



Control of Contractors Policy

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POL127 - Control of Contractors Policy

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POL127 - Control of Contractors Policy

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The East of England Ambulance Service NHS Trust has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, sex, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups. This policy applies to all individuals working at all levels and grades for the Trust, including senior managers, officers, directors, non-executive directors, employees (whether permanent, fixed term or temporary), consultants, governors, contractors, trainees, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with the Trust.

EEAST: POL127 - Control of Contractors
Policy
APRIL 2024, V2.0

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POL127 - Control of Contractors Policy

All Trust policies can be provided in alternative formats.

Contents

Paragraph	Page
1. Introduction	6
2. Purpose	7
3. Duties	8
3.1 Duties within the organisation	8
3.2 Contractors' duties	9
3.3 Health and Safety team duties	12
3.4 Procurement department	13
4. Scope	14
5. Management of Contractors	16
6. Monitoring	17
Appendices	
A. Letter to contractors	19
B. Night worker assessment	20
C. Equality Impact Assessment	23
D. Monitoring Table	27

1. Introduction

N.B – for the purposes of this policy a Contractor is defined as a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job on behalf of the Trust at either its stations, AOC's, training facilities or offices.

- 1.1 East of England Ambulance Service NHS Trust (EEAST) recognises and accepts that, as an employer, it has a legal duty to safeguard the Health and Safety of all staff, patients, contractors and visitors who use its services and premises. The Trust requires that all Contractors employed by the Trust play their part in ensuring that the work they undertake on behalf of the Trust complies with all Health & Safety legislation and with the Trusts' local procedures. For further guidance please refer to section 4.3.
- 1.2 The Trust will plan, coordinate, and monitor the activities of all Contractors to effectively minimise the risks presented to employees, patients and visitors on all premises owned or occupied by the Trust.
- 1.3 This policy has been produced with the objective of providing a mechanism for identifying and minimising risks surrounding the activities of Contractors in order to reduce the potential for accidents or incidents and to comply with its legal obligations. It has also been developed to ensure that the Trust has a mechanism designed to ensure it only employs competent Contractors.
- 1.4 Any EEAST Department employing Contractors is required to monitor those Contractors activities to ensure that they are competent to carry out duties required, are familiar with health and safety systems and procedures are implemented and operated for their own safety and also for the safety of East of England Ambulance Service employees, patients and visitors.
- 1.5 The Trust Dept. shall also ensure that all Contractors are adequately managed whilst on Trust premises. They must also

provide Contractors with information regarding any risks to which they may be exposed during their attendance/presence on site. Contractors must also have clear instructions/information regarding site fire safety procedures, accident/incident reporting requirements and first aid arrangements.

- 1.6 No Contractor whose Health & Safety protocols and procedures have not been pre-approved by the Trust's Procurement Team will be permitted to work on the Trust's behalf. Only contractors who have been pre-approved can work on behalf of the Trust.

Health and Safety:

- 1.7 The Trust has a legal responsibility to manage Contractors, and the Chief Executive has ultimate responsibility to ensure systems and procedures are in place.
- 1.8 The Head of Estates is the delegated member for the effective management of the Trust's properties and buildings and will have overall responsibility for implementing the policy.
- 1.9 This Policy covers all Contractors employed by the Trust for non-clinical activity. Non-clinical Contractors are those who are not involved or employed in the direct care of patients or who have direct access to patients or patient information in the course of their normal work.

2. Purpose

The purpose of this policy is to ensure the health, safety and security of all staff, Contractors, visitors and patients of the Trust.

2.2 The policy aims to:

- Assist all employees of the Trust to adopt a positive approach to the control of contractors working in Trust premises.

POL127 - Control of Contractors Policy

- Ensure that the Trust only employs Contractors that are competent and able to work in a healthy, safe and secure manner.
- Introduce checklists for the risk assessment and safe planning of work undertaken by Contractors on behalf of the Trust. Please see appendix B.
- To minimize the risk of incidents and control Contractor's activities within the Trust.
- To protect the health, safety, welfare and security of Contractors, Trust staff, and visitors affected by work and maintenance activities prior to and during any works.
- To improve the co-ordination between staff, Contractors and self-employed staff who carry out work in Trust premises to minimise the agreed risk.
- To ensure that prior to contracts being finalised, the Contractor has demonstrated his competencies in relation to the works activities and health and safety requirements.
- To ensure adequate information is provided to Contractors, engaged to carry out work on Trust premises, prior to commencement.
- To ensure all hazards that could potentially affect the Contractors personnel are clearly identified and controlled.

3. Duties

3.1 Duties within the Organisation:

3.1.1 Chief Executive - The Chief Executive, as the Accountable Officer (Duty Holder), is responsible for ensuring arrangements are in place to discharge the Trust's legal and operational needs and responsibilities with regards to the management of Contractors.

3.1.2 Head of Estates is responsible for ensuring compliance with the requirement of current legislation contained within this policy.

POL127 - Control of Contractors Policy

The Estates, Fleet and Transformation Lead should take appropriate steps to ensure adequate resources and funding are identified to manage Contractors and to keep the Chief Executive apprised of major breaches of this policy.

3.1.3 Head of Estates – The Head of Estates has delegated responsibility for the overall operation of all Trust Estates services, and the development, maintenance, and implementation of the Trust's Estates Strategy.

3.1.4 The Head of IM&T - The Head of IM&T is responsible for the management of IM&T Contractors carrying out installation and maintenance work on Trust premises. It is the responsibility of the Head of IM&T to ensure that all such staff and Contractors are made aware of and follow this policy prior to commencement of activities.

3.1.5 Estate Manager(s) - The Estate Manager(s) is responsible for the development and maintenance of the Control of Contractors Policy and for the day-to-day operation of the policy and management plan where it relates to Contractors working for the Estates Team.

3.1.6 Trust Staff employing Contractors - Trust Managers who have been delegated responsibility to appoint Contractors are responsible for ensuring that all requirements of this policy are effectively carried out when initiating any work using Contractors on behalf of their Dept. and for ensuring that:

- All Contractors that are carrying out work on behalf of the Trust have adequate resources to carry out the works within the agreed timescale and have sufficient administrative expertise/capacity to produce all Documentation necessary for the Trust to fulfil its Statutory and Local obligations.
- This will require that all Contractors engaged by the Trust shall complete the Contractors Pre-Qualification Questionnaire before they are engaged to carry out any

POL127 - Control of Contractors Policy

work. These completed questionnaires will be assessed (together with the Health and Safety Team) to determine the competency of the Contractor to work on Trust premises.

- Maintain a Departmental list of those Contractors that have had their Health and Safety protocols and procedures pre-approved by the Health and Safety Team. It is the duty of the manager responsible for this list to ensure that contractors have their Health & Safety information re-approved every 2 years by the Health and Safety Team
- All Contractors engaged to work on the Trusts behalf are aware of and have signed the “Contractors Induction and Site Safety Rules”.
- The Contractor supplies all necessary documentation to comply with all relevant Legislation and local Policies prior to commencing work.
- Adequate supervision is provided to ensure the Contractor complies with agreed Method Statements, Risk Assessments (RAMS) etc. to ensure that the work is carried out in a safe and conscientious manner. Please see appendix B.
- Contractors are aware of any known risks they are likely to encounter in the course of their work on healthcare premises and are also aware of any local rules of conduct to be applied to their work. This will include maintaining confidentiality of any information gained in the course of their work.
- Day to day assessment of work undertaken by Contractors is carried out to ensure compliance with Health & Safety legislation, HTMs, Estates code and Fire code criteria. Any breaches being referred to the authorised person.
- Contractors work in conjunction with the estates department when isolation of services and/or facilities is required to minimise the impact to other services on site.

POL127 - Control of Contractors Policy

- Where any breaches in health, safety, security or unsafe practice are observed that Contractor's operations are immediately stopped until a resolution is agreed.
- No work is commenced / undertaken without the knowledge and agreement of the person in charge of the site or affected department.
- No changes are made to the agreed work plan without discussion with the person in charge of the site or affected department.
- Disruption to the activities of the site is minimised and all staff are aware of the work programme.
- Disruption to the Contractors agreed activities and work plan are minimised.
- Those that employed by the contractor should take reasonable steps to ensure that contractors carry out their work in a safe manner to minimise risk to staff and property.
- Where previously agreed staff are segregated from the Contractors work area. Where this is not possible, Contractors are adequately managed having regard to the proximity of staff, the number of Contractors and the duration and type of work undertaken.
- Potential access to confidential information is minimised.

3.2 Contractors' duties

Contractors working on behalf of the Trust shall:

- Employ on site only such persons as are skilled, experienced, and careful in the performance of their trades, professions, and duties, and are competent to undertake the work assigned to them. Competence includes relevant up-to-date health, safety, and security training.
- This will require that all Contractors engaged by the Trust shall complete the Contractors Pre-Qualification Questionnaire (Appendix 1) before they are engaged to carry

EEAST: POL127 - Control of Contractors

Policy

APRIL 2024, V2.0

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out any work. These completed questionnaires will be assessed (together with the Health and Safety Team) to determine the competency of the Contractor to work on Trust premises. When the Health and safety Team are happy that adequate competency has been shown they will be added to the Trust "Approved List of Contractors"

- Comply with the requirements stated in this document.
- Observe their obligations under statute and common law.
- Indemnify East of England Ambulance Service against all liability arising out of any loss, damage or injury suffered by East of England Ambulance Service or any third party as a result of their failure to comply with the terms of the contract or their performance of the contract.
- East of England Ambulance Service reserves the right to cancel a contract with immediate effect and prevent the Contractors returning to the premises if they fail to comply with these requirements. No permission or consent by or on behalf of East of England Ambulance Service under these requirements shall in any way relieve the Contractor of his liability for accidents, injury, and damage under the terms of the contract.
- Health, safety and security are the personal responsibility of each individual. All Contractors shall take reasonable care of their own health, safety and security as well as that of others who may be affected by their acts or omissions. They have to co-operate with their employer on health, safety and security and not interfere with or misuse anything provided for health, safety and security.

3.3 Health and Safety Team duties

In conjunction with the Estates Manager has responsibility for advising managers and staff on this policy. All instances of breaches of the Policy must be reported via the incident report

POL127 - Control of Contractors Policy

form, in line with the Incident Reporting and Investigation Policy.

The Health and Safety Team, together with the Trust Department requiring the work to be carried out will assess the completed Contractors Pre -Qualification Questionnaire (Appendix 1) and advise as to the suitability of the Contractor to work on Trust premises.

The H&S Team will, in conjunction with the Trust Department wishing to engage a Contractor, re-evaluate Contractors every 2 years to ensure that any Contractors engaged by the Trust have the necessary competence to meet their obligations.

3.4 Procurement Department

The Procurement Department shall ensure that, during the tender process for all goods and services procured for the Trust, suppliers and Contractors are selected and vetted to ensure that they are fully conversant with current legislation.

Documentation - Contractors may be requested to produce documentation to ensure compliance with statutory and regulatory requirements.

These may include:

- Employers Liability Insurance (min. £5 million)
- Public Liability Insurance (min. £10 million)
- Health and Safety Policy
- Method Statements / Risk Assessments
- Notification of any HSE prosecutions or improvement notices
- Qualification or industry body affiliation certificates
- Training Records
- First Aid provisions
- Material Safety Data Sheets (MSDS)
- Equipment List and PAT testing results

- Confirmation of Criminal Records Bureau (CRB) Check

4. Scope

- 4.1 This policy covers work activities on all the Trust's freehold and leasehold properties where Contractors are used. For the purposes of this document the term contractor refers to "A person or company that undertakes a contract to provide materials or labour to perform a service or do a job". It includes all work carried out on behalf of the Trust in Trust premises that is not being carried out by Trust employees. It should be noted that the policy is intended to cover all Trust premises and those leased and rented premises.
- 4.2 The Trust has a statutory duty to ensure that only Contractors who have the necessary health and safety competence and the resources to carry out their work in a safe manner are engaged. Furthermore, the Trust must ensure that a suitable and sufficient risk assessment is carried out to ensure that Contractors are provided with information regarding any risks to which they may be exposed during their attendance/presence on site. The Trust must also ensure that procedures and systems are in place to control or remove the risk.
- 4.3 This policy has been prepared to achieve compliance with both the Health and Safety at Work etc. Act 1974 and furthermore specific interacting Regulations which support these including (but not limited to):
- Personal Protective Equipment and Work Regulations
 - Construction Design and Management Regulations
 - Provision and Use of Work Equipment Regulations
 - Noise at Work Regulations
 - The Construction (Health, Safety and Welfare) Regulations
 - Confined Space Regulations

POL127 - Control of Contractors Policy

- Pressure Systems and Transportable Gas Cylinder Regulations
- The Control of Substances Hazardous to Health Regulations
- The Control of Asbestos at Work and the Asbestos Licensing Regulations
- The Electricity at Work Regulations
- The Manual Handling Regulations
- <https://www.hse.gov.uk/pubns/indg368.pdf>

4.4 This document shall be applicable to all contractors. Requirements and procedures to achieve this are set out in this document. However, it must not be assumed that the contents of this document embrace every contingency or hazard which can arise.

4.5 This document does not relieve any employer of their responsibilities to their employees nor of their liabilities under the conditions governing any contract they may have entered into with East of England Ambulance Service.

4.6 This document shall be read in conjunction with the East of England Ambulance Service General Conditions of Contract.

4.7 The East of England Ambulance Service NHS Trust Control of Contractors policy is to ensure:

- The selection of competent Contractors.
- The effective management, co-ordination monitoring and reviewing of Contractors' activities on site.
- The effective monitoring and reviewing of Contractors' compliance to Legislation, Estate Management Department Procedures and Site Safety Rules.
- The Contractors perform their work safely and without risk to themselves, others, or the environment. This covers all operations where activities to be undertaken involve the utilisation of external Contractors.

- The Trust acknowledges its statutory responsibilities for co-ordinating its activities with those of Contractors in their employment.

5. Management of Contractors

- 5.1 All contractors will be subject to contract review meetings, which we will be reviewing performance (KPI's and SLA's) at regular intervals. All contractor reports are to be submitted to EEAST at least 5 working days before the contract review meeting date.
- 5.2 Visits to Trust Premises - All Contractors must wear a photographic identification badge at all times whilst on Trust premises.
- 5.3 All Contractors must sign in on the station occurrence book and request a Trust Visitor Badge if visiting Area Headquarters buildings.
- 5.4 Familiarisation - Prior to carrying out works or services on Trust premises, Contractors shall familiarise themselves with the induction and site safety rules (see Appendix 2). A signed copy of these rules will be held by the Contractor and a copy will be kept on file in the Dept. authorising the works.
- 5.5 Contractors On Site Safety Rules - The Contractors On Site Safety Rules (see Appendix 2) provide important health and safety information which must be strictly adhered to whilst carrying out works on Trust premises. Contractors must confirm receipt of this information and their intent to comply by signing and returning a copy which is retained by the Dept. employing the Contractor. It is the responsibility of the Contractor to ensure that this information is disseminated to all their employees/sub-Contractors who visit the site. Prior to commencing any works on Trust premises, a copy of the Contractors on Site Safety Rules will be issued as part of the signing in procedure.

5.6 Risk Management - The authorised person engaging any Contractor is responsible for ensuring that risks associated with the works are adequately controlled. The measures needed to achieve this will depend on the nature and complexity of the work being carried out.

5.7 Infection Control - All Contractors must maintain good standards of infection prevention/control practice whilst on Trust premises. This includes attention to hand hygiene when moving around the site. As this is a healthcare environment there is also a potential risk of an injury from 'sharps'. Any injuries should be reported immediately to the Estates department.

The Trust manager responsible for the area of work must be informed prior to works being carried out in case any further infection prevention/control precautions are required. The Contractor must respond to any instructions given to him by the infection control team.

5.8 Fire Safety - Contractors must ensure that they are aware of the emergency evacuation procedure and assembly points, the location of the fire alarm activation systems and the location of any fire suppression systems.

No fires will be lit on Trust premises.

The Contractor shall inform the Authorised Person before using any equipment, materials or substances that may be likely to cause fire or dust. A 'Hot Work' Permit will be issued by the Authorised Person for all such work (24 hours-notice is normally required).

Fire escapes must be kept clear at all times.

6. Monitoring

- 6.1 To ensure satisfactory implementation of all the safety requirements of the Contractor the EEAST employee supervising the work will undertake random job inspections to ensure the implementation and operation of the health, safety, and security procedures. Should there be any apparent disregard of the required procedures or any circumstances which may give rise to an accident or fire, they shall inform the Contractor who must then either resolve the problem or cease work until directed to restart by the Trust employee.

Checks will be carried out by:

- Carrying out Health, safety and security audits and safety sampling as part of any contract. These may be carried out by the authorised person or by members of the H&S team.
- Random spot-checks on Contractors ID badges.
- Random spot-checks to ensure Contractors have signed log sheet.
- Checks to ensure new Contractors have received induction and copy of Safety Rules prior to starting work.
- Detailed investigation of any incidents relating to Contractors work.
- Checks are made that the Contractor is working within the limits of the policy.

Appendix A: Letter to contractors.

To be issued by Procurement when a benchmarking exercise is undertaken or when the contract is retendered.

DATE

East of England Ambulance Service NHS Trust

Hospital Lane

Hellesdon

Norwich

Dear Contractor,

We are writing out to all of our contractors to obtain copies of any risk assessment method statements (RAMS) which are relevant to works you may carry out on behalf of the East of England Ambulance Service Trust. This is an essential part of our policy review process and ask that you would kindly provide the documentation to *NAME* via email at [EMAIL ADDRESS](#) by *DATE*. Where appropriate, we will also require a copy of your most recent COVID policy.

Any works which are not covered by your generic RAMS will require a site visit and bespoke risk assessment issued to the project lead at least 14 days in advance of any works commencing.

This is also a reminder that all contractors, engineers and/or subcontractors are obliged to sign in and out of the building using the contractors' book found by the main entrance of each EEAST site.

I thank you in advance for your assistance with this and look forward to working with you in the near future.

Sincerely,

Head of Estates
EEAST: POL127 - Control of Contractors
Policy
APRIL 2024, V2.0

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Appendix B: Night-worker Assessments FAQs

Supporting you to work safely.

The Health and Safety Executive (HSE) enforces the night worker health assessment requirement detailed in the Working Time Regulations 1998. This health assessment helps employers to identify where night shifts are causing workers health risks. After completion, it also helps to decide how best to make reasonable adjustments where appropriate.

How will I be notified of this?

Regular articles (every 6 months) will appear on NTK alerting you to this process.

Your manager will contact you at regular intervals to remind you of the process and to encourage you to request the assessment.

Information will be on EAST24 for you to access whenever you wish.

I think I should be assessed but have not been. Who can I talk to?

Speak to your Line Manager initially. Alternatively, your Union Rep, HR or the Wellbeing Team will also be able to support you.

How do I get assessed?

Assessment will be completed electronically via our occupational health database, Apollo. Your Line Manager will make the initial referral for you, you will be sent a link to the questionnaire and all you have to do is login in and answer the questions.

Is it confidential? Who has access to the information?

The assessment is completely confidential, and any information shared is between you and the Occupational Health Team (OH Team). Only the OH Team will know what you have said. They will keep records; these will not be shared with managers or anyone else in the Trust.

POL127 - Control of Contractors Policy

Following the assessment, the outcome will be given to you and your manager.

To ensure all information you have given is absolutely clear, the OH Team may need to speak to you, on the telephone or in person. You will be contacted by them if so.

Details will only be passed on to a third party when necessary, and only with your consent.

How are the assessment results shared?

There are 5 possible outcomes:

Suitable	<ul style="list-style-type: none">▪ Employee is suitable to work/continue to work nights▪ Certificate issued
Suitable with adjustments	<ul style="list-style-type: none">▪ Employee is only suitable to work nights with adjustments▪ Manager advised regarding temporary or permanent adjustments/fitness for substantive role▪ May require full Management Referral▪ HR support may be required
Unsuitable	<ul style="list-style-type: none">▪ Employee is not suitable/no longer suitable to work nights▪ Manager advised▪ HR support may be required
Declined	<ul style="list-style-type: none">▪ Employee has declined to complete the screening▪ Manager advised
Failed to Take	<ul style="list-style-type: none">▪ Employee has not completed the questionnaire within 21 days from the date the referral was made▪ The screening has been closed and manager advised

Only the result will be shared, no details of the way you answered questions or of any conversations you had with OH team will be disclosed.

A certificate will be issued on successful completion of the assessment.

What is the process for the night worker assessment?

EEAST: POL127 - Control of Contractors
Policy
APRIL 2024, V2.0

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POL127 - Control of Contractors Policy

You request a referral via your Line Manager.
The Line Manager makes the referral.
You are sent a link to Apollo and complete the questionnaire.
The outcome is shared with you and your Line Manager

Where can I find the process?

The process can be found on EAST24.

What happens if I am not able to work night shifts?

You will need to have a conversation with your Line Manager and your local HR to outline the different options you may have

Do I need to provide consent to share the information with OH?

It is part of your contract of employment that you do work with OH where appropriate, but consent is always gained before taking or sharing any of your details

What if I don't complete the night worker risk assessment but my manager believes that I should complete it?

Your Line Manager will make an occupational health referral for you if they have any concerns. This will include a full review of your current health & wellbeing and your fitness to fulfil the role for which you have been employed to ensure your safety

What happens if I decline?

This is not mandatory, and you have the right to decline.
You will be asked annually by your line manager if you want to take up the option, and the date of the conversation will be recorded for 'compliance of offer' reasons only.

Appendix C: Equality Impact Assessment

EIA Cover Sheet	
Name of process/policy	Control of Contractors
Is the process new or existing? If existing, state policy reference number	Existing POL127
Person responsible for process/policy	Head of Estates and Facilities
Directorate and department/section	Estates
Name of assessment lead or EIA assessment team members	Head of Estates and Facilities
Has consultation taken place? Was consultation internal or external? (please state below):	N/A

POL127 - Control of Contractors Policy

The assessment is being made on:	Guidelines	
	Written policy involving staff and patients	
	Strategy	
	Changes in practice	
	Department changes	
	Project plan	
	Action plan	
	Other (please state) Training programme.	

Equality Analysis			
<p>What is the aim of the policy/procedure/practice/event?</p> <p>The purpose of this policy is to ensure the health, safety and security of all staff, Contractors, visitors and patients of the Trust.</p>			
<p>Who does the policy/procedure/practice/event impact on?</p> <p>N/A</p>			
<p>Race <input type="checkbox"/></p> <p>Sex <input type="checkbox"/></p> <p>Age <input type="checkbox"/></p>	<p>Religion/belief <input type="checkbox"/></p> <p>Disability <input type="checkbox"/></p> <p>Gender re-assignment <input type="checkbox"/></p>	<p>Marriage/Civil Partnership <input type="checkbox"/></p> <p>Sexual orientation <input type="checkbox"/></p> <p>Pregnancy/maternity <input type="checkbox"/></p>	
<p>Who is responsible for monitoring the policy/procedure/practice/event?</p> <p>Head of Estates</p>			
<p>What information is currently available on the impact of this policy/procedure/practice/event?</p>			

POL127 - Control of Contractors Policy

Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event?

No

Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples:

No

Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Sex	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>

Please provide evidence:

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so, please provide evidence/examples:

No

Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Sex	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>

Please provide evidence:

Action Plan/Plans - SMART

Specific

POL127 - Control of Contractors Policy

Measurable

Achievable

Relevant

Time Limited

Evaluation Monitoring Plan/how will this be monitored?

Who – Estates Management Team

How – regular contract review meetings and incident reviews when they occur

By – monthly/when required

Reported to – Health, Safety and Wellbeing Group

Appendix D: Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrangements	Acting on recommendations	Change in practice and lessons to be shared
The risk management of external contractors working on Trust premises, on behalf of the Estates team.	Health, Safety and Wellbeing Group	Risk assessments, regular contract review meetings, any incidents duly reported and investigated.	Every 2 years, unless legislation changes, or an incident occurs which prompts an earlier review.	Minutes from contract review meetings are available at request, RAMs from each contractor are stored in a central file.	This policy does not require regular reports, incidents shall be reported by exception only.	Estates Team	Any changes to the way contractors are managed would be communicated with them directly and reflected in the policy if required.