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# Control of Contractors Policy

2022



**MERCHANT**  
LAND

Issue Numbers	Amendment Date	Amendment Details	Authorised By
0	21.11.14	Draft for comment	S. Porter
1	01.12.14	Amendment to contractors responsibilities	S. Porter
2	03.12.14	Removal of title "Construction Management Company".	S. Porter
3	02.09.15	Change from CDM 2007 to CDM 2015	S. Porter
4	03.12.15	Addition of specific requirements for property managers.	S.Porter
5	05.10.17	Periodic review	S. Porter

**Policy Statement**

The aim of this Policy is to provide guidance to all contractors working on behalf of Merchant Land, outlining the minimum standards required when working on a Merchant Land project.

## **1.0 Introduction**

The Health and Safety at Work etc Act 1974 places a duty upon organisations to, so far as is reasonably practicable, ensure the health, safety and welfare of its staff and anyone else who may come into contact with Merchant Land Investments Limited or its undertakings. This includes contractors or sub-contractors.

## **2.0 Scope**

Merchant Land Investments Limited uses contractors to undertake a wide variety of different tasks. This ranges from support services such as cleaning and waste disposal through to technical works such as electrical or building repairs and major construction.

## **3.0 Objectives**

The purpose of this policy is to ensure that contractual arrangements comply with Merchant Land Investments Limited policies and procedures and with legislation. It shall ensure all parties to fulfil their legal duties as well as contractual obligations to meet the minimum standards expected on Merchant Land Investments Limited projects.

## **4.0 Summary**

The policy and procedure gives guidance on how to manage and control projects, in particular the appearance of sites being constructed on behalf of Merchant Land Investments Limited.

## **5.0 Responsibilities**

The Development Director has overall responsibility for Health and Safety within Merchant Land Investments Limited. The Construction Director has specific responsibilities delegated by the Development Director to aid the running of any development/ construction project completed on behalf of Merchant Land Investments Limited.

The Construction Director, with the help of the project's CDM Advisor , must ensure that the contractor is competent to carry out the works specified and where possible, will utilise certified or accredited contractors/organisations. Throughout the contract period the Construction Director will monitor the standard of the contractor's work and the progress made.

It is also the duty of the Construction Director, with the help of the project's CDM Advisor , to ensure that all relevant safety measures are taken not only to protect the contractors but all persons who may come into contact with Merchant Land Investments Limited and its undertakings. Merchant Land Investments Limited has a duty to ensure that these work activities do not alter the conditions or impede the provision of a safe place of work for staff, visitors and members of the public.

The health and safety needs of any contract must be assessed. Resources such as additional training, equipment and in some cases staffing will be provided as required. Any equipment provided to contractors must be managed appropriately.

## **6.0 Principal Contractors**

Principal Contractors will have duties under Regulations 13, 14 and 15 of The Construction (Design and Management) Regulations 2015 (CDM Regulations). These will generally be traditional contractors who undertake large construction projects, but will include Construction Management Companies who will fulfil the role and manage a construction project on behalf of Merchant Land Investments Limited. In some cases works will require more than one contractor at a time to be working in the same area or on the same premises. It is vital that the parties share relevant information under the statutory requirements of the CDM regulations.

The Principal Contractor will be expected to be able provide the following information at any point during a development/ construction project completed for Merchant Land:

- An approved Construction Phase Plan with evidence of regular review and amendment where required;
- Evidence of their Site Managers' competence, including proof of SMSTS Training (CITB Site Managers Safety Training Scheme);
- Evidence of competence for all construction operatives;
- Copies of reviewed and approved method statements and risk assessments for all construction activities completed by directly employed staff;
- Copies of specific COSHH Assessments for any hazardous substance used by directly employed staff;
- Evidence of competence for all sub-contract Companies;
- Evidence of competence for all sub-contractors operatives;
- Evidence of competence for all plant and equipment operators;
- Copies of reviewed and approved method statements and risk assessments for all construction activities completed by sub-contractors;
- Copies of specific COSHH Assessments for any hazardous substance used by sub-contractors;
- Evidence of regular internal health and safety inspections by the Site Manager;
- Evidence of regular independent health and safety inspections by an competent H&S Manager or external consultant;
- Evidence of statutory inspections such as PAT Testing, 7-Day scaffold inspections and plant inspections and certification;
- Evidence of inductions given to all persons working on or visiting site;
- Evidence that regular Toolbox Talks have been delivered to all persons on site;

## **7.0 Sub-Contractors**

Sub-contractors have similar responsibilities to the Principal Contractor, in particular those under Regulations 15 of The Construction (Design and Management) Regulations 2015 (CDM Regulations). The sub-contractors may use equipment provided by the Principal Contractor and may be working under the supervision of the Principal Contractor, and as such will have to provide some of the information above as required.

## **8.0 Property Managers**

Companies managing buildings on behalf of Merchant Land (both vacant and completed projects when occupied), when engaging contractors to complete work on Merchant Land properties shall carry out a competence review prior to instructing any construction or maintenance activities. In addition to this, they will be responsible for ensuring suitable risk assessments and method statements are prepared for any work being carried out.

## **9.0 Code of Conduct**

Any Principal Contractors or Contractors working on behalf of Merchant Land Investments Limited will have to sign up to this code of conduct on appointment, prior to commencement on site.

The purpose of this procedure is to outline standards and procedures to be adhered to, over and above any statutory obligations or duties placed on them by current health and safety legislation and to provide information on the way in which Principal Contractors and Contractors must work in order to prevent incidents and to maintain the corporate image of Merchant Land Investments Limited.

## **10.0 Specific Requirements**

Principal Contractors or Contractors must adhere to the following procedures and site rules:

- Hoardings must be painted or have graphics applied in accordance with Merchant Land Investments Limited's design;
- Hoardings must have all statutory health and signage and the Site Managers emergency contact details clearly displayed;
- Smoking areas must be designated within the site boundary to avoid persons congregating outside the site hoarding in public areas;
- All persons on site must have high visibility clothing with clear Company logo's to allow persons to be easily identified;
- An loading and unloading must be planned and submitted for review as part of a project specific traffic management plan.
- A good standard of housekeeping to be maintained at all times.
- No foul language to be used outside site hoardings when representing Merchant Land Investments Limited.
- Site security is to be maintained at all times throughout the project.

The Principal Contractor has a duty to follow these procedures to ensure, so far as is reasonably practicable, the Health, Safety and Welfare of anyone whom may come into contact with these work activities along with the corporate image of Merchant Land Investments Limited.

## **11.0 Housekeeping**

All Contractors must ensure that rubbish or excess equipment and materials is not allowed to accumulate in the immediate work area, and in no circumstances is material for disposal to be stored outside the working area unless in the Contractor's, or Sub-Contractor's own authorised skip. All surplus materials and/or rubbish should be cleared from the site on completion of the contract.

Burning of rubbish on any Merchant Land Investment Limited site is prohibited.

## 12.0 Noise & Dust

Excessive dust production is to be avoided with the use of direct extraction and damping down.

Noisy works must only be completed in accordance with any specific planning conditions.

## 13.0 Confirmation of Acceptance

I, the undersigned on behalf of the Company detailed below, agree to adhere to the above code of conduct when working on behalf of Merchant Land Investments Limited and acknowledge that any non-compliance with the rules outlined may result in disciplinary action.	
<b>Company:</b>	
<b>Directors Name (Block Capitals):</b>	
<b>Signature:</b>	
<b>Date:</b>	