

# Ports of Jersey

  

## Safety & Competence Management of Contractors

**Code of Practice**

**Issue 1**

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## Ports of Jersey Health & Safety policy statement

Ports of Jersey Ltd is committed to protecting the health, safety and welfare of its employees and to safeguard others, principally the public and our passengers who might be exposed to risks from any contractor work activity taking place on any site owned or administered by Ports of Jersey Ltd (PoJ). In order to do this, we will only allow safe contractors onto our sites who have the necessary skills and knowledge to carry out their work to the required standards, without risks to health and safety, and we will only authorise those who can demonstrate their competency to us through training and development.

A key organisational objective is the elimination of all injuries, preventable illnesses, and business losses due to unplanned events throughout our managed operations and premises and the continual improvement of occupational health, safety and welfare management and performance across Ports of Jersey estate whether within a Harbour or Airport environment. For this reason, PoJ has the Health & Safety Directive **POJ-HSD-015 Contractor Management** in place together with this **Code of Practice** and an overarching **PoJ Health & Safety Policy**.

In addition to the managing the safety and competence of contractors, this Code of Practice sets out to promote our organisation-wide safety culture ethos and to monitor performance activities of those carrying out work on our estate. It will be subject to continuous review and improvement.

For Harbour-specific work involving contractors and sub-contractors, this document should be read in conjunction with the **PoJ Code of Practice for Safety in Docks and Outlying Harbours (Jersey) 2016**, as amended from time to time.

Marine Traders, Commercial Fishermen and Boatowners undertaking work in any Marine Leisure Boat Park should read this document in conjunction with the **PoJ Code of Practice for Boat Hoist Operations (COP2)**, **PoJ Code of Practice for Boat Lifting Operations (COP3)**, and **PoJ Code of Practice for Boat Park Operations (COP4)**.

For any work involving contractors and sub-contractors on Jersey Airport aerodrome, attention should be drawn to the specific requirements set out in this Code of Practice, together with the **PoJ Aviation Operational Management System (AOMS)**. Any work on any **Air Navigational Service** equipment site will be authorised, planned, and managed solely by PoJ Group Systems & Technical Services (GSTS) but the principals of this Code of Practice still apply.

## Scope

This document describes the procedure for all PoJ departments and occupiers who intend to use the services of a contractor or sub-contractor to engage in any work activity on Ports of Jersey Ltd (PoJ) owned or administered estate where one or more of the following criteria applies:

- A reasonably foreseeable risk of the work affecting the **Health, safety or welfare of others**
- A reasonably foreseeable risk of the work affecting **PoJ Operations**
- A reasonably foreseeable risk of the work affecting **PoJ Infrastructure**
- A reasonably foreseeable risk of the work adversely affecting the **Environment**
- The activity is classified as **Hazardous Work** (see pages 10-11)

## Legal basis

**The Health & Safety at Work (Jersey) Law 1989** states that all parties to a contract (both clients and contractors) have specific responsibilities which cannot be passed onto someone else:

- All employers are responsible for protecting people from harm caused by work activities; this includes the responsibility to members of the public, contractors and sub-contractors
- Employees and contractors have to take care not to endanger themselves or their colleagues or others affected by the work
- Employees have to co-operate with the employer on all health and safety matters and must not do anything that puts either themselves or others at risk
- Self-employed people must not put themselves or others in danger by their work activities
- Contractors have to comply with The Health & Safety at Work (Jersey) Law 1989, PoJ Codes of Practice, and other health and safety legislation. Co-operation and communication are vital to ensure all parties, employers, contractors from other organisations and sub-contractors can complete their work obligations in a safe manner

Therefore, there is a legal and moral requirement for all parties involved in contract work to adopt a systematic approach in dealing with the various health & safety aspects. These must:

- Assess all the risks, which may affect anyone in the working area, including the general public and neighbours
- Provide information, instruction, training and supervision to those involved
- Co-operate fully with other contractors and PoJ employees who may be sharing the working area
- Establish comprehensive emergency procedures

This document aligns with the guidelines set out by the **Health & Safety Executive (HSE) publication HSG159 Second Edition, 2011 'Managing Contractors – A guide for Employers'**.

## PoJ Occupiers

PoJ Occupiers within the context of this document are individual or commercial tenants, business partners, retailers, suppliers, operators, marine traders, and customers within PoJ estate. Some occupiers may have contractual agreements, tenancy agreements, service level agreements, or operator licences in place with PoJ.

Commercial tenants of PoJ Premises are directly responsible for contractor management under Article 6 of the Health & Safety at Work (Jersey) Law 1989. This Article requires that 'any person in control of premises or parts of premises which are used as a place of work by individuals other than their employees, for example contractors, must ensure that those areas are safe for those persons to work in'. Irrespective of this, as commercial tenants on PoJ estate are located within either the **red zone** or **green zone**, they must follow the procedures set out in this document.

## Who is a contractor?

A contractor is *'anyone who is brought in to work by Ports of Jersey or by a PoJ occupier that is not an employee'*. This also includes sub-contractors brought into work by appointed contractors. Within the Harbour & Airport environments, contractors are used for a wide variety of work including maintenance, repairs, construction, inspections, demolition, cleaning, security, IT and many other tasks. It is often the case that several different contract companies and other PoJ departments, each with their own work, are on site at any one time so careful consideration and pre-planning is required to manage both operational conflict and the effect of the work being carried out on others. In addition, contractors may be engaged to undertake hazardous activities. For this reason, it is essential that PoJ are made aware of planned work in advance. Emergency reactive work is the only permitted exception and will be authorised and managed on an individual case-by-case basis.

Marine Traders undertaking work within Marinas and Boat Parks are expected to comply with this CoP, as must individual boatowners and commercial fishermen who are undertaking any hazardous activities within these red zone areas.

## Who is exempt from this Code of Practice?

If SoJ Departments (Jersey Met etc.) or Utility companies (i.e. Electricity, Water, Telecoms providers) intend to carry out routine maintenance work on their own infrastructure located within PoJ estate are not considered to be contractors as they have not been brought in to work by either PoJ or PoJ Occupiers. Therefore, activities of this nature are excluded from this Code of Practice. However, PoJ Property must be notified in advance of any such works using the **PoJ Advanced Notification of Works** form. Completed forms together with accompanying documents should be forwarded to [property@ports.je](mailto:property@ports.je).

For Major Construction projects on PoJ estate which are led by the PoJ Infrastructure Department, where a Health & Safety Project Coordinator and Principal Contractor has been appointed, it may be the case that contractor appointment and management specific to that project is outside of the remit of this Code of Practice. This will only be applicable for construction projects lasting more than 30 working days or involve more than 500 person days, and by prior arrangement and approval with the PoJ Group Engineering Manager.

## Zones

For the purposes of this document, the Airport & Harbour land-based areas are divided into red zones and green zones. Please see **Appendix 1 – Harbour Zones**, & **Appendix 2 – Airport Zones**.

**Red zone:** Full compliance with this Code of Practice is mandatory. In addition to the maps below, red zones also include:

- Off-Airfield Air Navigation Services (ANS) sites
- Maritime Aids to Navigation sites
- The remainder of the aerodrome not shown on the map
- The Minquiers and Ecrehous areas under the control of PoJ
- Outlying Harbour areas under the control of PoJ

**Green zone:** This Code of Practice is not mandatory, but PoJ Property must be notified in advance of the work if it will, or is likely to affect any PoJ Infrastructure or PoJ Operations by emailing [property@ports.je](mailto:property@ports.je).

In addition to the maps below, green zones also include:

- The Aero Club building
- The Jubilee Grassland site

## Roles & Responsibilities

### PoJ Group Engineering

The **PoJ Group Engineering** Department have delegated responsibility from the Chief Executive Officer to for administering the contractor management procedure on Ports of Jersey estate.

- Contact PoJ Group Engineering on [engineeringhelpdesk@ports.je](mailto:engineeringhelpdesk@ports.je) or by phone on 01534 446222.

### PoJ Group Systems & Technical Services

From September 2018, access to any Air Navigation Sites (whether a PoJ employee or any other person external to the business) can only take place if that person is (i) a Trusted Contractor and has received a **PoJ Group Systems & Technical Services** (GSTS) induction, or (ii) is escorted by PoJ GSTS or a Trusted Manager.

- Contact PoJ Group Systems & Technical Services (GSTS) on [pojopsupport@ports.je](mailto:pojopsupport@ports.je) or by phone on 01534 446031.

PoJ GSTS have responsibility for planning, authorising, and managing all aspects of work and access to the following ANS sites:

- ILS sites
- Airfield Radio Site
- Airfield Radar
- ATCC Main Equipment Room
- ATCC Tower Sub-Equipment Room
- ATC-B Centre Equipment Room
- Airport Line Room
- North Comms Mast
- Les Platons Radar
- La Chasse Transmitter Hall
- Jersey West (JW) NDB
- DVOR / DME St Martin

### PoJ Marine Leisure

The Marine Leisure Centre manage the daily work activities taking place within the Boat Parks and Marinas at St Helier Harbour – both of which are red zone areas.

### PoJ Port Operations

The Port Operations team manage the daily activities of the Commercial Ports, Offshore Reefs and Outlying Harbours, and oversee the activities of the St Helier Harbour-based Commercial Fishing fleet

## The Green Zone Process

PoJ departments and PoJ Occupiers intending to engage contractors to carry out work within a **Green Zone** must notify PoJ Property team on [property@ports.je](mailto:property@ports.je) at least **7 working days** in advance of the anticipated start date, where one or more of the following criteria applies:

- A reasonably foreseeable risk of the work affecting the **Health, safety or welfare of others**
- A reasonably foreseeable risk of the work affecting **PoJ Operations**
- A reasonably foreseeable risk of the work affecting **PoJ Infrastructure**
- A reasonably foreseeable risk of the work adversely affecting the **Environment**
- The activity is classified as **Hazardous Work** (see pages 10-11)

If on receipt of a **Green Zone** notification, PoJ Property team deem that the contracted work should be escalated to a **Red Zone** level, they will notify PoJ Group Engineering accordingly. Thereafter, the **Red Zone** process will be applicable.

## The Red Zone Process

PoJ departments and PoJ Occupiers wishing to engage contractors to carry out work within a **Red Zone** where one or more of the following criteria applies:

- A reasonably foreseeable risk of the work affecting the **Health, safety or welfare of others**
- A reasonably foreseeable risk of the work affecting **PoJ Operations**
- A reasonably foreseeable risk of the work affecting **PoJ Infrastructure**
- A reasonably foreseeable risk of the work adversely affecting the **Environment**
- The activity is classified as **Hazardous Work** (see pages 10-11)

...must ensure that:

1. The PoJ Department or Occupier has nominated an **Employee** from their team to **Sponsor the Work**. (In the case of Marine Traders, the Sponsor can be the person carrying out the work)
2. Contractors are approved **PoJ Authorised Contractors**
3. Contractors submit **Employee and Public liability insurance** documents which are valid for the course of their contract
4. Contractors submit their **Health & Safety Safe System of Work**, which must include **Risk Assessments** and **Method Statements** specific for the work being undertaken for all the activities they are likely to be doing during the course of their contract

Each new task will require new job specific Risk Assessments & Method Statements (RAMS) unless the work can be sufficiently managed with approved **Generic RAMS** – for example, reoccurring maintenance works or service visits.

The nominated **PoJ or Occupier Sponsor** must submit this information to PoJ Group Engineering for review and final approval before any work is allowed to proceed. PoJ Group Engineering will make every effort to process applications within the timescales below.

For non-hazardous activities - and with the exception of emergency reactive or urgent works - PoJ Group Engineering must receive this information **at least 3 working days** in advance of any planned start date.

If the contractor is not an approved PoJ Authorised Contractor, the nominated **PoJ or Occupier Sponsor** must allow **at least 7 working days** in advance of the planned start date. If the work involves hazardous activities or is likely to generate airborne dust within a PoJ building, the nominated **PoJ or Business Partner Sponsor** must allow **at least 7 working days** in advance of the planned start date.

Failure to carry out these actions will result in delays to the contractor(s) and client.

For arranging contractors to carry out urgent work during normal working hours, contact PoJ Group Engineering on [engineeringhelpdesk@ports.je](mailto:engineeringhelpdesk@ports.je) or by phone on 01534 446222. For arranging contractors to carry out urgent work outside of normal working hours, please contact the on-call PoJ Duty Engineer on 07797 738582.

### Becoming a PoJ Authorised Contractor

PoJ Group Engineering can quickly advise the **nominated PoJ or Occupier Sponsor** whether a potential contractor is already a PoJ Authorised Contractor. If they are unauthorised, then a **PoJ Authorised Contractor Application** form can be downloaded from [www.ports.je](http://www.ports.je). Completed forms together with accompanying documents should be forwarded to [engineeringhelpdesk@ports.je](mailto:engineeringhelpdesk@ports.je). A copy of the PoJ Authorised Contractor Application Form is attached to this Code of Practice in Appendix 2.

When becoming a PoJ Authorised Contractor, individuals and organisations agree to have their personal information including emergency contact details stored on a PoJ database for the duration of the period of work activity in accordance with the **Data Protection (Jersey) Law 2018**.

In most cases, PoJ Authorised Contractors will retain that status until their submitted **Employee and Public liability insurance** documents expire.

### Contractor Site Safety Induction

Once approved by PoJ Group Engineering, contractors and sub-contractors will be invited to attend a **PoJ Safety Site Induction** at either of the following locations during weekdays from 0900 to 1600:

1. **PoJ Group Engineering (Airport)** - Unit 1, Cargo Centre, Jersey Airport, St Peter, Jersey.

2. **PoJ Group Engineering (Harbour)** - Unit 8 & 9 Marine Leisure Business Park, La Collette, St Helier, Jersey
3. **PoJ Group Systems & Technical Services (GSTS Airport)** – Jersey Airport, Control Tower Building, St Peter, Jersey.

During the induction, contractors may be requested to answer a few questions on the type of work they will be carrying out and the tools and equipment they intend to use or bring to site. In addition, they may be required to provide evidence of their training or competency for the type of work they will be carrying out.

On completion, the contractor or sub-contractor will be expected to complete the personal details and sign the PoJ Safety Induction record. PoJ will retain the original copy of this record for the duration of the work activity in accordance with the **Data Protection (Jersey) Law 2018**.

Contractors that have already received site inductions within the previous 12 months by PoJ Group Engineering may not need to carry out further inductions. This will be confirmed with the **nominated PoJ or Occupier Sponsor** during the application process.

For emergency works out of normal working hours, the PoJ Duty Engineering Manager or Duty GSTS Manager will conduct the Contractor induction.

### PoJ Security Identification & Vehicle Passes

It is the responsibility of the **nominated PoJ or Occupier Sponsor** appointing contractors and sub-contractors to ensure that all contractors and vehicles working on PoJ Estate are issued with the appropriate valid PoJ Security Identification passes. Individual passes are issued on **ID Gateway** for specific locations by authorised PoJ employees and selected Airport business partners. Please be advised that completed ID passes require third party approval before it can be issued which may take up to **24 hours**. Contractors must not attempt to enter or carry out work outside the areas that they are authorised to be in. For further guidance, please refer to [www.ports.je](http://www.ports.je)

PoJ Group Engineering are responsible for issuing temporary airside vehicle passes for the period of the work. These may be issued during the site safety induction and contractors must return all vehicle and individual ID passes to PoJ Group Engineering at the end of the work or when the ID pass has expired.

All vehicles issued with a temporary PoJ Airside Vehicle pass must have an airside escort by the **Airport Rescue & Fire Fighting Service (ARFFS)** from the point of entering and Airside Checkpoint. This requires 24 hours' notice in advance and responsibility for arranging the escort remains with the nominated **PoJ or Occupier Sponsor**.

PoJ Vehicle passes are not required for any of the PoJ estate at the Harbour, but the driver must be in possession of a valid individual PoJ Harbour pass if he/she is a contractor or sub-contractor.

## Contractor Registration

It is a mandatory requirement that PoJ is aware of the location of all contractors and sub-contractors that are working for their own departments and those of business partners. In the event of an emergency, security incident, fire evacuation or any other event, key PoJ employees need to know the number and location of contractors working on our sites, buildings and infrastructure to pass onto emergency services.

For this reason, either the contractors or their **nominated PoJ** or **Occupier Sponsor** must notify PoJ Group Engineering before accessing any PoJ location by phone on 01534 446222, or by presenting themselves in person by prior arrangement at one of the three locations listed below:

1. **PoJ Group Engineering (Airport)** - Unit 1, Cargo Centre, Jersey Airport, St Peter, Jersey.
2. **PoJ Group Engineering (Harbour)** - Unit 8 & 9 Marine Leisure Business Park, La Collette, St Helier, Jersey
3. **PoJ Group Systems & Technical Services (GSTS Airport)** – Jersey Airport, Control Tower Building, St Peter, Jersey.

Contractors must not proceed with any works or access work areas until this requirement is carried out. On completion of works, contractors must notify PoJ Group Engineering in the same manner.

If works or access have been arranged outside of normal working hours (0900 to 1600) by prior notice, then the on-call PoJ Duty Engineer can be contacted on 07797 738582.

## Hazardous Work

PoJ operates comprehensive **Permit to Work (PTW)** systems to manage as safely as is reasonably practicable, hazardous work carried out by employees, business partners and contractors.

Hazardous activities are:

- **Hot Works** (i.e. any work involving welding, cutting, grinding, using fire or spark-producing tools)
- **Working at Height** (i.e. any work on roofs, scaffolding, masts, towers, aids to navigation)
- Working in **Confined Spaces**
- Disturbance or removal of **Asbestos**
- **Excavation**
- Work near sources of **ionising and non-ionising radiation**
- Work on or near Pressurised **Gas** distribution mains or consumer piping
- Work on or near **Pressurised systems** and **Compressed gas cylinders**
- Work on or near **Chemical, Fuel or Refrigerant lines**
- Work near / or requiring isolation of **Energised Electrical installations** or **services**
- Work in an area that may have a **Contaminated** or **Flammable atmosphere**
- **Lifting operations** using cranes
- **Lifting operations** on the aerodrome

- Work in, over or adjacent to **Water**, or another liquid, where there is a risk of drowning
- **Diving** operations
- Work in an area where there are artificial extremes of **Temperature**
- Work taking place on or adjacent to **Roadways** used by road traffic
- Construction work using **Pre-cast concrete or Pre-fabricated structural elements**
- Work involving **Mobile or Fixed plant** that is capable of movement through the action of motors or engines
- Working in contact with raw **Sewage**

Although not Hazardous in nature, any **airborne-dust generating work** planned to take place within a PoJ building must have a PoJ Permit to Work to isolate a proportion or the entire fire detection system - **Very Early Smoke Detection Alarm Systems (VESDAS)** - for that building.

### Personal Protective Equipment (PPE)

PoJ consider the use of PPE as the last line of defence against health and safety hazards. Therefore, PPE should only be relied upon to control any residual risk.

Contractors must have the correct PPE when working on PoJ estate. This will have been pre-determined within the RAMS supplied by the **nominated PoJ** or **Occupier Sponsor** in advance of the works, and if issued – within the **PTW**. Certain areas within PoJ estate such as Restricted Zones (RZs) and Quaysides have specific designated PPE requirements. These requirements will be clearly displayed with appropriate signage at entrances to relevant areas and must be complied with by all persons.

The PPE must be compliant with the standards set out within the **Health & Safety at Work (Construction) (Personal Protective Equipment) (Jersey) Regulations 2002**, and must be provided to all those who may be affected, not just the operator for example.

It is a requirement for contractors to have received information, training and instruction on PPE in advance of the works on PoJ estate from their employer in accordance with the **Health & Safety at Work (Construction) (Personal Protective Equipment) (Jersey) Regulations 2002**.

### Control of Substances Hazardous to Health (COSHH)

COSHH aims to protect the health and safety of all people who may be exposed to hazardous substances in the workplace. Therefore, it is critical that any work undertaken by contractors involving the use of, or in the presence of chemicals or any other hazardous substances is identified within the Risk Assessment supplied to PoJ Group Engineering by the **nominated PoJ** or **Occupier Sponsor** in advance of the work. The presence of asbestos on sites within the PoJ estate is recognised and well managed in accordance with the

## **Management of Exposure to Asbestos in Workplace Buildings and Structures – Health & Safety at Work (Jersey) Law 1989.**

### Incident Reporting & Emergency Procedures

Contractors and sub-contractors working on PoJ estate must immediately report all **Incidents, Dangerous Occurrences**, and **Near Misses** to PoJ Group Engineering 01534 446222 during normal working hours, or to the on-call PoJ Duty Engineer on 07797 738582 outside of normal working hours. Contractors must then notify their **nominated PoJ** or **Occupier Sponsor** if they are not in the immediate vicinity.

Emergency procedures and notifications are included within the pre-work PoJ safety site induction for contractors.

### Reviewing the Work

Although contractors are responsible for supervising their own work and for ensuring that they work safely, the **nominated PoJ** or **Occupier Sponsor** has responsibility for ensuring that the work has been completed to a satisfactory standard and condition, and that the terms within the PoJ PTW (if issued) have been carried out in full.

On completion of the work, it is especially important for continuous improvement purposes that PoJ Group Engineering are advised in writing of the following:

- the effectiveness of the pre-work planning
- whether hazard identification and Risk Assessments were adequate
- the performance of the contractor
- whether the work carried out in full and as agreed
- any health and safety problems identified
- any action was taken against the contractor during the work
- any further work that needs to be carried out (i.e. testing)
- whether any plant or asset records, including drawings and Operation and Maintenance Manuals (O&Ms) need to be modified

PoJ Group Engineering will use this information for evaluating quality, and for learning what went well and what didn't so the lessons may be applied next time.

### Failure to comply with this Code of Practice

Directly observed or reported occurrences of deficiencies, disregard for, or blatant failure of any person to comply with the applicable conditions and guidance contained within this Code of Practice may result in the following actions being taken against the person concerned:

- Cessation of works and immediate dismissal from the work site
- Suspension of an individual's security pass
- Removal of Company or individual from the PoJ Authorised Contractor list
- Investigation by PoJ, the Health & Safety Inspectorate or SoJ Police
- Legal action taken by PoJ legal representation

Appendix 1 - Harbour Zones



**The Harbour red zone also includes:**

- Aids to Navigation sites
- Radar & Comms sites
- Outlying Harbour areas under PoJ control
- Offshore reef areas under PoJ control

Appendix 2 - Airport Zones

