

# Chapter 5

## Working with Suppliers

Whenever your organisation contracts out the performance of ESM activities, it must make sure that the supplier is competent to do the work and can put these fundamentals (including this one) into practice. It must check that they do put them into practice.

### 5.1 Guidance from volume 1

A supplier is anyone who supplies your organisation with goods or services. You can share safety responsibilities with your suppliers but you can never transfer them completely.

This fundamental is needed to make sure that the other fundamentals do not get lost in contractual relationships. Your organisation will set specific requirements from these fundamentals, which are relevant to the work being done, before passing the requirements on to the supplier. You do not have to pass them on by writing them into the contract, though this is normally a good idea.

### 5.2 Background

This chapter is concerned with the situation where safety-related tasks are contracted out to another organisation. It is not concerned with contract personnel who work under your organisation's supervision (chapter 4 is relevant to that case).

Contracting out a safety-related task does not relieve your organisation of all responsibilities for that task. It is your responsibility to make sure that the supplier is competent to do the work. This responsibility is made clear in the Engineering Council's 'Guidelines on Risk Issues' [F.3] and is a legal duty in some circumstances. See volume 1 for further details.

The contractor should also be required to adopt good ESM practice and they should be monitored to ensure that they do.

Your organisation should also inform the supplier about hazards, risks and safety requirements which are relevant to their work. This obligation is considered further in the next section.

This chapter is written for:

- senior management or Project Managers, who are considering contracting other organisations to perform safety-related work.

### 5.3 Assessing suppliers

In the language of the '*Construction (Design and Management) Regulations 1994*', a supplier assessment should be 'proportional and appropriate' to the risks involved in the work. It need not be extensive where the requirements are straightforward but it should be written down and put on file.

Criteria should be set for the capabilities that a supplier should have to perform the tasks satisfactorily. Typically these will include requirements that the supplier has:

- a suitable organisation with competent personnel;
- the necessary equipment which is properly maintained;
- a suitable health and safety policy appropriate to the work;
- an ability and commitment to undertake suitable and sufficient risk assessments;
- an effective Engineering Safety Management System to control the risks identified;
- the competence to deliver the contract.

Evidence should then be collected that the supplier meets these criteria. The following evidence may be required:

- a pre-tender safety plan;
- responses to a questionnaire;
- a copy of their safety policy and procedures;
- details of their accident and incident records;
- training records;
- CVs for the staff who will be performing the work;
- QA procedures;
- project review and monitoring documents;
- details of previous experience;
- references from other customers.

For complex tenders, a pre-selection procedure might be appropriate, with a detailed assessment of those who are short-listed.

Where your business involves contracting out the same sort of work repeatedly, it may save time to have a list of pre-assessed approved suppliers. If this is done, the list of approved suppliers should detail the type of work that each supplier has been approved for.

The safety performance of suppliers should be recorded and taken into account if the supplier bids for further, safety-related work.

### 5.4 Specifying and monitoring work

You should produce written specifications of all safety-related work to be done by suppliers and check that the suppliers meet these specifications.

For simple requirements it may be sufficient to directly inspect the work being done or the deliverables being produced. Additional deliverables may also be specified such as audit and assessment reports, which may be used to check compliance. In other cases a direct audit or assessment of the work may be needed, either by your organisation, or by contracting a third party to do this. If a direct audit or assessment is required, then the necessary access to the supplier's information, people and premises should be specified in the contract.

You should check that the supplier acts on the findings of any inspection or audit.

## **5.5 Related guidance**

Chapter 4 provides guidance on assessing the competence of contract personnel who work under your supervision.

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