

Three Counties Academy Trust



# Contractors Policy

## #ST2

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**Subject to annual amendment. To be reviewed in full no later than February 10<sup>th</sup> 2027**

**Version history**

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## Common abbreviations and acronyms

<b>AA</b>	Admissions Authority	<b>GPA</b>	Government Procurement Arrangement
<b>AAI</b>	Adrenaline Auto-Injector (Epi Pen)	<b>HASH</b>	Herefordshire Association of Secondary Heads
<b>ACM</b>	Asbestos Containing Materials	<b>HBV</b>	Honour Based Violence
<b>AFH</b>	Academies Financial Handbook	<b>HR</b>	Human Resources
<b>AHT</b>	Assistant Headteacher	<b>H&amp;S</b>	Health and Safety
<b>AIR</b>	Attendance Intervention Reviews	<b>HoS</b>	Head of School
<b>APIs</b>	Application Programme Interfaces	<b>HSE</b>	Health and Safety Executive
<b>BAME</b>	Black, Asian and Minority Ethnic Backgrounds	<b>ICO</b>	Information Commissioners Office
<b>BCP</b>	Business Continuity Plan	<b>IHP</b>	Individual Healthcare Plan
<b>BFR</b>	Budget Forecast Return	<b>IRMS</b>	Information and Records Management Society
<b>CAMHS</b>	Child and Adolescent Mental Health Services	<b>IWF</b>	Internet Watch Foundation
<b>CEO</b>	Chief Executive Officer	<b>KCSIE</b>	Keeping Children Safe in Education
<b>CFO</b>	Chief Financial Officer	<b>KS1/2/3/4</b>	Key Stage 1/2/3/4
<b>CIF</b>	Condition Improvement Fund	<b>LAC</b>	Looked After Child
<b>CIN</b>	Child in Need	<b>LADO</b>	Local Authority Designated Officer
<b>CLA</b>	Children Looked After	<b>LGB</b>	Local Governing Body
<b>CMIE</b>	Child Missing in Education	<b>LLC</b>	Low-Level Concerns

<b>COO</b>	Chief Operating Officer	<b>LSA</b>	Learning Support Assistants
<b>COSHH</b>	Control and Substances Hazardous to Health	<b>MASH</b>	Multi-Agency Safeguarding Hub
<b>CP</b>	Child Protection	<b>MAT</b>	Multi-Academy Trust
<b>CPD</b>	Continuing Professional Development	<b>MFA</b>	Multi-Factor Authentication
<b>CSCS</b>	Children's Social Care Services	<b>MFL</b>	Modern Foreign Language
<b>CSE</b>	Child Sexual Exploitation	<b>NCSC's</b>	National Cyber Security Centres
<b>CTIRU</b>	Counter-Terrorism Internet Referral Unit	<b>NPQEL</b>	National Professional Qualification in Executive Leadership
<b>CWD</b>	Children with Disabilities	<b>PA</b>	Persistent Absence
<b>DBS</b>	Disclosure and Barring Service	<b>PAN</b>	Published Admission Number
<b>DDSL</b>	Deputy Designated Safeguarding Lead	<b>PECR</b>	Privacy and Electronic Communications Regulations
<b>DfE</b>	Department for Education	<b>PEP</b>	Personal Education Plan
<b>DHT</b>	Deputy Headteacher	<b>PEEP</b>	Personal Emergency Evacuation Plan
<b>DSE</b>	Display Screen Equipment	<b>PEx</b>	Permanent Exclusion
<b>DSL</b>	Designated Safeguarding Lead	<b>PLAC</b>	Previously Looked After Child
<b>DPO</b>	Data Protection Officer	<b>PP</b>	Pupil Premium
<b>EAL</b>	English as an Additional Language	<b>PSHE</b>	Personal, Social and Health Education
<b>ECT</b>	Early Career Teacher	<b>PSED</b>	Public Sector Equality Duty

<b>EHA</b>	Early Help Assessment	<b>PTFA</b>	Parent, Teacher and Friends Association
<b>EHCNA</b>	Education, Health and Care Needs Assessment	<b>RIDDOR</b>	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
<b>EHCP</b>	Education, Health and Care Plan	<b>RHE</b>	Relationships and Health Education
<b>EHE</b>	Elective Home Education	<b>RSHE</b>	Relationships, Sex and Health Education
<b>ELSA</b>	Emotional, Literacy and Support Assistant	<b>SALT</b>	Speech and Language Therapist
<b>ESFA</b>	Education and Skills Funding Agency	<b>SARC</b>	Sexual Assault Referral Centre
<b>EVC</b>	Educational Visit Coordinator	<b>SBM</b>	School Business Manager
<b>EWO</b>	Education Welfare and Safeguarding Support Officer	<b>SCCs</b>	Standard Contractual Clauses
<b>EYFS</b>	Early Years Foundation Stage	<b>SDQ</b>	Strengths and Difficulties Questionnaire
<b>FBV</b>	Fundamental British Values	<b>SEMH</b>	Social, Emotional, and Mental Health
<b>FGM</b>	Female Genital Mutilation	<b>SENCO</b>	Special Educational Needs Coordinator
<b>FOI</b>	Freedom of Information	<b>SEND</b>	Special Educational Needs and Disabilities
<b>FSM</b>	Free School Meals	<b>SLA's</b>	Service Level Agreements
<b>FTS</b>	Find a Tender Service	<b>STEM</b>	Science, Technology, Engineering and Maths
<b>GAG</b>	General Annual Grant	<b>TA</b>	Teaching Assistant
<b>GDPR</b>	General Data Protection Regulation	<b>TCAT</b>	Three Counties Academy Trust
<b>GIAS</b>	Get Information about Schools	<b>VSH</b>	Virtual School Headteacher

## Statement of intent

Three Counties Academy Trust (TCAT) takes its responsibility to ensure the health and safety of pupils very seriously. From time-to-time, work must be carried out on TCAT premises by contractors not directly employed by TCAT.

Contractors, sub-contractors, and specialists working on TCAT premises are all required to comply with relevant health and safety legislation and Health and Safety Executive (HSE) guidance.

In addition, TCAT is required to ensure the safety of contractors by informing them of all risks on the premises, such as asbestos, that may affect them during their activities.

This policy has been created to ensure that contractors meet their legal duty to not cause risk to the health and safety of themselves or others when carrying out their activities.

Throughout this policy, the term '**contractor**' refers to any party (company or individual) that TCAT hires to complete work but is not an employee, including designers. Where contractors and designers are referred to independently, this is done to reflect a specific duty in relation to that role.

**NB. Where the term “parent” or “parents” is used this includes those who act as carers or have parental responsibility.**

## 1. Legal framework

This policy has due regard to all relevant legislation and statutory and non-statutory guidance including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- The Construction (Design and Management) Regulations 2015 (CDM)
- DfE 'Keeping children safe in education'

Where legislation has been passed or updated during the shelf life of this policy, we will always apply the latest version available irrespective of the version quoted here.

This policy operates in conjunction with the following policies:

- Tendering and Procurement Policy (FI8)
- Lone Worker Policy (HR17)
- Health and Safety Policy (HS1)
- First Aid Policy (HS2)
- COSHH Policy (HS7)
- Child Protection and Safeguarding Policy and Procedures (SG1)
- DBS Policy (SG14)

Central TCAT policies have the policy number identified, e.g. "SG1". Where no policy number is identified this indicates the policy is a school specific policy available from an individual TCAT school's website.

## 2. Roles and responsibilities

The Trust Board will be responsible for appointing a member of staff to be the coordinator for health and safety. At TCAT, the Trust Estate Manager has been appointed to the role.

The Trust Estate Manager, or in their absence the Chief Finance Officer, will be responsible for:

- Ensuring the health and safety of all staff, pupils, visitors, and contractors by ensuring a risk assessment of the premises is undertaken
- Ensuring that all contractors work in line with the Health and Safety Policy
- Ensuring all planned work is organised out of school time, wherever possible
- Ensuring that contractors work in a responsible and professional manner
- Making arrangements for contractors to work safely on site during the school day
- Ensuring that the working agreement is adhered to
- Notifying the contractor of any potential risks posed by the premises
- Providing lit and ventilated toilets and washing facilities, drinking water and cups, and facilities for rest if not provided by the contractors via a hygiene unit
- Ensuring the CDM Regulations are adhered to
- Setting standards for the work expected
- Providing all building contractors and designers with pre-construction information
- Facilitating good working relationships between TCAT, the school, and the contractor's employers
- Monitoring and reviewing this policy

All TCAT staff will be responsible for:

- Taking reasonable care of their own health and safety, along with the health and safety of pupils, visitors, and contractors
- Making themselves aware of any upcoming work on site and associated working agreements

Contractors will be responsible for:

- Complying with all health and safety policies and procedures provided by TCAT and their employer

- Acting in a responsible and professional manner
- Actively working towards an optimal working agreement between themselves and TCAT
- Complying with their duties under the CDM Regulations
- Ensuring they leave the school clean and tidy at the end of the day, e.g., removing any rubbish and debris left by themselves or a colleague (caterers have alternative disposal arrangements)
- Testing all works on completion as necessary and supplying the Trust Estate Manager with test data
- The provision of all necessary protection of floors, walls, and doors against damage through works
- The provision of their own first aid facilities
- Posting notices to inform staff, pupils and the public of works being undertaken, as an aid to their safety
- Dressing appropriately for the work being undertaken, including the use of correct PPE at all times

### **3. Planning**

Prior to commencing work, TCAT will identify all aspects of the work requiring a contractor and consider the health and safety implications of each. Before moving forwards, TCAT will ensure that:

- It has obtained the consent of the landlord if applicable
- It has all required statutory approvals and planning permission
- It is certain that existing building utilities can sustain the new work
- It is certain that the contractor is competent
- It understands its duties under the CDM regulations

### **4. Construction, Design and Management (CDM) regulations**

TCAT will always adhere to the CDM regulations. The CDM regulations apply to all building, maintenance, refurbishment, and demolition work.

TCAT will ensure it meets its duties as a client under the CDM regulations. These duties include the following:

#### **Duties relating to managing projects**

TCAT will:

- Make suitable arrangements for managing the project, including the allocation of sufficient time and other resources. This includes making arrangements that ensure that:
  - The construction work can be carried out, so far as is reasonably practicable, without risks to the health and safety of any person affected by the project
  - The required welfare facilities are provided for any person carrying out construction work where no facilities have been provided by the contractor
- Ensure that the arrangements are maintained and reviewed throughout the project
- Provide pre-construction information as soon as is practicable to every designer and contractor appointed, or being consider for appointment, to the project
- Ensure that a construction phase plan is drawn up by the contractor (where only one contractor is used) or the principal contractor (where multiple contractors are used)
- Ensure that the designer or principal designer prepares a health and safety file for the project and keep this file upon completion of the project. If TCAT disposes of the client's interest in the structure, we will provide the file to the person who acquires the client's interest
- Take reasonable steps to ensure that the principal designer and contractor comply with their duties under the CDM regulations

#### **Duties relating to appointing a principal designer and principal contractor**

Where there will be more than one contractor working on a project, or where it is reasonably foreseeable that more than one contractor will be working on the project at any time, TCAT will appoint in writing:

- A principal designer, who will have control over the pre-construction phase
- A principal contractor

The appointments will be made as soon as practicable before the project begins.

#### **Duties relating to notification**

TCAT will notify the HSE of a project as soon as possible before the construction phase begins if it meets the following criteria:

- It will last longer than 30 days and have more than 20 workers working at the same time: or
- It will exceed 500 individual worker days

## **5. Identifying a contractor**

Before confirming a contractor to work on TCAT premises, we will be satisfied that they have the skills, knowledge, and experience to fulfil the role they are appointed to undertake, in a manner that secures the health and safety of any person affected by the project.

Contractors that are to be employed to provide goods or services will be appointed in line with the TCATs Tendering and Procurement Policy.

When choosing contractors, TCAT will determine competency via a series of checks. These may include:

- Previous experience of the work
- Clear health and safety policies and procedures
- Copies of their safety method statements and relevant risk assessments
- Their accident reporting systems, including the number of accidents in the last year
- Whether they sub-contract and how this is selected. TCAT must be satisfied that their selection criteria are sufficient
- Details about the health and safety training and supervision provided for their workforce
- Whether they have been independently assessed for competency and by whom
- Membership of any relevant trade or professional bodies
- Contact details for any references
- Details relating to any HSE actions, i.e., improvement or prohibition notices, or any prosecutions

## **6. Risk assessment**

Both TCAT and the contractor will make a 'suitable and sufficient' assessment of the risks associated with any activities undertaken and put in place appropriate measures to control these risks.

Contractors will submit copies of site and task-specific risk assessments and method statements prior to commencing work.

## **7. Safeguarding**

The Trust Board will take a proportionate risk-based approach to the level of information that is provided to contractors. Contractors will be provided with a copy of the Child Protection and Safeguarding Policy and Procedures, where appropriate.

TCATs safeguarding requirements will be set out in the contract between the contractor and TCAT.

The Chief Finance Officer in partnership with the Trust Education Welfare and Safeguarding Support Officer will be responsible for ensuring contractors have been subject to the appropriate level of DBS check.

A contractor will require an enhanced DBS check with children's barred list information if they work in regulated activity relating to children.

Contractors who are not engaged in regulated activity, but whose work provides them with an opportunity for regular contact with children will be required to have an enhanced DBS check (not including barred list information). In considering whether the contact is regular, it will be considered irrelevant whether the contractor works on a single site or across a number of sites.

Contractors working outside, with no contact with pupils, will not require a DBS check.

Under no circumstance will a contractor who has not undergone a DBS check be left unsupervised with pupils. The Chief Finance Officer in partnership with the Trust Education Welfare and Safeguarding Support Officer will determine the appropriate level of supervision required in line with the circumstances.

Where possible, TCAT will aim to effectively manage the risk of potential harm via segregation.

If a contractor working at TCAT is self-employed, TCAT will consider obtaining the DBS check if one is required.

The identity of contractors will always be checked upon their arrival at any TCAT school.

When appointing contractors, TCAT will consider their responsibilities under the Prevent Duty. Due diligence checks will be conducted on contractors working at TCAT or providing extra-curricular activities.

The Trust Education Welfare and Safeguarding Support Officer in consultation with individual school DSLs will manage any safeguarding concerns or allegations regarding contractors in line with the Child Protection and Safeguarding Policy and Procedures. Where staff have a

concern or allegation of a contractor harming or posing a risk of harm to pupils, this will be referred to the DSL who may consult with the Trust Education Welfare and Safeguarding Support Officer. Concerns that do not meet the harm threshold will be shared and managed in line with the Reporting Low-Level Safeguarding Concerns Policy.

Low-level concerns which are shared about a contractor will be notified to their employer to enable any potential patterns of inappropriate behaviour to be identified.

In line with established procedures, all contractors must wear a visitor's badge at all times while on TCAT grounds. All visitors' badges will be returned at the conclusion of the work.

No contractor will execute work on any part of the TCAT site without the express permission of the Executive Headteacher or CFO in consultation with the Headteacher/Head of School, other than in an emergency or to make the area safe following theft or vandalism.

Staff members who encounter an unidentifiable visitor will enquire if they require assistance and direct them to reception or off site.

Where there are uncooperative visitors, whether in agreement to work with TCAT or not, threatening violence, refusing to leave the site or carrying out physical or verbal abuse, immediate help will be sought via a 999-phone call.

## **8. Lone working**

Contractors will adhere to the TCATs Lone Worker Policy, and any relevant lone working policies enforced by their employer.

The Trust Estate Manager will conduct a risk assessment to identify and mitigate the risks associated with lone working, prior to lone working commencing.

A trained first aider will remain on site while contractors undertake lone work. The identity of the first aider will be made known to all lone-working contractors.

Lone-working contractors will ensure they have the necessary equipment to assist with lone working, and this equipment is in working order.

## **9. Working together**

The managers and supervisors from all parties will exchange all information regarding the work to be undertaken, risks, safety procedures, etc. that may affect the other party.

A pre-contract meeting will take place between the Trust Estate Manager and contractor prior to work commencing. A programme of work will be established and agreed. During this meeting, the parties will discuss the following:

- Emergency procedures
- Whether any emergency alarm practices are due
- The use of appropriate clothing
- The use of appropriate language
- Limiting disruptive noise

Designated persons from each party will meet on a weekly basis, or more frequently if needed, to discuss concerns and progress.

Where there is more than one contractor on site, parties will communicate to ensure that work will not affect other parties.

## **10. Managing contractors**

The Trust Estate Manager will be the designated contact with contractors. No other staff member may give the contractors instructions without being delegated by the Executive Headteacher/CEO, Chief Finance Officer, or the Trust Estate Manager.

The contractor will provide full and adequate supervision during work and provide the name of the person responsible for site supervision. There will be one point of contact for both the contractor and TCAT.

The contractor will ensure that all agreed work practice is in place. If they utilise sub-contractors, they will ensure they adhere to the agreed work practice and that supervision is provided where necessary.

Contractors will be required to:

- Provide a copy of any relevant health and safety policies – this is a requirement if there are five or more workers

- Comply with all relevant health and safety legislation
- Keep noise and waste to a minimum
- Ensure that no products containing asbestos, or chlorofluorocarbons (CFCs) are used on Trust premises
- Be aware of and comply with TCATs emergency procedures, including the evacuation, invacuation and lockdown procedures
- Evacuate buildings at the sound of the fire alarm, report their safe evacuation to the Headteacher/Head of School or Trust Estate Manager and go to the nominated assembly area(s)
- Provide written risk assessments and method statements before work commences
- Work in a safe manner and not endanger staff, pupils, the public, or themselves
- Work behind substantial physical barriers, with appropriate warning signs, at all times, unless agreed otherwise with the Trust Estate Manager
- Adequately control physical and chemical hazards to prevent risks to TCAT staff, pupils, and visitors (e.g., trailing leads, solvent fumes, absence of lighting or fire alarm)
- Avoid obstructing the means of escape or interfering with fire doors. Fire doors must not be propped or wedged open. Blocking of corridors and staircases or other fire escape routes may take place only with the consent of the Headteacher/Head of School or Trust Estate Manager
- Get prior agreement to break through fire compartments and make good any damage, e.g., when running electrical cabling or pipework

The following activities will be prohibited on TCAT grounds:

- Smoking
- Possessing or drinking alcohol
- Taking, possessing or being under the influence of illegal substances
- Shouting, swearing, an over-familiarity with pupils or staff
- Working alone and in isolation unless adequate safety arrangements are provided by the contractor and approved by the Trust Estate Manager

If any of these requirements are not met, the Executive Headteacher/CEO, Chief Finance Officer or the Trust Estate Manager will have the authority to stop work. If either the Executive Headteacher/CEO, Chief Finance Officer or the Trust Estate Manager believes a danger is posed to contractors, staff, or pupils, they may stop work.

## **11. Reporting incidents**

The Trust Estate Manager will maintain an incident register. It will contain accurate details of all significant incidents. All staff members will be expected to report the following incidents using the Incident Report Form:

- Trespassing
- Aggressive behaviour by persons other than pupils
- Security matters reported by pupils
- Other security-based incidents giving cause for concern

The Trust Estate Manager will securely store all completed forms in an incident register.

Together with the Executive Team, the Trust Estate Manager will monitor the register to identify developing patterns and to consider the need for action.

## Monitoring and review

This policy will be reviewed in line with the published schedule at the front of this document and at any point material changes require it by the Executive Headteacher/CEO in collaboration with the Board appointed Trustee, the Trust Board and Executive and Senior Leadership.

Any changes made to the policy will be amended by the Executive Headteacher/CEO and will be communicated to Executive Leaders, the TCAT Central Team and to Headteachers/Heads of School, who, in turn, will alert school-based staff.

The next scheduled review date for this policy is 11<sup>th</sup> February 2027.

Signed by:

\_\_\_\_\_ Executive Headteacher/CEO

Date: \_\_\_\_\_

\_\_\_\_\_ Board appointed Trustee

Date: \_\_\_\_\_

## Appendix A: Incident Report Form

Members of staff should use this form to report incidents of trespassing, nuisance, disturbances on TCAT premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence, and intentional damage to property occurring on Trust premises.

The form should be completed as fully as possible – a member of staff should complete the form for an incident witnessed by a pupil.

Member of staff reporting the incident			
Name		Position	
Personal details of person assaulted/abused (if appropriate)			
Class		Age	
Position (if staff)		School	
Witnesses (if any)			
Name		Age	
Position (if staff)		School	
Address			
Name		Age	
Position (if staff)		School	
Address			

<b>Incident details</b>	
<b>Time and date of incident</b>	
<b>Type of incident</b>	<b>[Identify the type of incident, e.g., trespassing, assault.]</b>
<b>Location of incident</b>	
<b>Description of incident</b>	<b>[Describe the incident, including events leading to it and who else was involved.]</b>
<b>Outcome</b>	<b>[Describe how the incident was resolved, e.g., whether police were called, parents were contacted.]</b>