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**Business Service Centre**

# **Contractor Safety Regulations**

(To be implemented by the Contractor)

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# 1. Introduction

## 1.1. General

This document provides information on the basic control measures that ESB (BSC) has put in place to ensure safety, health and welfare while contractors are carrying out work for the Business Service Centre. It also details the safe working practices, which will be required of contractors, sub-contractors (**if permitted**) and their personnel. This document forms an integral part of the terms & conditions of the contract. Accordingly, contractors must take account of the requirements herein when determining their contract price.

The purpose of these guidelines is to minimise the danger to human life arising from activities as part of BSC service delivery. ESB (BSC) recognises its over-arching duty of care to its employees, contractors and customers in respect of the safe delivery of its services and the steps described herein are taken to protect the customer, BSC employees and its contractor employees. The contractor is responsible for implementing the requirements of these regulations and for taking all further precautions necessary to ensure a safe working environment.

Each contractor is appointed following a formal tender or approved procurement vehicle and is engaged to carry out the works by Contract or Memorandum of Understanding. Each Contract or memorandum of understanding details the scope of works, contract conditions and specifies the Health and Safety duties of responsibilities of all parties.

ESB (BSC) is responsible for providing resources only where **explicitly** agreed.

## 1.2 ESB (BSC) Contractors

ESB (BS) procures contractors who offer different services to the business to support its business needs and requirements i.e. cleaning, catering, construction, IT support. ESB (BSC) recognises that our contractors are duty bound by health and safety legislation and ESB BSC safety requirements. There will be varying levels of risk associated with the contractor's activities from those who carry out construction related activities in to those who work in an office environment. For the purpose of this document we have categorised the services provided by ESB (BSC) contractors into the three service types listed below. The relevant sections will highlight the safety requirements that we expect contractors to comply with.

**\*\* In the event that your company is categorised in more than one section i.e. construction contractor & support service contractor then both sets of guidelines must be adhered to.**

<b>Construction Service Contractors (Section 3)</b>	Construction Service Contractors are contractors who are competent in performing construction related activities. <b>i.e.</b> electrical working, construction, mechanical engineering, building maintenance, etc. This definition includes professional advisors whose work requires them to visit or work at sites where construction activities are carried out.
<b>Support Service Contractors (Section 4)</b>	Support Service Contractors are contractors who are not involved in “Construction Work” as defined under the construction regulations 2013. Examples of this would be catering, cleaning, IT support, etc.
<b>Consultant Support Contractors (Section 6)</b>	Consultant Support Contractors are contractors who are experts or advisers to ESB in a specific field or subject matter. They carry out project work within a specific time frame usually short to medium term either in-house or remotely.

### 1.3. Compliance with Legislation

Contractors must comply with all relevant Irish and EU safety legislation in time being in force, including but without limitation:

- The Safety, Health and Welfare at Work Act 2005 and associated Regulations.
- The Safety, Health and Welfare at Work (General Application) Regulations SI299 2007.
- The Safety Health and Welfare at Work (General Application) Regulations, 1993
- The Safety, Health and Welfare at Work (Construction) Regulations SI 291 2013.
- Organisation of Working Time Act 1997 and OWT Act (Inclusion of Transport Activities) Regulations 2004
- Protection of the Environment Act 2003

The contractor should apply all applicable legislation and approved codes of practice when carrying out works for ESB (BSC)

The ESB Business Service Centre manages a broad range of services and recognises the differing legislative and regulatory health and safety standards required of it. The works delivered by ESB (BSC) through its contractors are usually not notifiable to the Health and Safety Authority (hsa) but remain subject to legislation and regulations.

In some cases, however, the work is notifiable to the HSA and ESB (BSC) or its contractors may be asked by the client to accept a regulatory role such as PSCS or PSDP. Responsibilities in this context are set out in the Safety, Health and Welfare at Work (Construction) Regulations SI 291 2013.

Notwithstanding this, ESB (BSC) seeks to exceed regulatory standards where possible. We expect all contractors to adhere to the General Principles of Prevention (described in Schedule 3 SHAWW Act 2005)

General Principles

1. The avoidance of risks.
2. The evaluation of unavoidable risks.
3. The combating of risks at source.
4. The adaptation of work to the individual, especially with regard to the design of places of work,
5. the choice of work equipment and the choice of systems of work, with a view, in particular, to alleviating monotonous work and work at a pre-determined work rate and to reducing the effect of this work on health.
6. The adaptation of the place of work to technical progress.
7. The replacement of dangerous articles, substances or systems of work by safe or less dangerous articles, substances or systems of work.
8. The giving of priority to collective protective measures over individual protective measures.
9. The development of an adequate prevention policy in relation to safety, health and welfare at work, which takes account of technology, organisation of work, working conditions, social factors and the influence of factors related to the working environment.
10. The giving of appropriate training and instructions to employees.

ESB (BSC) has developed its own key safety principles. The principles below will apply to all our contractors at all work locations at all times.

1. We expect the same high standards of safety behaviour from our staff and from our contractors.
2. We will use our company resources to assist our contractors in raising their safety performance, without taking away their responsibility for safety and duty of care.
3. Contractors will provide pre-defined safety documentation.
4. We will consistently set out our safety expectations.
5. Safety induction will be provided for all contracted partners.
6. Appropriate and specific risk assessments and method statements must be produced.
7. We will monitor and audit contractor safety performance regularly.
8. We will implement best practice and strive for continual improvement.

These principles are adhered to by all ESB (BSC) staff members when managing health and safety (including contractor safety).

#### **1.4. Preliminary Health & Safety Plan**

The preliminary health and safety plan should take account of, as a minimum, the safe design of the project, the safe method of undertaking the associated work and future use of the site. The Project Supervisor Design Process (“PSDP”) as outlined in section 2.5 shall risk assess all hazards that may be encountered prior or during the work and provide safe methods of undertaking the work. The preliminary plan should be presented to the ESB client for review. Where the contract scope includes work defined as “construction work” this document forms an element of the ***Preliminary Safety and Health Plan*** where one is required under the Safety, Health and Welfare at Work (Construction) Regulations SI 291 2013. Other hazards and safety provisions will be advised by ESB (BSC) in the enquiry documents and/or will be advised directly prior to commencing work.

#### **1.5. ESB (BSC) Safety Statement**

The ESB Business Service Centre and local Safety Statement(s) are available for examination on request. These identify the common hazards encountered in ESB locations.

## **1.6. Safety Violations**

Breaches in safety standards will not be tolerated. ESB (BSC) reserves the right to terminate the contract should such breaches occur. ESB (BSC) is empowered to stop the work if unsafe practices are being used. Time lost or costs associated with such stoppages will be the responsibility of the contractor.

## **1.7. Environmental Requirements**

ESB (BSC) recognises that its operations and activities and those of its contractors have the potential to impact on the environment. In the interest of achieving best practice in environmental management, ESB (BSC) has implemented Environmental Management System (EMS) across the business, which is certified to ISO 14001. To this end, when working on behalf of ESB (BSC), contractors must comply with the requirements of the relevant Environmental Management Systems. A major non-conformance associated with a contractor's activity while undertaking works for ESB (BSC) has the potential to impact negatively on ESB (BSC) on-going certification to ISO 14001.

Therefore contractors shall be expected at all times to ensure the proper management of all relevant environmental aspects and associated risks while working on behalf of ESB (BSC). In the interest of achieving best practice in environmental management, ESB (BSC) and the contractor shall endeavour to share applicable environmental best practice, knowledge, work methods and information with each other.

It is desirable, but not wholly applicable that the contractor operates an Environmental Management System (EMS) in keeping with the nature and scale of its business operations. A recognised and appropriate environmental management system, such as ISO 14001, EMAS, and BS 8555 (Acorn Scheme) would be appropriate for large business operations.

ESB (BSC) would be interested in any technologies/ environmental systems that minimise the environmental impact. The contractor is encouraged to implement best practice and ongoing measures towards achieving efficiencies in environmental management. These practices may be demonstrated with other clients and may be implemented on projects with ESB (BSC). Contractors should communicate any best practice methods with us to see if they can be implemented by working together.



## **1.8. Working Language**

The working language of ESB (BSC) personnel will be English. Where non-English speaking staffs are employed by the contractor, sufficient persons and processes shall be made available by the contractor. All Communications from ESB (BSC), either verbal, written or signage, are to be translated effectively into their native language so that they understand. The contractor's representative person shall be a proficient in written and spoken English. It is vital that all information is properly understood and communicated on site.

## **1.9. Young Persons**

Contractors must obtain written permission from ESB (BSC) before allowing persons aged 16 or 17 to work on our premises. Prior to work commencing, the contractor must carry out a written risk assessment of the specific activities to be undertaken by the young persons concerned. Persons under the age of 16 must not be engaged by the contractor to carry out work for ESB (BSC) and are not permitted on ESB premises.

## **1.10. Special Needs Person**

Written risk assessments shall be carried out by the contractor and appropriate control measures put in place to cover work by persons with special needs.

## **1.11. Alcohol and Drugs**

Contractor's staff must not be under the influence of alcohol or illegal substances while carrying out work for ESB (BSC) and must not bring any such substances on to ESB premises. Medication must not interfere with a person's ability to carry out work safely.

## **1.12. Contractors Emergency Procedures**

Contractors shall make provision for any likely emergency that could arise as a result of their activities. This shall include a method for raising an alarm with ESB (BSC) and the emergency services, taking immediate action to mitigate the consequences of the emergency, and administering any specialist first aid treatment that may be required. In addition to this, contractors shall co-operate fully with ESB (BSC) emergency procedures/ systems. Contractors shall ensure that all their personnel are familiar with their own and ESB (BSC) emergency procedures.

### 1.13. Clean-up of Work Area / Removal of waste

The contractor shall, on an ongoing basis and prior to completion of work, clean up, remove and dispose of safely, and in an environmentally acceptable manner, waste generated and all materials, including all packaging, brought onto site. The cleaning of the work area and the removal of all waste material shall be carried out to the satisfaction of ESB (BSC). Particular care must be taken during work that the area is kept as clean as possible, is free of tripping hazards and that no fire risk is created by a build up of combustible material or by contact of combustibles with possible sources of ignition.

### 1.14. Audit

Scheduled and unscheduled Safety audits shall be carried out by the contractors and ESB (BSC) management, or independent contractors appointed by ESB (BSC) at the place of work, as the work progresses. Safety audits should be maintained on site with the safety and health plan. Audits will form part of the periodic reviews with contractors on safety performance.

## 2. Construction Service Contractors

The following is a list of terms and definitions from the Safety Health and Welfare at Work (Construction) Regulations 2013 S.I. 291. Section two will highlight the main safety requirements and guidelines to be adhered to for construction service contractors

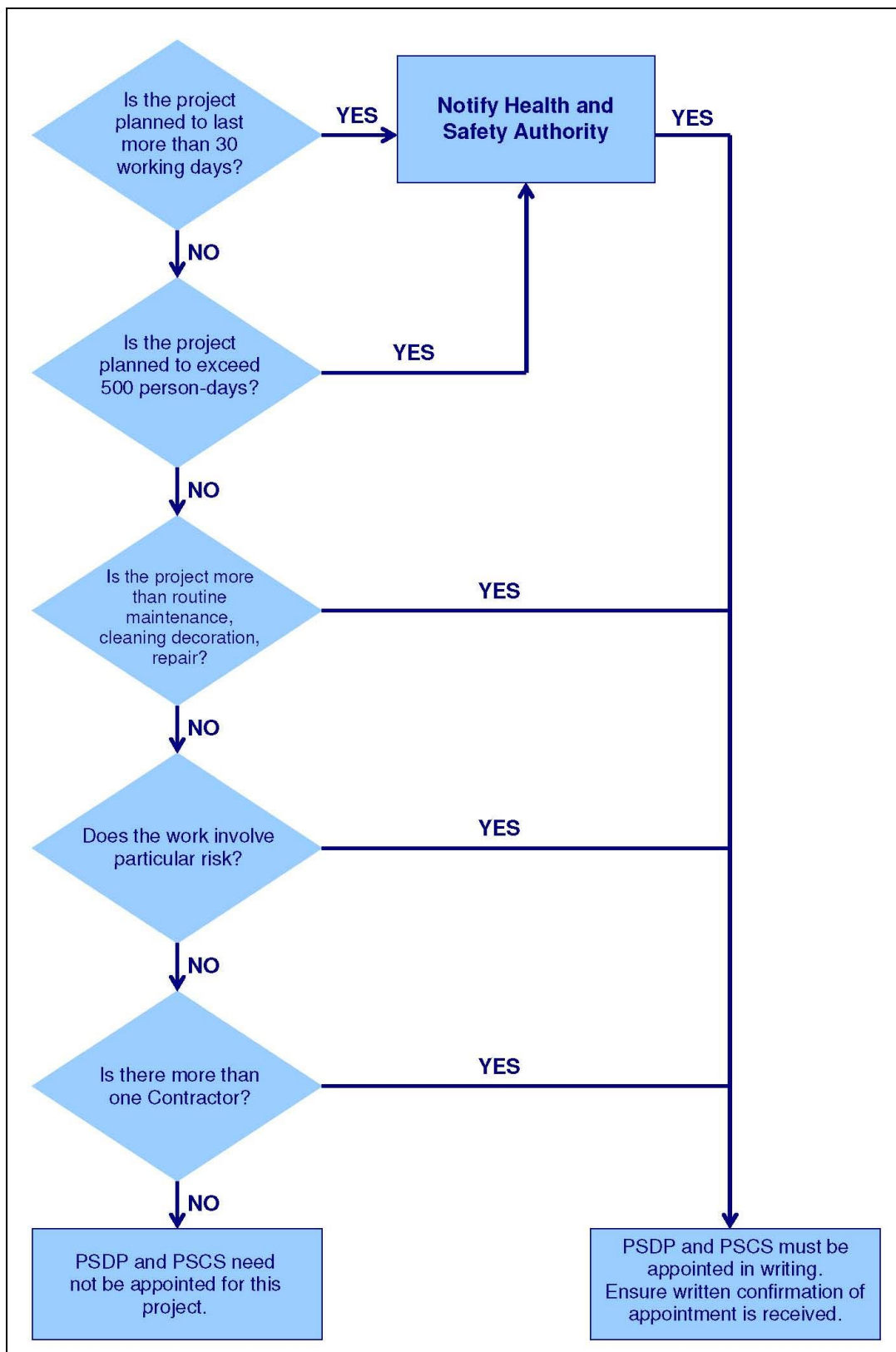
Definitions:

Definitions:

<b>Client:</b>	Means a person for whom a project is carried out;
<b>Construction Work:</b>	Means the carrying out of any building, civil engineering or engineering construction work, other than drilling and extraction in the extractive industries as defined by the Safety, Health and Welfare at Work Safety, (Extractive Industries) Regulations 1997, and includes but is not limited to each of the following: (i) construction; (ii) alteration; (iii) conversion; (iv) fitting out; (v) commissioning; (vi) renovation; (vii) repair; (viii) upkeep; (ix) redecoration or other maintenance, including cleaning involving the use of water or an abrasive at high pressure or the use of substances or mixtures classified as corrosive or toxic in accordance (x) de-commissioning, demolition or dismantling;
<b>Construction site</b>	Means any site at which construction work in relation to a project is carried out.
<b>Contractor</b>	A contractor or an employer whose employees undertake, carry out or manage construction work, or a person who— carries out or manages construction work for a fixed or other sum, and supplies materials, labour or both, whether the contractor's own labour or that of another, to carry out the work;
<b>Designer</b>	Means a person engaged in work related to the design of a project;

<b>Project Supervisor Design Process (PSDP)</b>	The project supervisor design process must be an individual or body corporate i.e. a limited company. In general, this will be a firm of architects, chartered surveyors, consulting engineers or project managers. It can also be the main contractor (e.g. in cases of design and build contracts or small projects with minimal design input). In all cases the person or company undertaking the role must have the necessary competence to carry out the relevant duties. The project supervisor design process must be appointed before design work commences. This is to ensure effectiveness in addressing and co-ordinating safety and health matters from the very early stages of a project.
<b>Project Supervisor Construction Stage (PSCS)</b>	The role of the project supervisor construction stage is to manage and co-ordinate health and safety matters during the construction stage. The project supervisor construction stage is appointed before the construction work begins and remains in that position until all construction work on the project is completed.
<b>ESB Depot</b>	Means the ESB premise / building where activity is to be carried out
<b>ESB (BSC) Representative</b>	Means the person nominated by ESB (BSC) to be the point of contact for the contractor and the associated activity. The ESB (BSC) Representative may issue a permit to work prior to any Contractor commencing work, without prejudice to such Contractor's statutory or contractual responsibilities.
<b>Risk Assessment</b>	Means an assessment of any particular risks or hazards that have a potential to cause a danger to safety.
<b>Method Statement</b>	Means a statement outlining risks, precautions and a step by step explanation of how the work is to be done.
<b>Permits to Work (PTW)</b>	Means the approval issued by ESB (BSC) to give permission to the contractor to carry out the works. Within a permit to work there be associated sub-permits for certain activities i.e. hot permit / electrical permit

## 2.1 Notifications to the HSA & Regulatory Appointment



## **Roles & Responsibilities**

The Safety Health and Welfare at Work Construction Regulations 2013 SI 291 are designed to clarify and strengthen the general duties of all parties as regards securing occupational safety, health and welfare in construction work, including those of Clients, Project Supervisors, Designers, Contractors and Employees. These Regulations apply to all construction projects including the alteration, decoration, maintenance and repair of buildings and the installation, maintenance and removal of mechanical and other systems fixed within or to structures. They place obligations on clients and designers to ensure that safety and health is taken into account before any construction work begins.

### **2.2. Client**

A Client is a person for whom a construction project is carried out. This includes a person having construction work carried out on their own home.

The Client's duties under the regulations include:

- Appointing in writing a competent Project Supervisor for the Design Process (PSDP)
- Appointing competent persons to carry out the construction work
- Before design work starts and a competent Project Supervisor for the Construction Stage (PSCS) before construction work starts, in order to co-ordinate design and construction safety.
- Keeping a Safety File
- Sending notification of the works to the Health and Safety Authority where necessary

### **2.3. Designers**

Under the regulations, you are a designer if you are engaged in preparing drawings, particulars, specifications, calculations and bills of quantities in relation to a project. The term designer would include:

- Architects and Engineers contributing to, or having overall responsibility for the design
- Building Services Engineers designing details of fixed plant
- Surveyors specifying articles or substances or drawing up specifications
- Contractors carrying out design work as part of a design and build project
- anyone with authority to specify, or alter the specification or designs to be used for the structure
- designers of temporary works or specialist suppliers designing formwork and false work
- Interior Designers, Shop Fitters and Landscape Architects and

- specialist suppliers, specialist contractors or sub-contractors with design input

Designers must:

- Identify any hazards that their design may present during construction and subsequent maintenance
- Where possible, eliminate the hazards or reduce the risk
- Communicate necessary control measures, design assumptions or remaining risks to the PSDP so they can be dealt with in the Safety and Health Plan
- Co-operate with other designers and the PSDP or PSCS
- Take account of any existing safety and health plan or safety file
- Comply with directions issued by the PSDP or PSCS
- Where no PSDP has been appointed, inform the client that a PSDP must be appointed

The Safety Health and Welfare at Work Act 2005 requires designers to ensure that the project is capable of being constructed to be safe, can be maintained safely and complies with all relevant health and safety legislation

#### **2.4. Project Supervisors Construction Stage (PSCS)**

The role of the project supervisor construction stage is to manage and co-ordinate health and safety matters during the construction stage. The project supervisor (construction stage) is appointed before any construction work begins and remains in that position until all construction work on the project is completed.

The PSCS must develop a suitable safety and health plan for the project, prior to the commencement of construction work. The plan provides the blueprint for managing and co-ordinating safety and health during construction. The plan needs to explain how the key safety and health issues will be managed. It must be relevant to the particular project and should be built on the safety and health plan prepared on a preliminary basis by the PSDP.

As an integral part of developing the safety and health plan, the PSCS must check that a hazard identification and risk assessment has been carried out. To do this properly, information, including method statements and safety statements, will generally be needed from contractors and sub-contractors who will be working at the site.

If risks arise because a number of contractors are exposed to a common hazard (e.g. from site transport, shared scaffolding, unguarded openings or lifting operations), the PSCS needs to ensure that the risks are avoided, or if this is not reasonably practicable, effectively controlled

and managed. In addition, the PSCS must bring the safety and health plan and any rules that are laid down in it to the attention of all contractors and others who may be affected by them.

There is a clear onus on the PSCS to have practical arrangements in place for checking and monitoring safe working procedures to ensure the safety and health of persons throughout the course of a project. These arrangements should be documented in the safety and health plan.

The PSCS must take reasonable measures to ensure that no unauthorised person enters the work area, and this should be documented in the safety and health plan. Only people who are explicitly authorised, either individually or collectively, by the PSCS or designated person should be allowed on site. The PSCS will need to have measures in place so that only authorised people are allowed into any area where construction work is taking place.

Authorised people should have the relevant site rules explained to them through a safety induction process prior to undertaking any work. Some authorised visitors may need to be inducted into the working area and supervised while on site. In particular, access arrangements and cordoning of work areas should be carefully reviewed if there is evidence of children playing on, or near the site. This is particularly important where members of the public might be exposed to the dangers of construction activity.

Where the work being undertaken is deemed “construction work” under the Safety, Health and Welfare at Work (Construction) Regulations SI 291 of 2013, the terms of contract will specify whether the roles of Project Supervisor Design Process (PSDP) and/or Project Supervisor Construction Stage (PSCS) are included as part of the contract scope. Where construction work is part of the contract scope, the contractor’s representative will discharge the duties of Project Supervisor (Construction) either as the named person or in the role of Health and Safety Co-ordinator with the Contracting Company named as the Project Supervisor (Construction). The ESB (BSC) Representative in advance of work starting will appoint the Project Supervisors on behalf of the Client, who is the Electricity Supply Board, 27 Lower Fitzwilliam Street, Dublin 2. The appointments and acceptance of the roles will be formal, and in writing.

## **2.5. Project Supervisor Design Process (PSDP)**

The project supervisor design process may be an individual or body corporate i.e. a limited company. In all cases the person or company undertaking the role must have the necessary competence to carry out the relevant duties. The PSDP must be appointed before design work commences. This is to ensure effectiveness in addressing and co-ordinating safety and health matters from the very early stages of a project.

The PSDP is required to take account of the General Principles of Prevention and any existing safety and health plan or safety file. The safety file may contain information which will alert the

PSDP and Designers of significant safety and health risks that will need to be addressed in the safety and health plan.

The PSDP has a central role in the management of safety and health during the entire design process. This process starts when the design work commences and continues throughout the construction stage. The PSDP should take reasonable steps to bring about co-operation between the different designers engaged on the same project with a view to protecting persons at work.

The PSDP must prepare a safety file and a preliminary health and safety plan for the project. A safety file must be presented to the Client when the project is complete. The safety file is a record of information, prepared by the project supervisor design process for the end user, which focuses on safety and health. The information it contains will alert those who are responsible for the structure and services in it of the significant safety and health risks that will need to be addressed during subsequent maintenance, repair or other construction work including demolition.

## **2.6. Contractors**

In general a contractor means any employer whose employees carry out construction work and includes both main contractor and sub-contractor. Contractor may also include a self-employed person where such a person supplies materials and labour or labour only. In addition, a body such as a local authority may also be a contractor, if the construction work is carried out directly by employees of that body. **The contractor may fulfil the role of PSCS as necessary providing they are competent to do so.**

To achieve this, contractors need to provide their employees with relevant information including rules contained in the safety and health plan, monitor the way in which they carry out their work, to ensure that the safety and health precautions described in the safety and health plan are followed in practice by the contractor and their employees. Contractors are required to apply the General Principles of Prevention and requirements of the Regulations.

The contractor develops site-specific health and safety documentation (risk assessments, method statements etc.) in accordance with the regulations. They co-ordinate health and safety, ensure that all sub-contractors comply with the regulations on sites appointed to them, ensuring sub-contractors appointed by them to the works are suitably qualified and meet regulatory requirements with regard to health and safety. It is the duty of the contractor to oversee all safety induction of any sub-contractor they appoint to carry out part or all of the works on their behalf.

Contractors must provide site induction training for all persons under their control. Safepass and Construction Skills Certification Scheme (CSCS), Manual Handling, First Aid etc. cards must be



provided for employees as set out in the regulations. These cards demonstrate that the worker has received training and/or certification in the relevant skills. Original Safe Pass cards must not be retained by the contractor but must be retained by the person to which they refer. The contractor may keep a photocopy for record purposes.

## **2.7. Employees and other Persons at Work**

Employees, including agency workers are required under the regulations to co-operate with other duty-holders, so far as is necessary, to enable those persons to comply with the relevant statutory provisions. This means that employees, in addition to co-operating with their employer, must cooperate with other employers sharing the same work place and with duty-holders with specific responsibilities such as the Project Supervisor Construction Stage. Employees have a general duty to comply with the regulations and co-operate with their employer. Employees also have a duty to report, without delay, to their employer, PSCS, or responsible contractor, any dangerous plant or machinery or any defect in the place of work or system of work which might endanger safety, health or welfare of any person.

Employees must use suitable protective clothing or protective equipment where it is deemed a requirement for their protection. They should also co-operate with any safe systems procedures that are in place to protect the wellbeing of others. An employee (or any other person) should not intentionally or recklessly interfere with or misuse any protective clothing, equipment, etc. provided for securing the safety, health or welfare of persons arising out of work activities.

The employee must use all work equipment in the manner for which the equipment was intended. Employees should always be aware that misuse of plant and equipment could have unforeseen consequences and could lead to potential injuries to themselves or others on site. Employees must produce Safe Pass and relevant CSCS cards when requested to do so.

## **2.8. ESB (BSC) Representative**

Within the Business Service Centre an ESB (BSC) Representative will be assigned to particular work activities. The ESB (BSC) Representative will be the point of contact for the contractor for the work activity. The ESB (BSC) representative will oversee the works from start to completion.

The **contractor is ultimately responsible for ensuring the safety procedures and guidelines are briefed, implemented and adhered to for the work activity.** Where there is any doubt / misunderstanding regarding safety stop works and seek clarification from ESB (BSC) Representative. **If works cannot be done in a safe and coordinated manner at any time do not undertake the task – inform the ESB (BSC) Representative.**

The Contractor must appoint a competent person to be known as the **Contractor's Representative** who will have sole responsibility for the following:

1. Supervising & monitoring the works
2. Ensure all visitors / personnel coming onto or visiting the sites are inducted
3. Completing necessary paperwork i.e. JSSP, Method Statement, Risk Assessment, Toolbox Talks, Near Miss, Good Catch
4. Ensuring the safe coordination and scheduling of works
5. Report any safety defects which may impede their safety or the safety of others
6. Be the point of contact for ESB (BSC) Representative
7. Ensure works are completed in a safe manner
8. Ensure workplace is left neat & tidy at end of working day and end of job
9. Promoting safety culture on site
10. Will stop any unsafe act by any person / party on site and bring to the attention of ESB (BSC) Representative.
11. Transmitting the instructions of the **ESB (BSC) Representative** to the Contractor's staff & any Sub-Contractor's personnel associated with the works
12. Ensuring the safety of all persons affected by the Contractor's own activities.
13. Advising the **ESB (BSC) Representative** of any hazards that the Contractor's activities might pose to persons other than the Contractor's own personnel or to ESB plant.
14. Except by prior and mutual agreement or ***in cases of emergency***, all communication on safety related issues must be between the **ESB (BSC) Representative** and the Contractor's Representative. Where other persons are given such a role, their mandates must be clearly established and agreed between these two persons. This is imperative this happens as situations may change during the course of a project may change i.e. sick day, annual leave etc. Communication on all safety related issues are an essential requirement.
15. The Contractor's Representative must be present on the premises at all times when the Contractor's personnel are carrying out work.
16. Where necessary, the role of Contractor's Representative can be transferred to another competent person working for the Contractor. Where this occurs, the **ESB (BSC) Representative** must be informed in advance and in writing.

## 2.9. Safety Check List

Work by a Contractor must not commence until the Contractor's Representative has been briefed by the ESB (BSC) Representative on what work is to be done, the location of the work, emergency procedures, and on any hazards posed by plant or activities within the Location. Following this briefing, the Contractor's Representative must fill out and sign the safety check-list appended to this document, jointly with the ESB (BSC) Representative.

## 2.10. Permit to Work

A permit to work procedure is a means of achieving effective control of a system of work through formal written documentation known as a permit to work form. The essential components of a permit-to-work system include:

- A written procedure, which sets out how the system is to operate and clearly defines who may authorise particular jobs and who is responsible for specifying and implementing the necessary precautions
- A form, known as the "permit-to-work form", which becomes a written and signed statement ensuring both the establishment of safe conditions for the work to commence and the maintenance of safe conditions for the duration of the work, including the provision of emergency arrangements
- A method of informing the persons carrying out the work of the exact identity, location, nature and extent of the job, the hazards involved and the precautions to be taken, and
- A system for ensuring the safe hand-back of the workplace after the job is completed

Before the commencement of work a written **Permit to Work** will normally be issued by the ESB (BSC) representative to the main contractor and is signed by both parties. This document states the specific precautions taken by both ESB and Contractor so as to control certain types of work that are potentially hazardous.

## 2.11. Safety Induction

A safety induction should be given to all personnel working on the site making them aware of the hazards, control measures, emergency procedures which have to be adhered to. The duration of the induction will vary depending on the work to be carried out and the risk associated with the work. It is the responsibility of the contractor's representative to ensure their staff and any sub-contractor's staff are appropriately briefed and trained.

ESB (BSC) representative and other ESB representatives may come to site to review progress of works or carry out safety audits. They must also be briefed and inducted onto the site. ESB staff should adhere to the safety rules / procedures whilst visiting the site.

Throughout the contract period, the contractor's representative must ensure that regular safety briefings are given to take account of any changes in circumstances that may occur. The safety induction may need to be updated where changes occur.

## **2.12. Control of Sub-Contractors**

The provisions of the contractor safety regulations apply to both principal contractor and to any sub-contractors under their control where permitted. Responsibility for implementing its provisions with respect to sub-contractors rests entirely with the principal contractor. **No sub-contractor may be brought on site without the explicit agreement with the ESB (BSC) representative.** Under no circumstance should any activity or work be subbed out to an external contractor unless this has been agreed with the ESB (BSC) representative. This should be documented and signed in writing by the client and contractor where this may arise. Ensuring the safety and welfare of all staff is important to us. As the client we want to know the personnel working on our sites are competent and are aware of the potential hazards. The names of all sub-contractors employed under the contract must be listed on a contract document.

## **2.13. Listing of Contractor's Staff**

Prior to mobilising on site, the contractor must submit a ***list of all staff*** (including those of sub-contractors) that will be brought onto ESB property. Where staffs other than those listed are brought into the premises, their names must be notified to the ESB (BSC) representative and added to the list before they commence work. All information pertaining to them i.e. safepass, cscs, manual handling should be available for verification.

### **3. General Safety Requirements for Construction Service Contractors**

#### **3.1. Safety Statement**

The contractor must submit an up to date, signed copy of their safety statement. This must identify the hazards to which the contractor's staffs are exposed and the corresponding control measures to be implemented. It must also identify those within the contracting company who have responsibility for safety. Safety statements must also be submitted by the contractor for any proposed sub-contractors. Safety statements should be reviewed updated where there has been significant change i.e. update in legislation.

##### **3.1.1. Preliminary Health & Safety Plan**

The preliminary health and safety plan should take account, as a minimum, the safe design of the project, the safe method of undertaking the associated work and future use of the site. The PSDP shall risk assess all hazards that may be encountered prior or during the work and provide safe methods of undertaking the work. The preliminary plan should be presented to the client for review.

##### **3.1.2. Construction Stage Health & Safety Plan**

A health and safety plan should be included detailing how all aspects of the work is to be completed and managed for the project including all emergency arrangements. The health and safety plan will remain live for the duration of the project and should be updated accordingly where changes have been made and need to be documented.

##### **3.1.3. Risk Assessments**

A risk assessment is where the severity of the hazard and its potential outcomes are considered in conjunction with other factors including the level of exposure and the numbers of persons exposed and the risk of that hazard being realised. There are a number of different formulae used to calculate the overall risk from basic calculations using high, medium and low categories to complicated algorithms to calculate risks. Contractors shall carry out risk assessments for all activities presenting a significant hazard. Such risk assessments shall be kept on file and a copy made available to the ESB (BSC) representative.

#### **3.1.4. Method Statements / Safe Operating Procedure**

A work method statement is a document that details the way a work task or process is to be completed. The method statement should outline the hazards involved and include a step by step guide on how to do the job safely. Written method statements must be provided for any activities involving a significant hazard. These should state the control measures / procedures proposed in order to enable the work to be carried out in a safe manner. Where possible it should utilise recognised safe codes of practice. A competent person acting on behalf of the contractor must verify the method statement is accurate and the content is correct.

Safe Operating Procedures (SOPs) or otherwise known as Safe Working Procedures are detailed steps of how to conduct a specific job task. The SOP should clearly outline what task is being referred to. It also outlines who is responsible for what in the organization;

#### **3.1.5. Safety Officer**

Where more than 20 persons are under the control of the contractor (either directly or as sub-contractors) within the work location and where the work is deemed “*construction work*”, or 30 engaged in construction on various sites. The contractor must appoint a safety officer in accordance with the Safety, Health and Welfare at Work (Construction) Regulations SI 291 2013 to advise and supervise adherence to safety and health requirements.

The Safety Officer should:

- be familiar with the relevant safety and health legislation which affects the types of construction work being carried out have the ability to identify hazards and assess risks on construction sites
- be capable of advising the contractor on the most appropriate control measures and systems of work in order to minimise risk
- be able to communicate the safety and health requirements to managers, supervisors and workers on sites
- if assigned other duties the contractor must ensure that these other duties do not prevent the safety officer from carrying out his/her duties as safety officer in an efficient manner

### **3.1.6. Competence and Fitness for Work**

All contractors' including sub-contractors personnel shall be trained, competent and medically/physically fit to perform the duties assigned to them. Where the job is deemed 'construction work' all personnel must be 'Safe Pass' certified and have 'Construction Skills Certification Scheme' (CSCS) where required. All contractors' personnel must have received training in manual handling within the previous three years. Records of all certifications must be kept by the Project Supervisor Construction Stage (PSCS) or contractor on site and be available for inspection.

### **3.1.7. Safe Place of Work**

The contractor shall ensure that the work location is safe for work and that a safe means of access and egress with appropriate signage are provided. The contractor shall take full responsibility for the adequacy, stability and safe systems for all site operations arising out of the works.

All contractors' personnel shall be informed of all hazards and given instruction in corresponding safe methods of work including the use of personal protective equipment. Where the job involves any kind of catering work, the contractors' personnel must comply with all relevant health and food regulations including but not limited to European Communities (Hygiene of Foodstuffs) Regulations 2006 S.I No. 369/2006. In particular the contractor shall set up and implement Hazard Analysis and Control Procedures "HACCP" training.

### **3.1.8. Personal Protective Equipment**

Personal Protective Equipment (PPE) means any device or appliance designed to be worn or held by an individual for protection against one or more health and safety hazards. Respiratory Protective Equipment (RPE) is a particular type of Personal Protective Equipment, used to protect the individual wearer against inhalation of hazardous substances in the workplace air. The Safety, Health and Welfare at Work (General Application) Regulations 2007, Part 2 Chapter 3 covers Use of Personal Protective Equipment at work.

The fundamental principle is that personal protective equipment (PPE) should only be used as a last resort. The safety and health of employees must be first safeguarded by measures to eliminate workplace risks at source, through technical or organisational means (e.g. by substituting hazardous chemical) or by providing protection on a collective basis (e.g. providing scaffolding instead of harnesses). Collective protective measures covering numbers of employees in a workplace must have priority over protective measures applying to individual employees. If these measures are not sufficient, only then should PPE be used to protect against the hazards that are unavoidable.

Personal Protective Equipment appropriate to the task shall be provided by the employer and used by their personnel. It shall be the responsibility of the contractor at his sole expense to ensure that all the requisite items of personal protective equipment (“PPE”), necessary for the various working conditions pertaining to the works, are available and used correctly by his/her staff and the staff and his/her sub-contractors.

Such items of PPE shall comply with all relevant and applicable standards. The following are examples of work situations and activities where PPE shall be correctly used; these examples are not exhaustive:

- All the contractor’s staff, sub-contractors and visitors in all situations shall wear as a minimum safety helmets with chin strap, high visibility vests and safety footwear.
- Eye protectors (e.g. visors, goggles and safety glasses, prescription glasses) shall be correctly used for all work activities and situations that could otherwise cause serious eye injury (e.g. welding, grinding and when using chainsaws).
- Other items of personal protective equipment shall be worn as required by risk assessment.

### **3.1.9. Contractor's Emergency Procedures**

Contractors shall make provision for any likely emergency that could arise as a result of their activities. This shall include a method for raising an alarm with ESB (BSC) and the emergency services, taking immediate action to mitigate the consequences of the emergency, and administering any specialist first aid treatment that may be required. In addition to this, contractors shall co-operate fully with ESB (BSC) emergency procedures/ systems. Contractors shall ensure that all their personnel are familiar with their own and ESB (BSC) emergency procedures.

In addition, Contractors shall co-operate fully with ESB (BSC) emergency procedures. Contractors shall ensure that all their personnel are familiar with their own and ESB (BSC) emergency procedures. Contractors may have to participate in ESB (BSC) emergency drills when working on our sites.

### **3.1.10. Clean-up of Work Area/Removal of Waste**

The contractor shall, on an ongoing basis and prior to completion of work, clean up, remove and dispose of safely, and in an environmentally acceptable manner, waste generated and all materials, including all packaging, brought onto site. The cleaning of the work area and the removal of all waste material shall be carried out to the satisfaction of ESB (BSC). Particular care must be



taken during work that the area is kept as clean as possible, is free of tripping hazards and that no fire risk is created by a build up of combustible material or by contact of combustibles with possible sources of ignition. The contractor shall provide a copy of certification from the approved licensed location where waste removed has been deposited. The waste cert shall be kept on file for inspection. It is important to ESB (BSC) that we adopt sustainable measures in the delivery of our projects.

#### **3.1.11. Interference with Plant**

Except where authorised by the BSC Representative, Contractor's personnel may not interfere with, adjust, or otherwise tamper with plant or equipment. Under **no circumstances** may "Hold-off" tags, "On test" tags, "lock-out", or other similar attachments to plant which are used in the isolation and testing of plant, be interfered with or removed. Contractor's personnel must not enter parts of the premises outside the immediate work areas unless agreed with the BSC Representative.

### **3.2. Hazardous Work Activities**

The following is a non exhaustive list of hazardous activities that may be associated with the works for ESB (BSC). All hazards should be properly controlled prior to commencement of work.

#### **3.2.1. Work in the Vicinity of Electrical Equipment / Services**

Utmost care shall be taken where work is undertaken in the vicinity of switchgear, relays, control cabinets, cabling and similar equipment. Unauthorised interference with such equipment is strictly prohibited. Work shall be conducted in a clean manner so as not to contaminate electrical equipment. Unauthorised entry into switchgear rooms, relay rooms, computer rooms, control rooms and other locations containing electrical equipment is strictly prohibited.

#### **3.2.2. Work at Heights**

Where work is carried out at a height, a safe working platform with safe access and egress must, where practical, be provided and properly maintained. Where a safe working platform cannot reasonably be provided and a significant risk of falling exists a full body safety harness attached to a secure point must be used. All work at height equipment must be certified and operatives must be trained and competent to use such equipment.

### 3.2.3. Confined Spaces

A confined space is any enclosed space in which a person is exposed to risk due to the presence of a toxic gas, flammable gas, water, steam, or a lack of oxygen. Prior to entry by contractor's personnel into a confined space, the contractor's representative must consult with the ESB (BSC) representative who will arrange isolation of the plant concerned and will specify any further precautions necessary. These will include the following control measures, as appropriate:

- Adequate ventilation to ensure that the oxygen level does not fall below 19% and that a hazardous gas is never present in a concentration above its occupational exposure level. Where such ventilation is not practical, fresh air hose breathing apparatus must be used. In no case must flammable gases be present in a concentration greater than 10% of the lower explosive limit.
- A gas free certificate issued by a competent person where the confined space was previously occupied by a gas other than air or by any substance giving rise to hazardous gases. Where there is a possibility that hazardous gases could subsequently arise, the space must be continuously monitored by a device that automatically alarms. In such cases a gas free certificate must be issued daily.
- Where a hazardous liquid has been present, the space must be thoroughly cleaned taking all appropriate precautions.
- A person must remain at the entrance to the confined space at all times to facilitate raising the alarm in the event of an emergency and to maintain a written record of persons entering and leaving.
- A person must not enter a confined space alone, unless the person entering remains within sight of the person at the entrance at all times.
- A lead or line, securely attached to a suitable point exterior to the confined space, must always be in place through the confined space entrance while persons are working within.
- Only designated and controlled entrances may be used as entry/exit points. Entrances must be locked open and a "Confined Space" sign located in a prominent position outside each such entrance.
- Procedures for the emergency evacuation of the confined space shall be drawn up and put in place.
- Gas cylinders must not be brought into confined spaces. Gas welding torches and hoses must be removed from confined spaces while not in use. Particular care must be exercised when routing gas hoses to ensure that they are not liable to mechanical damage.
- Electric welding sets must not be brought into confined spaces. Particular care must be exercised when routing welding leads into confined spaces to ensure that they are not liable to mechanical damage.
- The procedure for signing out/in of keys must be implemented.
- For all confined space work a permit to work system must be in place and issued by the ESB (BSC) representatives before works commences.

#### **3.2.4. Hot Works Permit**

Contractors shall notify the ESB (BSC) representative prior to carrying out welding, cutting, grinding, or any other activity involving a source of ignition. **Where a fire risk exists**, the ESB (BSC) Representative will agree appropriate precautions with the contractor. Such precautions will include the provision of two persons at all times during hot work and a mandatory fire watch for at least one hour after completion of hot work. When it is necessary to isolate a zone in order to carry out work a record must be maintained, security will be informed and the detector returned to service without delay prior to sign back of permit.

#### **3.2.5. Movement of Cranes, Tipper Trucks and Vehicles**

Vehicles entering the premises must be in sound condition, loaded safely and must conform to the local speed limits. Vehicles may be parked only in authorised locations. Where the contractor requires bringing a crane, tipper truck or a vehicle with a high load into the premises, prior permission must be obtained from the ESB (BSC) representative in order to eliminate the risk of electrocution by contact with overhead power lines. Only routes and work locations that have been authorised by the ESB (BSC) representative shall be used.

#### **3.2.6. Removal of Machine Guards**

Machine guards must not be removed without the permission of the ESB (BSC) representative. Any guards removed for maintenance or repairs must be replaced on completion of the work and prior to the machine being made available for normal operation

#### **3.2.7. Digging / Excavations**

No digging or excavations by hand or machine shall be carried out without the prior agreement of the ESB (BSC) representative. The establishment of the presence and location of underground services shall be carried out only by a person with a Construction Skills Certification Scheme card. Where such work is authorised by the ESB (BSC) representative, precautions must be taken to avoid causing damage to buried electrical cables, gas mains, fire water mains and other services. In addition, the risk of buried asbestos must be assessed in conjunction with the ESB (BSC) Representative. Safe digging practices to be implemented at all times i.e. permit to dig, drawings on site, mark out before digging etc.

All excavations should be secure and safe before entering them. A competent person should assess all excavations and record assessment on AF3 form. Excavations may require trenching or shoring methods to ensure stability and safe access if required. A temporary works design is the design that is required for a temporary structure that is used during the construction stage. A temporary works design certificate should be completed where a temporary works design is required.

### **3.2.8. Work in Areas of Inadequate Lighting**

Where existing lighting levels are inadequate for safe working, the contractor shall increase these to a suitable level so that access / egress and work location has adequate light to carry out work in a safe manner. Temporary LV – LED lighting should be used.

### **3.2.9. Work in Areas of Bad Ventilation**

Where work can generate hazardous fumes or vapours, or result in a deficiency in oxygen, ventilation of the area affected must be increased until a safe breathing environment is created. Fresh air hose breathing apparatus may be used for this purpose. Emergency procedures should also be in place along with alarm monitors.

### **3.2.10. Work in High Noise Areas**

Where work must be carried out in locations where the ambient noise level is at 85 dB (A) or above, the noise level at the worksite must be reduced where practical (e.g. by the erection of barriers). Likewise, where the Contractor's activities generate noise levels of 85dB (A) or a peak sound pressure of 137dB(C) in relation to 20 micro Pa or greater than these levels, attempts must be made to reduce the noise level at source.

Where the noise exceeds 85-dB ear protectors must be issued to all contractors' personnel. Wearing of ear protectors is mandatory above 85-dB and appropriate signage must be erected and access controls be in place.

### **3.2.11. Work with Asbestos**

Asbestos is classified as toxic and as a category 1 carcinogen. Inhalation of asbestos may cause cancer. The use of asbestos products for new applications is banned under Irish safety legislation. In no event shall products containing asbestos be brought onto ESB premises.

Asbestos products can exist in older ESB premises and sites in a number of possible forms. An assumption of the presence of asbestos is made unless tests appropriate to the work being carried out proved otherwise management survey, demolition and survey refurbishment survey. Where an Asbestos Register exists it will be made available to contractors prior to work regarded as "construction work". Where one does not exist a survey may be required. The surveying for asbestos must be carried out by an approved and competent surveyor.

The removal of asbestos containing materials shall be carried out by specialist contractors only. The removal of asbestos containing materials (ACMs) is considered a 'particular risk'. The Safety, Health and Welfare at Work (Construction) Regulations S.I.291 of 2013 and SI 589 of 2010 (Exposure to Asbestos Amendment) shall apply in full. In most instances the specialist contractor will be appointed Project Supervisor Design Process (PSDP) and Project Supervisor Construction Stage (PSCS). The PSCS shall submit the statutory notice to the Health and Safety Authority (HSA) 14 days before work commences on the removal of ACMs.

Asbestos can be encountered in a number of forms including:

- Asbestos insulation.
- Buried asbestos waste.
- Asbestos joints/gaskets.
- Asbestos packing.
- Asbestos brake linings on vehicles.
- Asbestos roofing
- Asbestos floor tiles, roof tiles and ceiling tiles
- Asbestos cement products such as sheeting and pipes.
- Sprayed asbestos (e.g. on structural steelwork)

Where asbestos in any form is suspected or is encountered during work, all activities directly connected with this work must cease immediately and the ESB (BSC) representative must be informed. Asbestos must be removed by a licensed contractor in a coordinated and safe manner which must be approved by ESB (BSC) representative.

### 3.2.12. Food Preparation

Where work involves any kind of food preparation, the Contractors' personnel must comply with all relevant health and food regulations including but not limited to the EC (Hygiene of Foodstuffs Regulations 2006). In particular the contractor shall set up and implement a Hazard Analysis and Control procedures "HACCP" system)

### 3.2.13. Portable Electrical Tools

The work area shall, in the context of using portable electrical tools, be defined as a *work of engineering construction*. The relevant provisions of Regulations 81 and amendment SI-732 of the Safety, Health and Welfare at Work (General Application) Regulations S.I. No. 299 2007 shall therefore apply:

An employer shall ensure that a circuit supplying portable equipment or a socket outlet intended to supply portable equipment, including any circuit supplied by an electrical generator, and in which is used alternating current at a voltage:

- (i) exceeding 125 volts, and
- (ii) not exceeding 1,000 volts,

is protected by one or more residual current devices having a tripping current not exceeding 30 mill amperes operating within such period of time so as to provide the necessary protection to prevent danger to any person coming into direct or indirect contact with any live part of the circuit,

- Portable equipment is maintained in a manner fit for safe use
- Portable equipment which is exposed to conditions causing deterioration liable to result in danger, and supplied at a voltage exceeding 125 volts alternating current, is visually checked by the user before use, and periodically inspected by a competent person, appropriate to the nature, location and use of the equipment.

An employer shall ensure, where appropriate, that a competent person

- Tests any portable equipment
- Certifies whether or not the portable equipment (including any cables and plugs) was, on the day of test, as far as could reasonably be ascertained, safe and without risk to persons coming into direct or indirect contact with any live part of the equipment.

If the certificate of the competent person indicates that the portable equipment tested was not, on the day of the test, safe and without risk, the employer shall ensure that the equipment is not used until it is made safe and certified as such in compliance.

An employer shall ensure that portable equipment, other than portable transformers and portable generators, supplied at a voltage exceeding 125 volts alternating current is not used in

- Construction work,
- Damp or confined locations, unless its rating exceeds 2 kilovolt amperes,
- Portable hand lamps supplied at a voltage exceeding 25 volts alternating current or 50 volts direct current are not used in construction work or damp or confined locations

### **3.2.14. Electric Welding Equipment**

Electric welding equipment must be in safe working condition, in particular:

- Welding lead and return cables must be of adequate cross section with continuous insulation over their entire length.
- Joints between cable sections must be by means of proprietary shrouded insulated cable couplings.
- The welding return cable must be connected to the work piece by means of a proprietary clamp.
- The welding return must not be made by connecting to steelwork or by any path other than the proper welding return lead.
- The welding set itself must be earthed through the main supply cable.
- Welding set main supply cables must be armoured.
- The main point of electrical supply must be fitted with a switch.

### **3.2.15. Gas Welding and Cutting Equipment**

Gas welding/cutting equipment must be in safe working condition, in particular:

- Hoses must be in good condition, correctly colour coded and free from cracks and other defects.
- Hoses must be connected to fittings by proprietary “one-shot” type clips; “jubilee clips” are prohibited.
- Oxygen and acetylene hoses must be fitted with check-valves and flashback arrestors.
- Oxygen regulators must be rated for an inlet pressure of at least 230 Bar.
- Cylinders must be fitted with knobs or keys to allow the outlet valve to be turned off in an emergency.
- Gas cylinders must be stored, transported and used in the upright position and secured against falling.
- When equipment is not in immediate use, cylinder valves must be closed and hoses tidied away.

### **3.2.16. Lifting Equipment / Work Equipment**

All lifting appliances such as pallet trucks, cranes, winches, hoists, forklifts and mobile elevating work platforms and lifting gear must have current statutory certificates signed by a competent person. Such certificates shall be made available to the ESB (BSC) Representative. Under the Safety Health and Welfare at Work (General Application) Regulations SI 299 of 2007, all work equipment liable to deterioration in services, where such deterioration can affect safety, shall be inspected at regular intervals and be maintained in a safe condition.

Examples of such work equipment include portable electrical tools, portable air tools, ladders, portable grinders, welding equipment, compressors, high pressure hoses, vehicles, safety harnesses and lifejackets. Upon request, inspection records for work equipment shall be made available to the ESB (BSC) representatives.

### **3.2.17. Scaffolding**

Scaffolds constructed by the Contractor shall be in accordance with the General Application Regulations (2007) Part 4, HSA Code of Practice for Access and Working Scaffolds and any other relevant and approved code of practice.

Where a scaffolding contractor is engaged by another contractor to construct, maintain or dismantle a scaffold, then each contractor will assume a number of duties under the regulations. The agreement between contractors should clearly state which contractor is responsible for fulfilling which specific duties. For example, while the contractor responsible for the site must ensure that the scaffolding is inspected, the agreement should be clear as to which contractor is going to carry out the inspections of the scaffold. Ultimately the day-to-day management of the scaffolding is the responsibility of the contractor responsible for the site. Personnel erecting scaffolding must have the relevant cscs card for erecting and dismantling scaffolding. All contractors using a scaffold must be satisfied that an inspection has been undertaken, as required. This can be achieved by looking at the report of inspections and carrying out a visual inspection



### 3.2.18. Ladders

All ladders must be to EN 131, Type 1 Industrial to BS 2037 (aluminium ladders), Type 1 Industrial to BS 1129 (wooden ladders), or equivalent. "Domestic" type ladders are prohibited. Where ladders are to be used, they shall be of a suitable length for the work involved and shall be adequately secured to prevent them from slipping or falling. When using ladders in the vicinity of live electrical equipment or overhead lines extra care should be exercised to prevent a breach of the limits of close proximity.

Fibreglass or wooden ladder should only be used when working near live electrical equipment. Where work involves the movement of scaffolding poles, ladders or other long objects sufficient space should be provided so as to ensure that these objects will be handled in absolute safety and should also be carried underarm in a horizontal position to the work location. Ladders must be inspected by a competent person before use and recorded on inspection GA3 form.

***Aluminium ladders must not be brought into electrical compounds or used near electrical hazard.***

### 3.2.19. Chemicals

The contractor's representative must advise the ESB (BSC) representative of all hazardous chemicals intended for use and advise on any hazards posed to ESB personnel or plant. Safety Data Sheets must be provided for all chemicals, (for approval before use) and appropriate precautions put in place to ensure the safety of those who could be affected by their use.

Occupational exposure levels shall not exceed those set down in the latest NAOSH Code of 2011 Code of Practice for the Safety, Health and Welfare at Work (Chemical Agents) Regulations SI 619 of 2001, or the UK Health and Safety Executive Guide EH40.

REACH is Regulation (EC) N°1907/2006 of the European Parliament and the Council dated 18 December 2006. The Directive came into force on 1st June 2007 to streamline and improve the former legislative framework on chemicals of the European Union (EU). REACH places greater responsibility on industry to manage the risks that chemicals may pose to the health and the environment.

In principle REACH applies to all chemicals: not only chemicals used in industrial processes but also in our day-to-day lives; for example, in cleaning products and paints as well as in articles such as clothes, furniture and electrical appliances. Any substance not listed on EINECS was considered a 'new substance' and notification was necessary. The legacy of this with REACH is that the new

substances are now considered registered under REACH and those on EINECS are the ones that need to be reviewed and had to be pre-registered.

### **3.2.20. Flammable or Explosive Materials**

Flammable and explosive materials may only be brought into the site/location with the permission of the ESB (BSC) representative. Contractor staff must be competent in the safe use of such chemicals. All such material must be stored in an agreed safe manner and location. The contractor shall ensure that only minimum quantities are stored at any one time. The contractor shall erect a suitable fire/explosion risk warning sign at the storage location. Where such materials / chemicals are required there should be emergency procedures in place for such work practices.

### **3.2.21. Lone Working**

Where the work involves the need for lone working a specific lone working risk assessment must be undertaken. The contractor's lone working procedure must be followed at all times. Staff working alone must be monitored and employers must ensure their safety and welfare. It is the responsibility of the employer to ensure that there is a procedure i.e. buddy check system ,personal alert in place in such circumstances.

### **3.2.22. Driving**

While drivers are responsible for how they drive, you as an employer have duties in helping to make driving for work safer. As an employer, you should be aware that you have a duty of care for work related driving.

As an employer you have obligations in the following areas:

- **Duty of care**—you must take measures to assure that work-related journeys are safe, members of staff are able to drive safely, and all vehicles and associated equipment are fit for use. You should also be aware of your duty towards the safety of other road users and pedestrians affected by your drivers.
- **Safe systems of work**—you must put in place proper systems of work such as documented safe systems of work for securing vehicle loads. You must have a safety statement that identifies all possible hazards, assesses risks to your employees, and provides adequate controls to minimise risk.

- **Information, instruction, and training**—you should give your employees proper information and training to protect their safety, health, and welfare.
- **EU Rules on Driving** say that you as an employer must:
  - not expect employees to drive under conditions that are unsafe; this means drivers must obey the rules on driving time, breaks and rest periods and that their vehicles should be roadworthy and fit for use.
  - never put pressure on a driver to complete a journey in a shorter amount of time than is needed or to use a vehicle that is not roadworthy.
  - not enter into contracts with schedules that could endanger your drivers or other road users.

You need to be both physically and mentally fit to drive. Your physical health psychological and emotional state and your general attitude towards driving play a major part in your fitness to drive. A Driving for Work Policy is an essential element in managing the driving risk within your company. All work related driving should be scheduled and planned taking account of all risk factors i.e. weather. All work related vehicles should be maintained and roadworthy at all times. All drivers should be qualified and competent to drive the required vehicles.

### **3.2.23. Manual Handling**

The basic principle is that where manual handling of loads which involves a risk of injury (particularly to the back) is present, the employer must take measures to avoid or reduce the need for such manual handling. Regulation requires that a risk assessment be carried out on all work tasks which involve manual handling activity. The risk assessment process should ensure that these activities are assessed to identify risk factors and to decide on appropriate control measures, including both engineering and organisational, to avoid or reduce the risk of musculoskeletal injury. This assessment should critically review manual handling operations. The risk may be avoided or reduced through the introduction of appropriate organisational measures, such as improved layout of work area to reduce unnecessarily long carrying distances, or the use of appropriate means, in particular mechanical equipment. Manual handling training needs to be specific to the tasks involved. Manual handling training is to be provided by the employer. It should aim to ensure that the employee understands the reasons for doing the job with least risk, can recognise the risks and decide the best way to go about it and can perform the task in that way. When assessing the needs of sensitive risk groups of employees, and depending on the degree of risks involved, special attention needs to be given to groups such as: young workers who through lack of experience may be at higher risk, pregnant woman, people with reduced mobility, new or inexperienced workers, who may be less agile or alert and persons with particular serious problems. Those providing training in manual handling must be competent and trained to do so.

## 4. Support Service Contractors

BSC support service contractors pre - dominantly work in an office based environment carrying out essential non construction activities. As with any workplace there are still potential hazards and risks that have to be controlled when working in these environments.

BSC requires its contractors to fully adhere to all safety legislative requirements and any other approved codes of practice applicable to their work. When measuring and assessing safety performance of our support service contractors BSC will verify that the requirements set out in the legislation are adhered too.

### 4.1 Roles & Responsibilities

BSC require contractors and their staff to adhere to the safety requirements as set out in the Safety Health Welfare at Work Act 2005. The following are some of the key duties that are set out in the Act which are to be adhered to by employers and employees.

**n.b. (for the purpose of this document the “employer” refers to the contractor and “employee” refers to the contractors staff)**

### 4.2. Duty of Employer

- To ensure the safety, health and welfare at work of his or her employees
- To manage and conduct work activities in such a way as to ensure the safety, health and welfare at work of all employees
- To manage and conduct work activities in such a way as to prevent any improper conduct or behaviour likely to endanger employees
- As regards the place of work concerned, the employer must ensure the design, provision and maintenance of: a safe, risk-free place of work, safe means access to and egress from it, plant and machinery that are safe and without risk to health
- To ensure safety and the prevention of risk arising from the use of articles or substances or the exposure to noise, vibration, radiation or any other ionizing agent
- To provide systems of work that are planned, organised, performed, maintained and revised as appropriate so as to be safe and risk free
- To provide and maintain facilities and arrangements for the welfare of employees at work
- To provide information, instruction, training and supervision, where necessary
- To implement the safety, health and welfare measures necessary for protection of employees, as identified through risk assessments and ensuring that these measures take account of changing circumstances and the general principles of prevention

- To provide protective clothing and equipment where risks cannot be eliminated or adequately controlled
- To prepare and revise emergency plans and procedures
- To report accidents and dangerous occurrences to the relevant authority
- To obtain where necessary the services of a competent person for the purpose of ensuring safety and health at work
- To ensure that all safety measures take into account both fixed term and temporary workers and that any measures taken do not involve financial cost to his or her employees.

**4.3. When giving information to employees, employers must:**

- Ensure that it is given in such appropriate form, manner and language that it is likely to be understood by the employees concerned
- Ensure that the information includes the workplace hazards and risks identified, the protective and preventive measures taken and the names of the safety representative and all other persons named in evacuation procedures etc.
- Where persons from other employment are engaged in work activities in an employer's undertaking, the employer must ensure that the person's employer receives the above information
- The employer must ensure that the safety representative and designated competent persons have access to: The Risk Assessment, Information relating to reportable incidents and accidents and Information arising from protective or preventative measures
- The employer must provide information relating to the following before a fixed term or temporary employee commences work: Any potential risks, Health surveillance, any special occupational qualifications or skills required and any increased specific risks which the work may involve.

**4.4. Instruction, training and supervision of employees**

**The employer must ensure that:**

- All instruction, training and supervision is provided in a manner, form and language that is reasonably likely to be understood
- Employees receive, during time off from their work but without loss of pay, adequate health, safety and welfare training including, in particular, information and instruction relating to the specific task to be performed and measures to be taken in an emergency
- The employee's capabilities in relation to safety, health and welfare are taken into account

- In the case of a class or classes of sensitive employees or groups of employees exposed to risks expressly provided for in the relevant statutory provisions, the employees are protected against the dangers that specifically affect them
- Training must be adapted to take account of new or changed risks in the workplace
- Training must be provided: on recruitment, when an employee is transferred or tasks change, on the introduction of new or changed work equipment or work systems and on the introduction of new technology
- All contractors etc., carrying out work in the employer's premises must receive relevant safety instructions

#### **4.5. Emergencies and serious and imminent dangers**

**The employer must provide adequate plans and procedures to be followed and measures to be taken in the case of emergency or serious and imminent danger.**

These plans should:

- Provide measures for first aid, fire-fighting and premises evacuation taking into account of the nature of the work being carried out and the size of the place of work.
- Arrange necessary contacts with appropriate emergency services (first aid, emergency medical care, rescue work and fire-fighting)
- Designate employees who are required to implement these plans, procedures etc.
- Ensure that all designated employees have adequate training and equipment available to them

In the event of an emergency or serious and imminent danger the employer must:

- Inform all employees of the risk and steps taken to protect them
- Refrain from requiring employees to carry out or resume work where there is still a threat to their safety
- Ensure that, in the absence of appropriate guidance or instruction, based on the employee's knowledge and technical means at his or her disposal, the employee must take appropriate steps to avoid the consequences of the danger
- Take action and give instruction for employees to stop work and remove themselves to a safe place
- Ensure that an employee who leaves the place of work in the case of emergency is not penalised because of such action
- Ensure that access to specifically hazardous areas is restricted only to employees who have received appropriate training.

#### **4.6. Protective and Preventive Measures**

**The employer must:**

- Appoint an adequate number of competent persons to perform the functions relating to the protection of employees and give them adequate time and means to perform those functions
- Make arrangements for co-operation between the competent person and the safety representative
- Give preference to competent persons within their employment when appointing a competent person

#### **4.7. Hazard identification and Risk Assessment**

**The employer must:**

- Identify all hazards in the work place
- Keep a written assessment of the risks associated with each hazard (known as a risk assessment)
- Review the risk assessment if: There is a significant change to the matters it relates to or there is any other reason to believe that it is no longer valid
- Implement any control measures or improvements which are identified by the risk assessment.

#### **4.8. Safety Statement**

Employers must have a written safety statement, based on the hazard identification and risk assessment carried out, which specifies how they are going to manage and secure the safety, health and welfare of all employees at work.

The safety statement should specify:

- The hazards identified and risks assessed
- The protective and preventive measures taken and the resources provided
- The emergency plans and procedures
- The duties of the employees
- The names, job titles and positions of anyone assigned with safety responsibilities

The safety statement should be brought to the attention of:

- Employees at least annually or when there is any changes
- Newly recruited employees upon the commencement of employment
- Other persons at the place of work who may be exposed to any specific risk

The employer must review the safety statement if:

- There is a significant change to the matters it relates to
- There is any other reason to believe that it is no longer valid
- An inspector directs the safety statement to be amended

Every employer must ensure that:

- All contractors providing services to the employer have an up to date safety statement
- A copy of the safety statement is kept available for inspection at or near the place of work

If an employer who employs 3 or fewer employees is engaged in an activity for which there is a Code of Practice for that type of activity, they can fulfil their duty in relation to Safety Statements by complying with such Code of Practice.

#### **4.9. Duty of employers to co-operate where employers share a place of work, they must:**

- Co-operate in complying with and implementing the relevant statutory provisions
- Co-ordinate their actions in relation to prevention and protection of employees
- Inform each other, respective employees, safety representatives etc. of all risks, including the exchange of safety statement and relevant extracts relating to hazards and risks.

#### **4.10. Health Surveillance and Medical Fitness to Work**

Employers are required to ensure that health surveillance appropriate to the risks that may be incurred in the place of work is available to all employees. The act requires an assessment of the medical fitness to work of employees involved in certain work activities or occupations.

These activities and occupations will be detailed in regulations. Employees are required to inform their employer or their employer's registered medical practitioner if they are unfit to carry out a prescribed work activity. If an employer is notified of the unfitness of the employee they must immediately take appropriate action to comply with the general duties of employers to ensure the safety, health and welfare of all employees at work.

#### **4.11 Safety Representative**

**The employer must:**

- Agree with the safety representative the frequency of inspections to take place



- Consider any representations made to him or her by the safety representative and so far as reasonably practicable take any action that he or she considers necessary or appropriate with regard to those representations
- Allow the safety representative such time off from their work, without loss of pay, as is reasonable to enable the safety representative to acquire the knowledge and training and time to discharge their functions.
- Inform the safety representative when an inspection is taking place
- Give the safety representative a copy of the written confirmation, required under the Act and sent to the inspector, that an Improvement or Prohibition Notice has been complied with.

#### **4.12. Consultation and participation with employees**

##### **Employers are required to:**

- Consult with employees for the purpose of making and maintaining safety arrangements
- Consult with their employees and safety representatives in good time regarding:
  - protective measures proposed
  - the designation of employees with safety responsibilities
  - activities arising from or relating to the protection from and the prevention of risks
  - the hazard identification and risk assessment
  - the safety statement
  - the information to be provided to employees (as outlined above)
  - the information required to be kept or notified to the Authority in respect of accidents or dangerous occurrences
  - the appointment of competent persons
  - the planning and organisation of training
  - the planning and organisation of new technologies particularly in relation to the choice of equipment, working conditions and the work environment

#### **4.13. Penalisation**

Employers are prohibited from penalising (defined as dismissal, demotion, transfer, imposition of duties, coercion or intimidation) or threatening to penalise employees, who are performing any duty, exercising rights or who make any complaints relating to safety and health or who give evidence in enforcement proceedings.

The dismissal or penalisation in such manner can be deemed to be an unfair dismissal within the meaning of the Unfair Dismissals Acts of 1997 and 2001 and employees may also complain to the

Rights Commissioner that their employer has penalised them for exercising their rights under the safety and health legislation

#### **4.14. Duty of Employees**

An employee, while at work must:

- Comply with all relevant statutory provisions
- Take reasonable care to protect the safety of themselves and others who might be affected by their acts and omissions
- Ensure they are not under the influence of an intoxicant or in such a state that they might be a danger to themselves or others.
- Submit to reasonable, appropriate testing, if reasonably required by the employer .The Act gives scope for regulations to be made that provide for employees to be required to undergo tests for intoxicants to be carried out by or under the supervision of a registered medical practitioner. Such regulations are yet to be developed and until they are made, an employer may not require such testing although local agreements may apply. The employer may, however, prevent an employee from working if it is apparent that he or she would be a danger to themselves or others.
- Co-operate with his or her employer so far as is necessary to enable compliance with the relevant statutory provisions
- Not engage in any improper conduct or dangerous behaviour
- Attend training and undergo such assessment as may be necessary
- Make correct use of any article or substance provided for use or for the protection of the employee, including protective clothing and equipment
- Report to his or her employer as soon as practicable:
  - any work being carried out which might endanger themselves or others
  - any defects in the place of work, the system of work, any article or substance which might endanger themselves or others
  - any contravention of the relevant statutory provisions of which he/she is aware
- Notify the employer or the employer's nominated registered practitioner if they become aware that they are suffering from any disease or physical or mental impairment which affects their performance of work activities that could give rise to risks to the safety, health and welfare of persons at work. The duty is on the employee to protect themselves and others.

An employee may not:

- misrepresent himself or herself to an employer with regard to their level of training

- interfere, misuse or damage anything provided for the safety, health and welfare or employees
- place at risk the safety, health and welfare of persons in connection with work activities

## **5. General Safety Requirements for Support Service Contractors**

Support Service Contractors are contractors who are not involved in “Construction Work” as defined under the construction regulations 2013. They do however provide services to the BSC i.e. customer relationship management, marketing, IT support, etc.

### **5.1. Food Preparation**

Where work involves any kind of food preparation, the Contractors’ personnel must comply with all relevant health and food regulations including but not limited to the EC (Hygiene of Foodstuffs Regulations 2006). In particular the contractor shall set up and implement a Hazard Analysis and Control procedures “HACCP” system)

### **5.2. Catering / Cleaning**

All contractors’ personnel shall be informed of all hazards and given instruction in corresponding safe methods of work including the use of personal protective equipment. Where the job involves any kind of catering work, the contractors’ personnel must comply with all relevant health and food regulations including but not limited to European Communities (Hygiene of Foodstuffs) Regulations 2006 S.I No. 369/2006. In particular the contractor shall set up and implement Hazard Analysis and Control Procedures “HACCP” training.

### **5.3. Office Environment**

There are hazards when working in an office environment including incorrect workstation set-up, poor lighting, poor layout of furniture and equipment, poor housekeeping, electrical hazards and equipment hazards. ESB (BSC) may procure the services of contractors / consultants to work on projects for us. These people may be seconded into our offices nationwide to carry out work on particular projects. The project duration can vary depending on the scale and size of the project. The work is

predominantly office based work and we require that the contractor ensures that their staffs undergo a work station assessment / manual handling as part of their training.

All contractors coming into works in our business areas should receive a safety induction to inform them of all relevant emergency procedures, assembly points and first aid facilities. Any office hazard that you may encounter should be reported to your Line Manager so that it can be resolved immediately.

#### **5.4. Noise**

Hearing loss is usually gradual due to prolonged exposure to noise. It may only be when damage caused by noise over the years combines with normal hearing loss due to ageing that people realise how deaf they have become. The higher the noise level and the longer you are exposed to it, the more risk you have of suffering ill effects from noise. Where employees are liable to be exposed to noise at work above a lower exposure action value, in consultation with the employer's employees or their representatives, or both, make a suitable and appropriate assessment of the risk arising from such exposure. In consultation with the employer's employees or representatives, or both, ensure, so far as is reasonably practicable, that the risk arising from exposure of the noise is either eliminated at source or reduced to a minimum. Where the noise exceeds 85-dB ear protectors must be issued to all contractors' personnel. Wearing of ear protectors is mandatory above 85-dB and appropriate signage must be erected and access controls be in place.

#### **5.5. Display Screen Assessment**

Employees are entitled to have their workstation assessed in line with the requirements of regulation 72 of general application regulations 2007. The definition of "workstation" is all-encompassing and includes VDUs and all the individual pieces of equipment, chair, desk and work environment, which can constitute a workstation. A competent person must carry out the analysis of the workstation and this analysis must be documented. A person is deemed to be competent if he or she possesses sufficient training, experience and knowledge appropriate to the nature of the work to be undertaken, which in this case refers to the analysis of a workstation.

The employee must be trained in the use of the workstation and be given information about health and safety factors. They must also have periodic breaks or changes of routine, away from VDU and must be informed by their employer that they are entitled to an appropriate eye and eyesight test (or may opt for either) before working with VDUs and at regular intervals. They are entitled to an appropriate eye and eyesight test (or may opt for either) before working with VDUs and at regular intervals. VDU assessment training is to be provided by the employer.

## **5.6. Manual Handling**

The basic principle is that where manual handling of loads which involves a risk of injury (particularly to the back) is present, the employer must take measures to avoid or reduce the need for such manual handling. Regulation requires that a risk assessment be carried out on all work tasks which involve manual handling activity. The risk assessment process should ensure that these activities are assessed to identify risk factors and to decide on appropriate control measures, including both engineering and organisational, to avoid or reduce the risk of musculoskeletal injury. This assessment should critically review manual handling operations. The risk may be avoided or reduced through the introduction of appropriate organisational measures, such as improved layout of work area to reduce unnecessarily long carrying distances, or the use of appropriate means, in particular mechanical equipment. Manual handling training needs to be specific to the tasks involved. Manual handling training is to be provided by the employer. It should aim to ensure that the employee understands the reasons for doing the job with least risk, can recognise the risks and decide the best way to go about it and can perform the task in that way. When assessing the needs of sensitive risk groups of employees, and depending on the degree of risks involved, special attention needs to be given to groups such as: young workers who through lack of experience may be at higher risk, pregnant woman, people with reduced mobility, new or inexperienced workers, who may be less agile or alert and persons with particular serious problems. Those providing training in manual handling must be competent and trained to do so.

## **5.7. Workplace**

The workplace is the physical environment of the place of work and sets out the welfare facilities which should be provided as standard facilities for a premises used as a workplace. The employer must ensure that the physical environment of the place of work is adequate. Work areas should be large enough to be safe and healthy and be adequate with regard to stability, ventilation, fresh air, temperature and lighting.

Pedestrians and vehicles must be able to circulate safely. Traffic routes, entrances and exits must be kept clear. Floors, walls, ceilings, roofs, doors, gates, loading bays and ramps must be safe. Adequate toilet, washing and welfare facilities must be provided. Where necessary, the workplace must be organised to take account of workers with disabilities. The employer must be satisfied that the floors, walls etc. of the place of work are able to support both the weight of equipment and the pressures of additional forces which its use imposes on the structure.

Sufficient fresh air is provided in enclosed places of work, having regard to the working methods used and the physical demands placed on the employer's employees. Mechanical ventilation systems should be maintained in good working order as part of a plant maintenance system. Systems should

be free from any substance or organism which may contaminate the air passing by it, thereby affecting the safety and health of employees

The temperature in rooms containing workstations is appropriate for human beings, having regard to the working methods being used and the physical demands placed on the employees, at every workstation where a substantial proportion of the work is done sitting and does not involve serious Physical effort, a minimum temperature of 16°C is, so far as is reasonably practicable.

Places of work receive, as far as possible, sufficient natural light and are equipped with artificial lighting adequate for the protection for safety and health of the employer's employees. The lighting levels should be sufficient to enable persons to detect obvious hazards as well as being able to work without experiencing eyestrain. Lighting arrangements should be made so that brightness, unsuitable shading or poorly placed light sources or workstations cannot cause discomfort or injury from glare or from reflection of light into the eyes of the employees.

The surfaces of floors and traffic routes should be free from any hole, slope or uneven or slippery surface which is likely to causes a person to slip, trip or fall or to drop or lose control of anything being lifted or carried, Instability or loss of control of vehicles or their loads (or both). Floors, ceilings and interior walls should be painted, tiled or otherwise treated so that they can be kept clean. It should be possible for employees to open, close, adjust or secure windows, skylights and ventilators in a safe manner. Where necessary, suitable equipment should be available to employees for opening/closing windows from floor level or from a secure platform, without having to use chairs or tables etc.

Doors and gates installed in places of work should be suitable for the number of persons employed and the nature of the work carried on. Factors which should be taken into account are the traffic routes used by pedestrians and vehicles, access for people with disabilities, requirements in the event of an emergency, visibility issues, nature of vehicular traffic, the numbers of employees requiring access or egress, the size and quantity of material moving in and out of the workplace and the effort required to open/close gates.

Power-operated doors and gates should have a readily identifiable and accessible control switch or device so that they can be stopped quickly in an emergency. Emergency routes to emergency exits and the exits themselves are kept clear at all times and lead as directly as possible to the open air or to a safe area. People often fail to appreciate how quickly a fire can spread. It is vital that fire exits are not blocked or obstructed and that any such obstructions are removed without delay.

Floor markings and signs should indicate the areas to be kept clear place of work is equipped with appropriate fire-fighting equipment and, as necessary, fire detectors and an alarm system. Fire detection equipment and fire-fighting equipment should be inspected and maintained as frequently as

necessary to ensure that it is in good working order, and serviced by a competent person as frequently as necessary. The use of fire fighting equipment should be given careful consideration in the context of preparing plans for emergencies.

An employer shall ensure that outdoor and indoor places of work are organised in such a way that pedestrians and vehicles can circulate in a safe manner. Routes used for pedestrian traffic or goods traffic, or for both, are dimensioned in accordance with the number of potential users and the type of undertaking, emergency routes to emergency exits and the exits themselves are kept clear at all times and lead as directly as possible to the open air or to a safe area.

In the event of danger, it is possible for employees to evacuate all workstations quickly and as safely as possible, emergency exit doors open outwards, emergency routes and exits requiring illumination are provided with emergency lighting of adequate intensity in case the lighting fails. An employer shall ensure that escalators and traveller function safely, are equipped with any necessary safety devices, and are fitted with easily identifiable and accessible emergency shutdown devices.

Overcrowding and uncomfortable conditions are to be avoided if employees are to work safely and without risk to health. Because of the sheer variety of workplaces it would be very difficult to specify the space which should be provided for every situation. An employer shall ensure that every place of work is kept in a clean state and accumulations of dirt refuse, trade refuse and waste are removed by a suitable method as frequently as necessary to maintain an appropriate level of safety and health.

The floor of every workroom is cleaned by a suitable method as frequently as necessary to maintain an appropriate level of safety and health. The employer has a responsibility to ensure that any place of work is maintained in a clean and hygienic condition and that any rubbish, dirt, refuse and waste is not allowed to accumulate and is removed on a regular basis. Employers must also ensure that the floor of any workroom is kept clean and that a suitable cleaning regime is in place. The employer is required either to provide suitable and adequate facilities to allow employees to eat and drink any meals or beverages, or to have arrangements in place to allow employees access to other suitable and adequate facilities (such as where there is a common facility shared by employees of a number of employers in or at the same location).

Any facilities provided or made available for use by employees must have means for boiling water. Rest rooms are large enough and equipped with tables with easily cleaned surfaces and seats with backs, adequate for the number of employees, and adequate and suitable sanitary and washing facilities for the use of employees. There should be an adequate number of lavatories and washbasins, with hot and cold running water, in the vicinity of workstations, rest rooms, changing rooms and rooms housing showers.

## **5.8. Work Equipment**

The definition of work equipment, i.e. “any machinery, appliance, apparatus, tool or installation for use at work”. It ranges from complex machinery such as a printing machine to hand tools such as a hammer. Any work equipment provided for use by employees at a place of work complies, as appropriate, with the provisions of any relevant enactment implementing any relevant Directive of the European Communities relating to work equipment with respect to safety and health, the necessary measures are taken so that employees have at their disposal adequate information and, where appropriate, written instructions on the work equipment containing at least adequate safety and health information concerning.

- (i) The conditions of use of work equipment,
- (ii) Foreseeable abnormal situations, and
- (iii) The conclusions to be drawn from experience, where appropriate

An employer shall ensure that where the safety of work equipment depends on the installation conditions initial inspection is carried out after installation is completed and before it is first put into service. An inspection is carried out after assembly at any new site or in any new location, and that the work equipment is installed correctly and is operating properly. In the case of work equipment which is exposed to conditions causing deterioration liable that results in a danger to safety or health periodic inspections and, where appropriate, testing is carried out.

## **5.9. Night & Shift Work**

Night time is the period between midnight and 7.00 a.m. the following day. A risk assessment, taking account of the specific effects and hazards of night work, and the risks to the safety and health of the employee concerned that attach to the work that a night worker is employed to do. An employer, taking account of the risk assessment shall take such steps as, having regard to the nature of the work concerned, are appropriate for the protection of the safety and health of a night worker or an employee who is a shift worker.

## **5.10. Driving**

While drivers are responsible for how they drive, you as an employer have duties in helping to make driving for work safer. As an employer, you should be aware that you have a duty of care for work related driving.



As an employer you have obligations in the following areas:

- **Duty of care**—you must take measures to assure that work-related journeys are safe, members of staff are able to drive safely, and all vehicles and associated equipment are fit for use. You should also be aware of your duty towards the safety of other road users and pedestrians affected by your drivers.
- **Safe systems of work**—you must put in place proper systems of work such as documented safe systems of work for securing vehicle loads. You must have a safety statement that identifies all possible hazards, assesses risks to your employees, and provides adequate controls to minimise risk.
- **Information, instruction, and training**—you should give your employees proper information and training to protect their safety, health, and welfare.
- **EU Rules on Driving** say that you as an employer must:
  - Not expect employees to drive under conditions that are unsafe; this means drivers must obey the rules on driving time, breaks and rest periods and that their vehicles should be roadworthy and fit for use.
  - Never put pressure on a driver to complete a journey in a shorter amount of time than is needed or to use a vehicle that is not roadworthy.
  - Not enter into contracts with schedules that could endanger your drivers or other road users.

You need to be both physically and mentally fit to drive. Your physical health psychological and emotional state and your general attitude towards driving play a major part in your fitness to drive. A Driving for Work Policy is an essential element in managing the driving risk within your company. All work related driving should be scheduled and planned taking account of all risk factors i.e. weather. All work related vehicles should be maintained and roadworthy at all times. All drivers should be qualified and competent to drive the required vehicles.

#### **5.11. Lone Working**

Where the work involves the need for lone working a specific lone working risk assessment must be undertaken. The contractor's lone working procedure must be followed at all times. Staff working alone must be monitored and contractors must ensure their safety and welfare. It is the responsibility

of the employer to ensure that there is a procedure i.e. buddy check system, personal alert in place in such circumstances.

#### **5.12. Interfacing with Public / Third Parties**

There will be occasions where our contractors will interface with our customers / members of the public during the course of their work. It is important that we ensure the safety and wellbeing of members of the public / third parties who may be affected by our work. Where work involves interfacing with the customer you must ensure that you have appropriate form of identification and visible clothing to show the customer who you are working for. Always be courteous and friendly in manner and avoid any confrontation with any the customer. It is important to ensure that the contractor is aware of where their staffs are at all times especially if the work involves lone working where they will be interfacing with members of the public / customer.

Where any safety issue may arise which may affect any third party inform ESB (BSC) Representative immediately so that they can put in place the necessary control measures. Under no circumstances should any safety hazard go unreported which may cause injury or harm to any customer / third party.

#### **5.13. Wellbeing**

The health and wellbeing of staff / contractors is important to BSC. BSC wants to increase the awareness of various health issues including, healthy heart awareness, work life balance presentations, quitting smoking, back care, women's health and men's health. It is proposed that a person's wellbeing relates to their physical, social and mental state. It requires that basic needs are met, that people have a sense of purpose, and that they feel able to achieve important goals, to participate in society and to live the lives they value and have reason to value. It is important as employers that you are aware of this and have in place the support and advice to put in place positive initiatives to facilitate this.

Example of programmes organisations may offer would be communicating wellbeing information & literature, offering financial advice & assistance for staff, raising awareness of mental health issues, team bonding exercises, having personal development growth programmes. ESB (BSC) recognised the importance of wellbeing programme and policies and strongly advocates such initiatives as part of the overall health and safety policy of organisations.

## 6. General Safety Requirements for Consultant Support Contractors

ESB (BSC) may procure the services of consultants to work on projects for us. These people may be self employed or work for a company or partnership. Self employed contractors and small businesses are duty bound to the health and safety legislation such as the Safety, Health & Welfare at Work Act 2005.

In certain circumstances the Consultant Support Contractors may work in ESB premises to carry out work on particular projects. The project duration can vary depending on the scale and size of the project. There are hazards when working in an office environment including i.e. Incorrect workstation set-up, poor lighting, poor layout of furniture and equipment, poor housekeeping, electrical hazards and equipment hazards.

Should a consultant be working on our premises for a defined duration then they should inform the ESB (BSC) representative if they have completed any relevant safety training i.e. workstation assessment and manual handling. It is important they have carried out similar training to ESB (BSC) staff. Where such training has not been completed it is the responsibility of the consultant to inform the ESB (BSC) representative so that it can be scheduled. Consultants should adhere to the guidelines outlined in section 5.

It is also important that any consultant working in our offices or other ESB premises that has a medical issue disclose that information should it present a risk in the event of a medical emergency. Where required it is important that relevant person in ESB (BSC) be made aware of any such condition so that we can respond in the correct manner.

All consultant contractors coming into works in our business areas should receive a safety induction to inform them of all relevant emergency procedures, assembly points and first aid facilities. Any office hazard that you may encounter should be reported to your Line Manager so that it can be resolved immediately.

## 7. Reporting of Accidents & Near Misses

**All** accidents (whether minor or those incurring lost time), dangerous occurrences and “near misses”, must be reported immediately to the ESB (BSC) Representative. **All** incidents, injuries and accidents including without limitation minor or those incidents incurring lost time and dangerous occurrences relating to ESB activities, projects or locations shall be reported immediately verbally within 24 hours and in writing, within 2 working days, to the ESB (BSC) safety department.

The contractor shall co-operate with and assist the ESB (BSC) representative in its investigations of serious incidents, injuries and dangerous occurrences. Incidents, injuries and accidents are categorised as follows:

**Lost Time Incident (LTI)**

This is an injury resulting in an individual being unable to attend his/her next planned working shift, normally defined as absent from the next days work or longer.

**Minor Accident (MA)**

This is an injury which does not lead to one of the contractor's staff being absent from the site for more than the current working shift.

**Near Miss (NM)**

A near miss is an event or happening that did not result in injury but had the potential to cause injury to persons (including visitors or members of the public) or damage to plant and equipment. Near miss reporting should be encouraged and will be viewed in a positive perspective when reviewing contractor safety records.

**Potential Severity**

The potential severity of any near miss / accident / incident injury is categorised below

**Class P1:**

Fatal Injury, amputation, Loss of eye, multiple injuries, major fracture, 2<sup>nd</sup>/ 3<sup>rd</sup> degree burns, being unconscious (major / serious), RTC reportable injuries, fatalities, excessive material damage i.e. van overturning

**Class P2:**

Lacerations, serious sprained, minor fractures, RTC minor or intermediate injuries or material damage in excess of excess of 2000 euro

**Class P3:**

Superficial cuts, minor cuts / bruises, minor scald from hot liquid, property or equipment damage only, near miss with negligible potential consequence (negligible / minor) RTC minor material damage

The contractor in accordance with statutory requirements shall report all accidents to the HSA. **All** Fatal Accidents and Lost Time Accidents shall be notified to the ESB (BSC) safety department immediately in verbal form and reported formally in writing. Investigations shall identify both the direct and indirect causes of the accident/incident. Contractors must co-operate with and assist ESB (BSC) in its investigations of accidents, dangerous occurrences and “near misses”. It is imperative that contractors have the necessary resources and competency to carry out root cause investigations, implement relevant corrective actions and control measures where a critical incident may occur.

Reportable accidents and dangerous occurrences shall be reported **directly by the contractor** to the Health and Safety Authority in accordance with the Safety, Health and Welfare at Work Regulations, the contractor shall provide a copy of the statutory forms (e.g. IR1 and IR3) to the ESB safety department.

## 8. First Aid Facilities

Occupational first aid facilities will be provided by the employer, but in certain circumstances and subject to prior agreement in writing may be provided by ESB. This guidance gives comprehensive information to employers and others on the requirements of Chapter 2 of Part 7 of the Safety, Health and Welfare at Work (General Application) Regulations (S.I. No. 299 of 2007) concerning first aid at work.

Employers have a duty to provide first-aid materials/equipment at all places of work where working conditions require it. Depending on the size and/or specific hazards of the workplace, trained occupational first aiders must also be provided. Necessary external contacts must be made as regards first aid and emergency medical care. Information must be provided to employees and/or safety representatives as regards the first aid facilities and arrangements in place. Occupational first aiders are required to be trained and certified as competent at least once every 2 years by a registered occupational first aid training provider

The table below shows the recommended contents of first aid boxes and travel kits.

Materials	First Aid Travel Kit Contents	First Aid Box Contents		
		1-10 persons	11-25 persons	26-50 persons*1
Adhesive Plasters	20	20	20	40
Sterile Eye Pads (No. 16) (bandage attached)	2	2	2	4
Individually Wrapped Triangular Bandages	2	2	6	6
Safety Pins	6	6	6	6
Individually Wrapped Sterile Unmedicated	1	2	2	4

Wound Dressings Medium (No. 8) (10 x 8cm's)				
Individually Wrapped Sterile Unmedicated Wound Dressings Large (No. 9) (13 x 9cm's)	1	2	6	8
Individually Wrapped Sterile Unmedicated Wound Dressings Extra Large (No. 3) (28 x 17.5cm's)	1	2	3	4
Individually Wrapped Disinfectant Wipes	10	10	20	40
Paramedic Shears	1	1	1	1
Examination Gloves Pairs	3	5	10	10
Sterile water where there is no clear running water*2	2x20mls	1x500mls	2x500mls	2x500mls
Pocket Face Mask	1	1	1	1
Water Based Burns Dressing Small (10x10cm's)*3	1	1	1	1
Water Based Burns Dressing Large*3	1	1	1	1
Crepe Bandage (7cm )	1	1	2	3

### Notes

\*1: Where more than 50 persons are employed, pro-rata provision should be made.

\*2: Where mains tap water is not readily available for eye irrigation, sterile water or sterile normal saline (0.9%) in sealed disposable containers should be provided. Each container should hold at least 20ml and should be discarded once the seal is broken. Eye bath/eye cups/refillable containers should not be used for eye irrigation due to risk of cross infection. The container should be CE marked.

\*3: Where mains tap water is not readily available for cooling burnt area.

The ESB may examine these facilities during safety audits.

## 9. Contractors Insurance

All Contractors must have the following minimum insurance cover unless specifically modified by the Terms of Contract. Certificates detailing the Contractor's insurance cover must be made available by the Contractor for examination.

Type of Insurance	Requirement	Limit of Indemnity (minimum)
Employer liability insurance	Mandatory	€12,700,000
Public / Products liability insurance	Mandatory	€6,350,000 each and every claim – unlimited in the period of insurance except for products liability which may be in the aggregate
Motor insurance as required under the Road Traffic Act for any motor vehicles brought on to ESB property, with a <i>Working Risk Extension</i> to cover claims resulting from injury/damage caused while the vehicle is in use; e.g. a JCB, crane.	Mandatory	€1 million property damage Unlimited personal injury
Contractor's All Risks where "new works" are involved (e.g. a new building).	Where appropriate	Maximum loss value of new works.
Engineering insurance for the use of specialised equipment where this is not already covered by the Contractor's Public and Employer Liability insurance	Where appropriate	€5 million

