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**TITLE: CONTRACTOR POLICY AND SMOKING POLICY**

Committee: Regulatory & Support Services Committee

Date: 20 March 2017

Author: Open Spaces & Facilities Manager

[R226]

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1.0 ISSUE

1.1 To consider the Contractors Policy and Smoking at Work Policy.

2.0 RECOMMENDATION(S)

2.1 Members are requested to approve the:

- i) Contractors Policy as set out in Appendix 1, and
- ii) Smoking at Work Policy as set out in Appendix 2.

3.0 BACKGROUND/OPTIONS

3.1 The Health and Safety at Work Act 1974 places a duty on employers to 'provide and maintain a safe working environment which is, so far as is reasonably practical, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.'

3.2 The Council has a duty of care under the Health and Safety at Work etc. Act 1974 to its employees or others who may be put at risk by its premises or activities, including contractors undertaking work on its premises/sites.

3.3 In order to ensure that ECDC continues to comply with its duty of care and comply with good practice and guidance the smoking policy has been reviewed and updated to include a provision that prohibits the use of e-cigarettes.

3.4 This Smoking Policy will apply to all staff, Elected Members, visitors, contractors and other persons who enter any premises or vehicles used as workplaces by East Cambridgeshire District Council (ECDC). The legislation applies to all ECDC enclosed buildings, related areas and Council owned vehicles. ECDC premises and vehicles are designated as smoke free areas.

3.5 At present there is no contractor policy in place. The policy set out in Appendix 2 will provide all Service Managers and staff that appoint contractors with a clear framework and process as to how the Council manages the Health & Safety of contractors.

3.6 This contractor's policy will protect the Council from the potential financial and legal penalties for failing to plan and manage contractors work; poor management of contractors is likely to expose people and property to unacceptable risks. Almost certainly, poor planning and management will increase costs, cause delays and/or disruption of services as well as increase the likelihood of accidents or ill health.

#### 4.0 ARGUMENTS/CONCLUSIONS

4.1 In order to ensure compliance with the relevant Health & Safety legislation it is recommended that the Council adopt the policies referenced above.

#### 5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 There are no financial implications arising from this report other than officer time in preparing the policy documents.

5.2 Equality Impact Assessment (INRA) not required.

#### 6.0 APPENDICES

6.1 Appendix 1- Contractor Policy  
Appendix 2- Smoking at Work Policy

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| <u>Background Documents</u> | <u>Location</u>               | <u>Contact Officer</u>  |
|-----------------------------|-------------------------------|---|
| None                        | Room 021<br>The Grange<br>Ely | Spencer Clark<br>Open Spaces & Facilities manager<br>(01353) 616364<br>Email:spencer.clark@eastcambs.gov.uk |