



Highways England Company Limited

Scope

Health and Safety

Annex 15

LIST OF CONTENTS

1	HEALTH AND SAFETY	3
1.1	General Requirements	3
1.2	Management of Health and Safety	3
1.3	<i>Consultant's</i> occupational health management system	3
1.4	Not Used.....	4
1.5	Health and safety culture and communication	4
1.6	Health and safety exchange of information	4
1.7	Health and safety resources.....	4
1.8	Health & safety competence of <i>Consultant's</i> employees	5
1.9	Not Used.....	5
1.10	Incident Reporting and Investigation	5
1.11	Not used	7
1.12	Health and Safety Management Audit.....	7
1.13	Not used	7
1.14	Medical Fitness.....	7
1.15	Health Assessment and Control.....	7
1.16	Alcohol and Substance Abuse.....	7
1.17	Not used	8
1.18	Not used	8
1.19	Not used	8
1.20	Not used	8
1.21	Not used	8
1.22	Not used	8
1.23	Not Used.....	8
1.24	Safe Home and Well Initiative	8

1 HEALTH AND SAFETY	
1.1 General Requirements	
1.1.1	The <i>Consultant</i> complies with the <i>Client's</i> Health and Safety Policy (see link in Annex 02).
1.1.2	The <i>Consultant</i> complies with and operates according to all relevant and prevailing health and safety considerations, guidance, best practice and legislation.
1.2 Management of Health and Safety	
1.2.1	<p>The <i>Consultant</i>:</p> <ul style="list-style-type: none"> • operates a formal health and safety management system which complies to OHSAS18001:2007 or ISO45001:2018, or another approved standard accepted by the <i>Client</i>. • implements the health and safety management system by the Start date of the Contract. • Demonstrates or gains certification to ISO45001:2018 or OHSAS18001:2007, by a third party accreditation body (accredited by UKAS or another body recognised by Highways England) by the first anniversary of the Contract Date, unless otherwise instructed by the <i>Client</i>.
1.2.3	The <i>Consultant</i> interfaces and aligns its health and safety management system with the <i>Client's</i> Health and Safety Management System and the associated policies and procedures.
1.3 Consultant's occupational health management system	
1.3.2	<p>If, in the opinion of the <i>Client</i>, the <i>Consultant</i> is providing the <i>service</i> in an unsatisfactory manner or commits a breach in:</p> <ul style="list-style-type: none"> • any prevailing legislation or, • the <i>Consultant's</i> health and safety management system or, • a subcontractor's health and safety management system or, • the <i>Client's</i> Health and Safety Management System, <p>the <i>Client</i> notifies the <i>Consultant</i> using a H&S breach notification.</p>
1.3.3	The H&S breach notification provided by the <i>Client</i> to the <i>Consultant</i> provides reasons for highlighting the breach and details the steps required of the <i>Consultant</i> to rectify the breach, and a date for rectifying.

1.3.4	Where the <i>Consultant</i> has been given a H&S breach notification the <i>Consultant</i> rectifies the breach by the date specified by the <i>Client</i> . The <i>Consultant</i> corrects other breaches that are not notified by the <i>Client</i> .
1.4 Not Used	
1.5 Health and safety culture and communication	
1.5.1	<p>The <i>Consultant</i></p> <ul style="list-style-type: none"> • operates behavioural safety improvement schemes; • establishes and operates delivers health and safety employee consultation arrangements to its employees in accordance with applicable prevailing health and safety legislation and • provides relevant health and safety training, including induction, to staff and visitors to ensure compliance with prevailing health and safety legislation and approved codes of practice.
1.6 Health and safety exchange of information	
1.6.1	The <i>Client</i> provides information to the <i>Consultant</i> to enable the <i>service</i> to be performed in a safe and legally compliant manner.
1.6.2	The <i>Consultant</i> familiarises itself with of the <i>Client's</i> health and safety policies, procedures, and guidance notes as listed in Annex 02 .
1.6.3	The <i>Consultant</i> provides information in a frequency and format specified by the <i>Client</i> .
1.6.4	The <i>Consultant</i> immediately brings to the attention of the <i>Client</i> any issue or potential issue that may have a detrimental impact on the health and safety of any stakeholders.
1.7 Health and safety resources	
1.7.1	The <i>Consultant</i> retains sufficient competent health and safety resource as part of its management structure.
1.7.2	<p>The minimum requirements for the <i>Consultant's</i> health and safety resources are conforming to at least 2 of the below;</p> <ul style="list-style-type: none"> • membership of The Institution of Occupational Safety and Health (IOSH); • qualified to National Examination Board in Occupational Safety and Health (NEBOSH) Construction Certificate (or higher);

	<ul style="list-style-type: none"> • a minimum of two years' relevant health and safety experience and • a demonstrable working knowledge of prevailing health and safety legislation, guidance and approved codes of practice relevant to the <i>service</i>.
1.8 Health & safety competence of <i>Consultant's</i> employees	
1.8.1	The <i>Consultant</i> ensures its employees are competent to Provide the Service.
1.8.2	Upon request the <i>Consultant</i> provides the <i>Client</i> with information about the <i>Consultant's</i> arrangements for assuring employee competence.
1.8.3	Upon request the <i>Consultant</i> provides the <i>Client</i> with employee training records.
1.8.4	Before commencement of the <i>service</i> the <i>Consultant</i> provides the <i>Client</i> with a signed statement to confirm that all the <i>Consultant's</i> employees are competent to undertake the roles they are assigned to deliver the <i>service</i> . The <i>Consultant</i> provides further signed statements to the <i>Client</i> when any new <i>Consultant</i> employees are appointed or assigned to deliver the <i>service</i> .
1.8.5	For roles where no suitable recognised competence standards exist, the <i>Consultant</i> provides information on the selection criteria and method used to provide assurance of competence.
1.9 Not Used	
1.10 Incident Reporting and Investigation	
1.10.1	The <i>Consultant</i> complies with the <i>Client's</i> Interim Advice Note 128/15C Highways England Supply Chain Health and Safety Incident Reporting ("IAN 128") or its later update or replacement, including any time periods required by IAN 128. If no time period is specified in IAN 128 the <i>period of reply</i> applies unless agreed otherwise by the <i>Client</i> .
1.10.2	The <i>Consultant</i> complies with <i>Client's</i> Chief Highway Engineer's Memorandum 415/18 Incident Reporting Standard ("CHE 415") or its later update or replacement, including any time periods required by CHE 415. If no time period is specified in CHE 415 the <i>period of reply</i> applies unless agreed otherwise by the <i>Client</i> .
1.10.3	Following the notification of an incident, the <i>Consultant</i> , in line with the <i>Client's</i> standards, determines if a formal investigation is required, and if necessary follows the notification, investigation and reporting procedures as set out therein.

1.10.4	The <i>Consultant</i> undertakes investigations with a competent person who has relevant training, knowledge and experience in effective accident/incident investigation.
1.10.5	Nothing prevents the <i>Consultant</i> from carrying out its own investigation of an incident, and in such case, the <i>Consultant</i> provides a copy of its completed incident report to the <i>Client</i> .
1.10.6	<p>The incident report provides</p> <ul style="list-style-type: none"> • information on the circumstances surrounding the accident/ incident and any remedial measures to be taken in order to prevent a recurrence, and • relevant photographs and statements as an integral part of the report.
1.10.7	Where the <i>Consultant</i> is compiling a draft investigation report, the <i>Consultant</i> discusses the findings of the draft report with the <i>Client</i> prior to the production of the final draft of such a report.
1.10.8	The <i>Consultant</i> implements applicable recommendations arising from incident investigations.
1.10.9	The <i>Client</i> has the right to investigate any incidents wherever they may occur.
1.10.10	The <i>Consultant</i> provides the <i>Client</i> unrestricted access at all reasonable times to the facilities, equipment, materials, employees and records of the <i>Consultant</i> or the subcontractor for this purpose (subject to any statutory or contractual obligation prohibiting this access).
1.10.11	<p>The <i>Consultant</i> provides a copy all documents related to an incident to the <i>Client</i>. Any document that would otherwise fall to be disclosed by the <i>Consultant</i> to the <i>Client</i> may be withheld by the <i>Consultant</i> provided the <i>Consultant's</i> legal advisor confirms to the <i>Client</i> that the document is:</p> <ul style="list-style-type: none"> • a confidential communication between the <i>Consultant</i> and its legal advisor for the purposes of seeking or giving legal advice that the legal advisors would normal expect to be given legal privilege in the normal course of its business with the <i>Consultant</i>, or • a confidential communication between the <i>Consultant</i> or its legal advisers and third party where the communication came into existence with the dominant purpose of being used in connection with contemplated, pending or actual litigation in adversarial proceedings (as opposed to investigations or fact finding inquiries).
1.10.12	The <i>Consultant</i> ensures that all subcontracts (at any stage of remoteness from the <i>Client</i>) contain requirements similar to subparagraphs 1 and 11 above.

1.11 Not used	
1.12 Health and Safety Management Audit	
1.12.1	The <i>Consultant</i> allows the <i>Client</i> or its representatives unrestricted access at all contracted hours to the premises, equipment, materials, employees and records of the <i>Consultant</i> and any subcontractors (unless a statutory or contractual obligation prohibits the disclosure of any such records) to audit any or all of the <i>Consultant's</i> health and safety management systems. The <i>Consultant</i> includes, in all subcontracts, the rights of access for the <i>Client</i> .
1.12.2	The <i>Consultant</i> implements all recommendations from such audits agreed by the <i>Client</i> within a timescale mutually agreed between the <i>Client</i> and the <i>Consultant</i> .
1.13 Not used	
1.14 Medical Fitness	
1.14.1	The <i>Consultant</i> advises the <i>Client</i> of any known medical disability or condition of any <i>Consultant</i> employees, or subcontractor's employees, or employees of any other related party, which must be risk assessed and effective controls in place to ensure their own health safety and the health and safety of others in relation to the delivery of this Contract.
1.14.2	When requested by the <i>Client</i> , the <i>Consultant</i> provides such records and other evidence as may be reasonably required by the <i>Client</i> to demonstrate compliance with the above requirement.
1.15 Health Assessment and Control	
1.15.1	The <i>Consultant</i> ensures that its employees are provided with such health surveillance as appropriate, having regard to the risks to their health and safety which are identified by a risk assessment and in accordance with prevailing health and safety and other relevant legislation.
1.15.2	The <i>Consultant</i> makes wellbeing services available to its employees and supply chain in line with, but not exhaustive of, the <i>Client's</i> instructions.
1.15.3	The <i>Consultant</i> monitors and records working days lost due to illness and stress-related conditions, and introduces management systems for minimising ill health. This data is supplied on request to the <i>Client</i> .
1.16 Alcohol and Substance Abuse	
1.16.1	The <i>Consultant</i> ensures its employees, whilst engaged in the performance of the <i>service</i> , are not at any time in possession of, do not take, have not taken, and are not under the influence of any intoxicating substance ('Prohibited

	Substance'). This requirement does not apply where the <i>Consultant's</i> employees possess a Prohibited Substance for bona fide medical reasons, for which the <i>Consultant</i> has obtained the prior written approval of the <i>Client</i> for such <i>Consultant</i> employees to be engaged in the performance of the <i>service</i> .
1.16.2	The <i>Consultant</i> notifies the <i>Client</i> of any its employees who are undergoing a voluntary detoxification/rehabilitation programme whereupon the <i>Client</i> has the right to prevent such <i>Consultant's</i> employees from Providing the Service.
1.16.3	Where the <i>Client</i> is of the opinion that any of the <i>Consultant</i> employees employed may be in possession of, have taken, or are under the influence of any Prohibited Substance while providing the <i>service</i> , the <i>Client</i> has the right to carry out, or insist that the <i>Consultant</i> performs the following: <ul style="list-style-type: none"> • breath testing by breathalyser or urine testing by urinalysis as appropriate of such <i>Consultant</i> employees; • a search of personal possessions/ work area of such <i>Consultant</i> employees for evidence of a prohibited substance.
1.17	Not used
1.18	Not used
1.19	Not used
1.20	Not used
1.21	Not used
1.22	Not used
1.23	Not Used
1.24	Safe Home and Well Initiative
1.24.1	The <i>Consultant</i> commits and contributes to the <i>Client's</i> Home Safe and Well (Annex 02) initiative and considers where a positive difference can be added to ensure everyone is able to return home safe and well every day. The <i>Consultant</i> : <ul style="list-style-type: none"> • considers how their role in connecting the country can really make a difference and embed safety as the first imperative across all areas of responsibility, • recognises the behaviours that enable the culture change required to achieve our vision and deliver the objectives of the organisation, • engages and collaborates as appropriate with the wider business, supply chain and other stakeholders to promote health, safety and

	<p>wellbeing, recognising behaviours that bring “Home Safe and Well” to life, and</p> <ul style="list-style-type: none">• is responsible and accountable for the health, safety and wellbeing of those employed by the <i>Consultant</i> and those the <i>Consultant</i> works with.
--	--