



Management of
Contractors Procedure

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Summary

This policy has been drawn up to ensure the effective management of contractors working within The Rainbow Multi Academy Trust sites. This will apply to all contractors irrespective of whom they are appointed by.

Scope

The way in which our contractors conduct themselves on our sites will reflect on the integrity of the Trust. It is therefore imperative that contractors understand the minimum standards of behaviour required of them when working on our sites. The code of conduct stipulates the basic standards expected of contractors, including sub-contractors and consultants working within The Rainbow Multi Academy Trust.

Objective

The main objective of this code of conduct is to ensure that effective systems are put in place to safeguard children when building works, routine maintenance and emergency repairs are undertaken on the Trust's premises. Other objectives include staff and visitor safety and information security.

Safeguarding

All local authorities, schools, nursery's and children's centres in England have a responsibility to safeguard and promote the welfare of children and vulnerable adults in its care.

The Department for Education have issued guidance in its document:

'Keeping Children Safe in Education'

The guidance is mainly concerned for those who are employed to work with children and vulnerable adults.

All people working with children and young people, including Heads and premises managers are responsible for the safeguarding of the children in their care and they shall be responsible for ensuring that adequate measures are in place to safeguard pupils whilst contractors are on the premises.

The aim of the safeguarding measures will be to manage the risk of harm to pupils. The measures adopted shall be proportionate to the risk.

Safeguarding measures to be considered will include any or all of the following depending on the outcomes identified by the school in their security risk assessment:

1. Segregate- to avoid contact* between contractors and pupils as far as possible
2. Supervise- To supervise any contact* that does take place with a member of staff or a suitably vetted volunteer
3. Code of Conduct- To require contractors to observe a code of conduct
4. Regulate access- To regulate access to the premises
5. Checks- To undertake checks where appropriate

*'Contact' in this context shall be taken to mean any opportunity for contractors' staff to converse with pupils or communicate with them in any way without a member of staff or suitably vetted volunteer being able to monitor the contact and intervene where necessary.

Segregate

The risk of harm to pupils can be managed if contact between non-vetted contractors' staff and pupils can be avoided altogether.

Segregation can be achieved by physical means or by time, or by a combination of both.

For larger building projects lasting a number of weeks physical separation would normally be achieved by the contractors' staff working within secure areas behind fencing, hoardings, barriers, etc where pupils would normally be excluded for routine health and safety concerns.

Outside such secure areas, separation can be maintained by confining the movements of contractors' staff to specific areas and to specific times so as to avoid contact at break times and at the beginning and at the end of the school day. In this context a marked up plan would be agreed with the contractor to show where and at what times during the day access will be permitted.

For routine maintenance visits or for emergency repairs lasting less than a day physical separation can be achieved simply confining the movements of contractors to within clearly defined areas and specific times. Should any contact between the contractors' staff and pupils occur then it should be supervised by a member of staff or a suitably vetted volunteer.

Supervise

'Supervise' will be taken to mean the ability for a member of staff or suitable vetted-volunteer to monitor conversation or communication of any kind between contractors staff and pupils and to intervene where necessary.

The requirement to supervise can be limited to the times where contact is likely to occur, e.g. at break times, class changeover times and at the beginning and at the end of the school day. It is not necessary to monitor the building works themselves, only any contact that might take place between the contractors' staff and pupils.

Code of Conduct

The code of conduct will be used to inform all contractors (both vetted and non-vetted) what is considered inappropriate behaviour. It will enable inappropriate behaviour to be recognised and challenged by all concerned. Failure to observe the code of conduct will entitle the School/Trust to exclude a member of contractors' staff from the premises.

The Code of Conduct can be found in Appendix 1.

To ensure the effectiveness of the code it will be:

- Sent to any prospective contractor at the commencement of the vetting checks
- Sent to contractors when quotations or tenders are invited
- Sent to all vetted contractors on an annual basis
- Displayed in reception for all contractors to read before commencing work.

Additionally, where appropriate, the code will be:

- Highlighted and discussed in any pre-start meetings for larger building contracts
- Posted on the school staff noticeboard
- Included as part of any contractors site safety briefings.

Regulate Access

To ensure as far as possible only bona fide personnel are given access, a suitable means of identification shall be provided by all contractors and be agreed and produced for checking by the school in advance of any works taking place. If a contractor fails to produce such ID they shall be refused entry to the site. The School will check that the relevant Letter of Assurance has been received from the contractor before allowing unsupervised access.

The means by which any contractors' staff are to be identified will be determined in each case to suit the location and nature of the work being undertaken. In the case of school issued ID badges or contractors own photo ID, these shall be worn and be visible at all times when the contractor is on the site.

Identification will only ever be used as a supplementary measure to the principal safeguarding measures of segregation and supervision.

Checks- In line with the new Keeping Children Safe in Education (2022)

- Schools and colleges should ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information).
- For all other contractors who are not engaging in regulated activity, but whose work provides them with the opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required.
- In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites. In cases where the contractor does not have opportunity for regular contact with children, schools and colleges should decide on whether a basic DBS disclosure would be appropriate.
- Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity. Schools and colleges are responsible for determining the appropriate level of supervision depending on the circumstances.
- If an individual working at a school or college is self employed, the school or college should consider obtaining the DBS check, as self employed people are not able to make an application directly to the DBS on their own account.
- Schools and colleges should always check the identity of contractors and their staff on arrival at the school or college.
- Whether or not contractors staff should undergo a DBS check and children's barred list check should be determined by a suitable risk assessment undertaken by the school/site team.
- The risk assessment should take account of the likely amount of contact that the contractors staff might have with pupils and other measures already in place such as segregation and supervision. In some places where measures to segregate and supervise are in place it may still be necessary to consider checks.
- DBS checks would not be required where there would be no contact between contractors staff and pupils; for example where a building was being built on a separate site, or where the works were being undertaken during the summer holidays and there was no possibility of children being on site. Consideration must be given to the extended activities on the school site.
- Appendix 2 gives guidance as to when such checks may be deemed appropriate but is in no way comprehensive.

Additional Checks

- Additional checks will be completed to ensure that the contractor is suitably skilled and experienced to be able to complete the work that they are hired to do.

- The checks will include:
 - o Evidence of adequate insurance cover in place (both public and employers' liability)
 - o Copies of relevant training certificates including evidence of senior staff and managers Health and Safety training.
 - o Copies of certificates from any industry membership/certification
 - o A copy of the company health and safety policy
 - o A copy of relevant risk assessments and method statements
 - o A questionnaire including:
 - Details of any subcontractors being used
 - Details of any involvement with HSE
 - The name of the person responsible for H & S
- The contractor will also be required to give the details of 2 referees for the Trust to contact for a reference.

These checks will be completed and monitored by the Trust Estates team. The Estates Manager must confirm that they are happy before the contractor is added to the approved contractor list and able to start work.

Approved Contractor List

The Trust operates an approved contractor list which is stored on Sharepoint. Contractors with completed checks will be on the list in either group 1 or group 2. Group 1 contractors have provided a letter of assurance that they have completed necessary safeguarding checks and their employees are authorised to work in schools unsupervised. Group 2 contractors have not provided a letter of assurance and so employees must either be supervised at all times or work out of school hours.

The approved contractor list will be updated regularly whenever a new contractor is recruited or an existing contractor fails to provide requested information. The school office/site managers will check the approved contractor list before contractors are booked/arrive on site to ensure that they are still authorised to work for the Trust. If the Estates Team do not receive updated insurance certificates/other certification before expiry, contractors will be removed from the approved list immediately. Therefore if a contractor is not on the approved contractor list, they cannot work for the Trust and an alternative must be found.

Appendix 1- Contractors in Schools Code of Conduct

Thank you for working in a school in The Rainbow Multi Academy Trust. It is the responsibility of all adults to safeguard and promote the welfare of children and young people. Please help us to ensure the safety of our pupils by ensuring that all personnel working on the school site comply with the following code of conduct.

General behaviour whilst on site

- As a visitor you will be asked to sign in and must either wear your company provided ID or you will be provided with a temporary visitors' badge that must be worn prominently so that staff and students can see that you are a visitor
- If you are a regular visitor to the school, you will need to sign in and out on each occasion.
- Work safely and responsibly and be aware of responsibility for own actions and behaviours. Avoid any conduct which would lead any reasonable person to question your motivation and intentions
- Stay within the agreed work area and access routes and obtain permission if you need to go outside of these areas. Keep staff informed of where you are and what you are doing
- Do not use profane or inappropriate language
- Dress appropriately i.e. dress in a way that:
 - o Is unlikely to be viewed as offensive, revealing or sexually provocative;
 - o Does not distract, cause embarrassment or give rise to misunderstanding;
 - o Is absent of any political or otherwise contentious slogans;
 - o Is not considered to be discriminatory and is culturally sensitive.
- The Rainbow Multi Academy Trust operates a 'no smoking' policy across all of its sites. Compliance is mandatory by everyone including contractors, sub-contractors and others. Smoking is prohibited anywhere within the external boundaries of the premises.
- All arrangements for access to the school must be agreed with the Head/ Estates Manager/ Site Team. An appointment must be made and a time agreed prior to visiting the premises.

- On arrival at the premises, contractors and their staff must report to reception for their appointment and everyone must sign in and follow the site induction/school rules.
- On leaving the premises everyone must sign out at reception and return any Rainbow issued passes.

Working on Site

- All works must be undertaken in full compliance with the Construction (Design and Management) Regulations 2015. This document must be available for inspection by any member Trust staff at any time.
- Contractors, prior to work commencing, must highlight to their own staff the degree of disruption and inconvenience the proposed work is likely to cause to the occupants of the building and those using the surrounding areas. Contractors and their staff must then do their utmost to reduce possible nuisance and inconvenience.
- Vehicles must not be irresponsibly parked and safe driving on site must be followed including observation of speed limits and parking restrictions.
- If the proposed work is likely to disturb the structure and fabric of the building, then the contractor must request inspection of the Site Asbestos Register prior to carrying out any work. If no Asbestos Register is available on site no work is to be carried out to the structure and fabric of the building. If, from the Asbestos Register, it seems likely that asbestos containing materials might be disturbed by the proposed works no work shall be undertaken and the contractor must then report back to the Site Team for instruction.
- In the event of the contractors' staff discovering any material suspected of containing asbestos or damaging anything that is marked as containing asbestos, work in the area must cease immediately and the Estates Manager informed.
- Contractors and their staff must not use the school's equipment or services (i.e gas, electricity, water, telephones etc) without prior agreement and consent.
- Only designated welfare facilities can be used by the contractor and such facilities must be kept clean and in a hygienic condition by the contractor.
- Tools or equipment belonging to the contractor must never be left unattended at any time in any occupied school or building.
- The contractor must provide and use dust sheets to protect all floor coverings and adjacent fittings and furniture. Ensure good housekeeping be removing all waste items and materials at the end of each working day. All areas affected by the work must be left in a clean and tidy condition and to a standard acceptable to the Head/Site Team.
- Any openings or holes in the external walls must be boarded up at the end of each working day to ensure the property is secure, wind and watertight. Any excavations must be suitably guarded and appropriate warning notices displayed.

- Any work scheduled to be undertaken outside normal working hours i.e evenings, weekends or during public holidays, must be specifically agreed beforehand with the Head/ Estates Manager/Site Team.
- Contractors attending the school's premises only to find that the scope of work required is different than envisaged or that the work presents unforeseen problems with significant risks which fall outside approved safe systems must withdraw and report to the relevant manager for instruction.
- Contractors must ensure that their staff are provided with all necessary PPE identified in risk assessments and wear it as directed.

Safeguarding

- It is the responsibility of all adults to safeguard and promote the welfare of children and young people.
- You will either be given a leaflet or see posters around the school with details of the name of the designated child protection officer in the school. It will also details what you need to do if you have any concerns about child safeguarding.
- Avoid contact with children, including social media. Never give your personal contact details to children or young people, including mobile phone number.
- Work and be seen to work, in an open and transparent way.
- Never be in contact with children without school supervision.
- Remember your actions no matter how well intentioned could be misinterpreted. Be mindful of the need to avoid placing yourself in vulnerable situations.
- Visitors and contractors are not normally permitted to take photographs on school sites. You must speak with the Head/Estates Manager/Site Team in advance if it is necessary to take photos of buildings etc for the job you are completing.
- In the event of problems with unruly pupils, the contractors staff must immediately report the incident to the school office/site team.
- The Rainbow Multi Academy Trust must be made aware of any accidents or incidents, dangerous occurrences and potentially serious near miss incidents which involve your staff whilst on our sites.

Safety

- First aid- if you need first aid or feel unwell please go to or contact the school office or a member of the site team.
- Contractors must ensure that they are fully conversant with the safety rules and regulations to be observed whilst working on site.
- Fire and evacuation
 - o As part of your site induction you will be made aware of the evacuation procedures for the site that you are working in.
 - o On hearing the alarm, you must leave the building by the nearest exit and go to the assembly point.

- You must not re-enter the building until you are told it is safe to do so.

Information Security

- The contractor undertakes:
 - To treat as confidential all information which may be derived from or be obtained in the course of the contract or which may come into the possession of the contractor, servant or agent or sub-contractor of the contractor as a result or in connection with the contract and;
 - To ensure that all employees are aware of the GDPR 2018 and that any personal information obtained from the Trust/Schools shall not be disclosed or used in any unlawful manner.
 - To inform the Trust Estates Manager in the event of a data breach as soon as possible on jgordon@rainbowacademy.org.uk

Appendix 2- Checks on contractors working in Rainbow Schools

Contact with pupils	Recommended Measures	Head/Site team responsibilities
<p>Nil e.g works undertaken on a separate site, or when there are no children on site</p>	<ul style="list-style-type: none"> • Contractors' staff to comply with code of conduct • Contractors' staff to sign in and out of premises • Contractors staff to wear Company ID at all times • No DBS required 	<ul style="list-style-type: none"> • Requires contractor to adopt code of conduct • Requires contractor to sign in and out of premises • Requires contractor to wear ID on site
<p>Minimal Where contractors' staff are segregated from pupils and any contact that does occur is supervised e.g new build and major repair projects</p>	<ul style="list-style-type: none"> • Segregate • Supervise any contact • Contractors' staff to comply with code of conduct • Contractors' staff to sign in and out of premises • Contractors staff to wear Company ID at all times • No DBS required (however it may be necessary for some individuals in particular areas) 	<ul style="list-style-type: none"> • Agrees arrangements with contractors before work commences • Ensures segregation arrangements in place • Ensures arrangements for any contact to be supervised • Requires contractor to adopt code of conduct • Requires contractor to sign in and out of premises • Requires contractor to wear ID on site • Reviews and amends arrangements to accommodate any change
<p>Regular e.g where contractors staff are segregated from pupils but there is likely to be regular supervised contact e.g foreman liaising with schools on new build or major repair projects, service engineers making routine maintenance visits</p>	<ul style="list-style-type: none"> • Segregate • Supervise any contact • Contractors' staff to comply with code of conduct • Contractors' staff to sign in and out of premises • Contractors staff to wear Company ID at all times • Consider DBS (undertake risk assessment) 	<ul style="list-style-type: none"> • Agrees arrangements with contractors before work commences • Ensures segregation arrangements in place • Ensures arrangements for any contact to be supervised • Requires contractor to adopt code of conduct • Requires contractor to sign in and out of premises • Requires contractor to wear ID on site • Ensures any required DBS checks are completed before works start • Reviews and amends arrangements to accommodate any change
<p>Unsupervised e.g where contractors staff are unsupervised but are on site irregularly or on an ad hoc basis</p>	<ul style="list-style-type: none"> • Contractors' staff to comply with code of conduct • Contractors' staff to sign in and out of premises 	<ul style="list-style-type: none"> • Agrees arrangements with contractors before work commences • Requires contractor to adopt code of conduct • Requires contractor to sign in and out of premises • Requires contractor to wear ID on site

	<ul style="list-style-type: none"> Contractors staff to wear Company ID at all times Enhanced DBS 	<ul style="list-style-type: none"> Ensures any required DBS checks are completed before works start Reviews and amends arrangements to accommodate any change
<p>Unsupervised regular e.g where contractors staff are unsupervised and are on site regularly</p>	<ul style="list-style-type: none"> Contractors' staff to comply with code of conduct Contractors' staff to sign in and out of premises Contractors staff to wear Company ID at all times Enhanced DBS with children's barred list check 	<ul style="list-style-type: none"> Agrees arrangements with contractors before work commences Requires contractor to adopt code of conduct Requires contractor to sign in and out of premises Requires contractor to wear ID on site Ensures any required DBS checks are completed before works start Reviews and amends arrangements to accommodate any change