary rectification.
Ansawdd / Gofal Claf: Quality / Patient Care:	There is a positive impact on staff safety, health and wellbeing through compliance.
Gweithlu: Workforce:	Potential for adverse future staffing impacts if this legislation is not complied with as it relates to employee safety
Risg: Risk:	Risk to health and safety management
Cyfreithiol: Legal:	Potential for enforcement action including Improvement Notices/prosecutions and claims due to breaches in legislation.
Enw Da: Reputational:	Potential for enforcement action including Improvement Notices/prosecutions and claims due to breaches in legislation.
Gyfrinachedd: Privacy:	Not Applicable
Cydraddoldeb: Equality:	Has EqIA screening been undertaken? Yes as part of the control of contractors policy.