MANAGING CONTRACTORS

A GUIDE FOR THE ENERGY INDUSTRY
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FOREWORD

These good practice Guidelines have been produced in response to a need identified by the Power Generation Health and Safety Committee at the Energy Institute on 30th November 2005. The Committee considered that each company within the power generation industry has a slightly different approach to Contractor management and that a consistent and comprehensive approach would benefit the industry as a whole.

A Steering Committee, consisting of safety professionals from key organisations within the power generation industry, was convened to manage the project and the following scope of work was agreed:

The project will produce good practice guidelines for the managing health and safety of Contractors on power generation sites with a particular focus on working with foreign nationals. The guidelines will cover initial contracting through to managing the staff on site. The project will include:

— A review of current practices employed by power generation companies;

— Development of guidelines for contract tendering, managing that contract and managing the staff on site; and

— Specific recommendations for managing multi-lingual contracting staff during all stages of the contract including at site induction.

The Steering Committee then managed the project through to the production of these final Guidelines.

It should be noted that this industry guidance describes how organisations may choose to discharge their responsibilities under relevant health and safety law and recommends appropriate methods for implementing a comprehensive contractor management programme. There is no obligation on any organisation to follow the guidance herein and, with the caveat that organisations must of course comply with prevailing health and safety law, failure to follow this guidance is not an offence nor does it provide evidence of an offence under relevant law.
The Energy Institute wishes to acknowledge the support of the following power generators in the production of these guidelines:

EDF Energy
Electricity Supply Board (ESB), Power Generation
EON UK
RWE npower
ScottishPower Energy Wholesale

The Energy Institute would also like to thank the members of the steering group for their input into the report and all those who participated in the industry workshops, providing valuable information on the current practices of both power generators and contractors. In particular the EI would like to thank Power Technology, EON UK and Rye House Power Station, Scottish Power, for hosting the industry workshops.

The EI wishes to record its appreciation of the work carried out by Ms Lisa McCaulder of McCaulder Management Services, as principal author of these Guidelines.
INTRODUCTION

This good practice guidance note provides advice on the management of Contractors and, in particular, contractor competence. The guidance is aimed at power generation sites and effective management of the health and safety of Contractors on both major projects and planned maintenance projects.

The guidance is provided to power generation companies who usually assume the role of Client as described by the Construction (Design and Management) Regulations (CDM Regulations).

The CDM Regulations provide a useful and comprehensive guide to the safe management of projects on which a number of organisations cooperate. As such, whilst this guidance is not based on CDM, the project stages defined in those Regulations as necessary to effective project delivery have been used to structure this guidance document. They are:

- Concept and feasibility.
- Design and planning.
- Tender and selection.
- Construction.
- Commissioning and handover.

By mirroring the project stages described in CDM, this guide will be useful both to those managing CDM projects and those managing projects which do not fall under the requirements of the CDM Regulations. However, it should be noted that this is not guidance describing how to comply in full with the CDM Regulations and any organisation wishing to understand and comply with those Regulations should refer to the Approved Code of Practice provided by the Health and Safety Executive. In addition, based on the review of current practices undertaken, the guide acknowledges that the Principal Contractor is appointed more often during the Planning stage of the project than Tender and Selection because that Contractor is considered to be a key part of the project management team.

The guidance examines the personnel appointed at each project stage, the competence that individual or organisation should hold and the flows of information necessary to comply with Health and Safety at Work Act (HSWA), the Management of Health and Safety at Work Regulations (MHSWR) and CDM. An integral part of that information flow is the checking and corrective action that Clients must complete to ensure that Contractors are performing in accordance with safety procedures and a section is included on monitoring Contractors and relating the information generated to corrective actions.

In addition, the guidance provides particular information about the management of Contractors who employ non-English-speaking personnel. The guide assumes that the predominant project language in each case is English although it is clear that is not inevitably the case in the power generation industry. In the event that the designated site language is a language other than English then the guide may still be used by substituting that language for English throughout the document.

In completing this guidance it has been assumed that all project personnel, with the exception of the Client, are appointed as external Contractors. Clearly this is not always the case. In some cases key project personnel will be internal appointees. These internal
appointees need not be subjected to Contractor vetting as described in the guidance, but any organisation employing or offering any individual as suitable for one of the roles described must ensure that the individual holds the relevant competence. Using this guidance will enable employers to assess the competence of internal appointees as well as external ones.

This guidance is not designed to provide comprehensive advice about compliance with HSWA and MHSWR nor does it supersede any guidance or approved code of practice provided by the Health and Safety Executive or the Health and Safety Commission.
This guidance has been arranged to facilitate its use by separating the guidance describing the 'PROCESS' of managing Contractors and that providing 'DETAIL' about specific elements mentioned within the guide. The process is described on the right hand page of the guide with additional details provided on the left hand pages.

Process information is provided in normal type. It describes the activities in each stage of the contract, the personnel involved, the competence required and the communication that should take place between the various organisations and individuals involved in the project.

Detailed information about specific elements is provided in boxed panels. These panels are designed to support the advice given in the main document, indicate the key issues associated with that section and suggest ways in which compliance may be achieved. In implementing a Contractor management system organisations may choose to take some other equivalent action or to take no action on a specific element of the guidance.

Information specific to the management of non-English-speaking personnel is provided in shaded panels. The guide recognises the need to exchange information with Contractors and the effect that language and cultural barriers may have on the efficacy of that communication. Advice is provided for managing communication with non-English-speaking contract personnel.