

Permit to Work Policy

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Purpose

- 1.1 The aim of this policy is to describe the procedures to be implemented to ensure that all tasks that are required to be undertaken which are controlled by the use of a permit to work are managed effectively and appropriately to ensure the issue of the permit is completed in a formalised and standardised manner. This policy is also further to the Council's statutory duties under Health and Safety at Work etc. Act 1974, s.2 (duty to employees) and s.3 (duty to non-employees including contractors and residents), and Management of Health and Safety at Work Regulations 1999 as the legal basis for the permit-to-work system.
- 1.2 The permit to work documents are easily accessible for all contractors/stakeholders and are used and completed correctly and in line with this policy.
- 1.3 To ensure the safety elements of a building are left in good order and to maintain the safety of the building is in place. For example fire breaks in loft spaces are not damaged or compromised and any fire doors in loft spaces are left closed and secure. Fire safety examples (fire breaks, fire doors) are managed in accordance with the Regulatory Reform (Fire Safety) Order 2005 and, for multi-occupied residential buildings, the Fire Safety (England) Regulations 2022 (SI 2022/547)
- 1.4 This policy sets out the responsibilities and duty placed upon the contractor/stakeholder and the Council and any others utilising the permit to work policy.
- 1.5 The Council acknowledges that the effective issue and monitoring process for permits to work is key to ensure that the Council maintain and control, safe working functions for all staff, contractors and stakeholders so we can effectively manage and maintain our Housing assets. This is in accordance to the Council's duties as a landlord and housing provider, including compliance with the Fire Safety Act 2021 (which amended the Fire Safety Order to cover external walls and balconies) and Building Safety Act 2022 where applicable to housing assets
- 1.6 A permit to work must be obtained from the Council or the Council's Local Authority Trading Company before any works commence.
- 1.7 This policy applies to Council staff and contractors who have an interest in any works where a permit to work would be required.

Definition

- 2.1 A permit to work is a formal documented procedure that authorises certain people to carry out specific activities that pose a significant risk within a specified time frame. It outlines precautions required to complete the work safely, based on a risk assessment. It describes what work will be done and how it will be done; the latter can be detailed in a 'method statement'. The

permit to work requires declarations from the people authorising the work and carrying out the work. Where necessary it also requires a declaration from those involved in shift / team handover procedures or extensions to the work. This is further to HSE guidance HSG250 *Guidance on Permit-to-Work Systems*.

2.2 The permit to work document will contain information on work required to be done and the relevant precautions that will need to be adhered to.

2.3 Typical areas / work activities that should be covered by a permit include:

- Works affecting, requires access through or in close proximity to a buildings compartmentation fire break.
- Hot works (use of naked flames, abrasive cutting, electric arc welding, hot soldering)
- Confined spaces
- High Voltage electrical work
- Excavation works
- Demolition works
- Work on scaffold towers, mobile elevated working platforms (MEWPs)
- Work in isolated locations, or areas with difficult access or those at high levels.
- Work in the proximity of, or involving, explosives or highly flammable substances
- The permit-to-work system is designed to ensure compliance with all applicable statutory requirements, including but not limited to the Confined Spaces Regulations 1997, Work at Height Regulations 2005, Electricity at Work Regulations 1989, and Construction (Design and Management) Regulations 2015.

2.4 A permit to work should ensure that:

- Everyone involved is fully aware of the hazards involved with the work activity. It is essential that the Permit Authoriser has sufficient technical knowledge of all the processes to be used, and is competent to make judgements about the safety of proceeding with the work
- Permits must be linked to suitable and sufficient risk assessments under Regulation 3 of the Management of Health and Safety at Work Regulations 1999
- The location and boundaries of work are identified, where necessary, services are isolated or made physically safe and any other specific hazards are identified and made safe where possible or suitable controls put in place
- The person(s) in charge both of the area and the operation are identified, and that all the necessary signage is displayed in and around the area
- Any monitoring or sampling required before, during and after the operation is identified

Permit-to-Work Authorising Officers

- 3.1 The permit issuer is denoted as the authorising officer, this person and/or role has been appointed as they are classed as a competent person and have received or have a reasonable working knowledge of the work processes due to be carried out by the requestor.
- 3.2 A person defined as competent when that person has sufficient training and experience or knowledge as to enable them to assist in securing compliance, on the part of the employer, with the necessary safety legislation and maintenance procedures. The definition of "competent" aligns with Management of Health and Safety at Work Regulations 1999, reg. 7(5): *"A person is competent where they have sufficient training, experience, knowledge and other qualities to enable them to properly assist in undertaking the measures needed to comply with health and safety requirements"*.
- 3.3 The following staff are authorised to issue a relevant 'Permit-to-Work' on behalf of the Council and its local authority trading company:
- HRA Assets Lead
 - Surveyors
 - Operations Manager
 - Director of Property Services at the Local Authority Trading Company
- 3.4 Authorising officers must receive specific training on the permit-to-work system, relevant health and safety legislation, and the specific hazards associated with activities they are authorised to permit. Maintain records of competence evidence (qualifications, training, CPD).
- 3.5 The competent person will be provided with clear guidance on how the permit to work process works and will be responsible for the following:
- Validating, Issuing, denying, monitoring and closing permit to work applications Allocating every application with a unique serial number for ease of monitoring Discussing the work to be undertaken with stakeholders/Council officers so that the identification and confirmation of any hazards can be addressed ensuring the relevant control measures can be implemented and adhered to by the requestor
 - Explicit responsibility for ensuring permits specify any isolation requirements (electrical, gas, fire alarm systems) and that isolations are verified before work commences, in line with Electricity at Work Regulations 1989
 - Processing the application requests, approving or denying issuing relevant documentation to the requestor
 - Monitor the completion of the works to ensure compliance to any noted control measures has been adhered to
 - Recalling the contractor and/or raising rechargeable repairs in the event the permit to work controls have been breached
 - Inspecting the area of work to ensure all areas are still compliant in regard to fire safety elements of the structure.

Permit to work Requestor

- 3.6 The permit to work requestor must be able to demonstrate to the Council that they are fully competent to undertake the nature of works.
- 3.7 The requestor must agree, understand and adhere to any conditions imposed on them if their permit to work application is approved.
- 3.8 The requestor must ensure that a copy of the permit to work is available on site should inspection be requested.
- 3.9 The permit to work requestor will also be responsible for the following:
- Ensuring that all persons employed, contracted or being supervised by them working on the site have had the full scope of the permit to work scope of work and any conditions imposed fully explained to them as part of the site induction working practices.
 - The requestor must comply with all specific regulations applicable to the work (CDM 2015, Confined Spaces Regulations 1997, Work at Height Regulations 2005, Fire Safety Order 2005)
 - Ensuring all persons employed or contracted or being supervised by them working on the site hold the appropriate relevant qualifications to undertake the scope of work due to be completed.
 - Ensuring that their Risk Assessments are revised to ensure the control measures are considered and implemented
 - Ensuring that all persons employed, contracted or being supervised by them working on the site are trained to use any relevant specialist equipment
 - Ensuring the site is left clean and tidy at the end of each working day
 - Ensuring that any welfare and site compounds are left locked and secure preventing any resident or member of the public to access these areas
 - Ensuring that all persons employed, contracted or being supervised by them working on the site are working in accordance with all Health and Safety Legislation, to include Construction (Design and Management) Regulations 2015 (SI 2015/51)
- 3.10 The Council reserves the right to verify the competence of the permit requestor and all operatives through inspection of qualifications, certifications (e.g., CSCS cards, Gas Safe registration, NICEIC certificates), insurance documentation, and risk assessments prior to approving any permit. The requestor must hold valid public liability insurance of not less than £10 million and employers' liability insurance as required by the Employers' Liability (Compulsory Insurance) Act 1969

Exemptions - Planned Work

- 4.1 There are no exemptions to planned work for this policy.
- 4.2 Reactive emergency work or out-of-hours work must be undertaken in accordance with the Council's emergency procedures and, where reasonably

practicable, a permit to work must be obtained before commencement. Where immediate emergency work is unavoidable and a prior permit cannot be obtained, the work must be subject to a dynamic risk assessment, limited to the minimum necessary to make the situation safe, and comply with all applicable statutory requirements including the Confined Spaces Regulations 1997 and Electricity at Work Regulations 1989. A full permit-to-work retrospective review must be completed within 24 hours (48 hours if the emergency occurs on a weekend or bank holiday) to confirm that all statutory health and safety requirements were met during the emergency work

Planned Maintenance Works

- 5.1 If the maintenance inspections require construction and alteration works then a permit-to-work will be issued further to the to the CDM 2015, reg. 2 definition of construction work.
- 5.2 The Council's Operations Manager will carry out site audits annually with the contractors to ensure they meet working practises expected. Site audits should include checks on compliance with permit conditions and relevant statutory requirements (fire stopping reinstatement, working at height controls, confined spaces controls).
- 5.3 Each contractor will supply the following documentation, this is to be reviewed and updated annually:
 - Specification, detail and certification of any proposed fire stopping to cable or pipe penetrations
 - Process and method of working within loft spaces to ensure area is left compliant
 - Fire stopping specifications and certification comply with Building Regulations 2010, Approved Document B (Fire Safety) and any applicable third-party certification schemes (e.g., FIRAS-accredited installer)
- 5.4 Documentation of sites worked will be retained for a minimum of six years (or longer where Building Safety Act 2022 applies) and will be available on request, to include: date and time on site; operative carrying out the work; areas worked in; work carried out; photographic evidence of before and after.
- 5.5 Contractors are contractually liable for defects in their work in accordance with their appointment terms, and must report any defective areas in regard to loft spaces and fire breaks to the Council immediately.

Duration of Permits to work

- 6.1 The duration of the permit to work will be clearly shown on the permit to work notice.
- 6.2 One permit to work will be accepted for the duration of a project at one site, subject to regular review and revalidation for longer duration works,

particularly where risk profiles change. Separate permits will be required for each different working site

- 6.3 Any Permit to work that is for a duration over 24 hours requires authorisation from a senior member of staff, this list includes:
- HRA Assets Lead
 - Operations Manager
 - Surveyors
 - Director of Property Services at the Local Authority Trading Company
- 6.4 If work is to take longer than the dates advised due to any unforeseen circumstances, additional works, or weather implications, the contractor must apply for a new permit to work. The new permit application must include a fresh risk assessment and confirmation that control measures remain effective

Works in progress

- 7.1 The Council will designate an officer to act as the Clerk of Works to oversee the scope of works carried out by an external contractor to ensure the works are being completed in accordance with the agreed permit to work and all relevant statutory requirements (including CDM 2015, Work at Height Regulations 2005, Confined Spaces Regulations 1997, and Fire Safety Order 2005).
- 7.2 Works carried out by the Local Authority Trading Company will be overseen by the Council's Operations Manager who will manage the scope of works carried out to ensure the works are being completed in accordance to the agreed permit to work.
- 7.3 If the Council identifies any breaches during the scope of works being completed, the site will be shut down immediately and a written stop notice will be issued to the contractor detailing the breach and remedial action required.

Where a site is shut down under paragraph 7.3, the Council shall:

- (a) issue a written stop notice to the contractor detailing the breach and remedial action required;
- (b) assess whether the breach must be reported to the Health and Safety Executive under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR);
- (c) document the breach with photographic and written evidence; and
- (d) not permit recommencement of work until the breach is remedied to the satisfaction of the authorising officer and, where applicable, the HSE. The Council reserves all contractual rights including termination for material breach.

Signing off a permit to work

- 8.1 When the scope of work is completed then the requestor must inform the Council or the Council's Local Authority Trading Company so that the work can be post inspected and signed off.
- 8.2 The Council and the requestor must sign off the works and confirmation that any noted conditions have been fully met and works have been completed successfully in accordance to this.
- 8.3 A Council officer or the Local Authority Trading Company's Director of Property Services must attend site to inspect works and ensure the property is left compliant. A Council officer or the Local Authority Trading Company's Director of Property Services must attend site to inspect works and ensure the property is left compliant. For works affecting fire compartmentation, fire doors, or fire stopping, sign-off must include verification that: (a) all fire stopping is certified in accordance with Building Regulations 2010, Approved Document B; (b) fire doors are closed, self-closers are functioning, and intumescent/smoke seals are intact; (c) any temporary breaches of compartmentation are permanently sealed with certified fire-stopping materials; and (d) a fire risk assessment review is completed if works materially affect fire safety.
- 8.4 Failure to adhere to conditions set out in the permit to work application will result in the requestor being issued a written notice of non compliance which could result in a termination of contract and re-charges for any repairs. Re-charges for any repairs will be levied in accordance with the contractor's appointment terms and conditions.
- 8.5 Signed-off permits and associated inspection records, photographs, and certifications shall be retained by the Council in accordance with its records retention policy and, where applicable, the Building Safety Act 2022 'golden thread' requirements, for a minimum period of six years

Monitoring and Closing of Permit-to-Works

- 9.1 The Council's Operations Manager or the Local Authority Trading Company's Director for Property Services will be responsible for ensuring work is monitored at regular intervals and that the work is signed off with the Permit-to-Work closed. The Council's Operations Manager or the Local Authority Trading Company's Director for Property Services will be responsible for ensuring work is monitored at regular intervals, that periodic audits of the permit-to-work system are conducted (sampling permits, site inspections, documentation), and that the work is signed off with the Permit-to-Work closed.
- 9.2 Permit requestors must ensure that the work has been undertaken to an acceptable standard and the work area has been left in a suitable condition before notifying the Permit Authoriser to cancel the permit to work. If the work has not been completed (even after an extension of time endorsement), then

the Permit Requestor must suspend the work, and ensure that the workforce are withdrawn from the area prior to contacting the responsible officer from the Council or the Local Authority Trading Company. If the work has not been completed (even after an extension of time endorsement), then the Permit Requestor must suspend the work, ensure that the workforce are withdrawn from the area, ensure the area is left in a safe condition with any temporary safety arrangements (barriers, signage, temporary fire stopping) implemented, prior to contacting the responsible officer from the Council or the Local Authority Trading Company to cancel the permit to work.

- 9.3 The Council will take immediate action where unauthorised entry without a Permit to Work or an official exemption is discovered. This will include commissioning a survey to assess any damage to fire safety measures or building fabric. The cost of the survey and any necessary remedial works will be recharged to the contractor in accordance with the contractor's appointment terms and conditions. Where unauthorised works result in damage to fire safety measures, the Council will consider reporting the matter to the relevant enforcing authority under the Regulatory Reform (Fire Safety) Order 2005.

Change of Permit Requestor

- 10.1 If the Permit Requestor needs to hand over his/her responsibilities to another person, the work must be suspended immediately. The workforce must be withdrawn and the site left in a safe condition. The Permit Authoriser must be contacted to cancel the permit and decide on further action. If the Permit Requestor needs to hand over responsibilities to another person, the work must be suspended immediately. The workforce must be withdrawn and the site left in a safe condition. The Permit Authoriser must be contacted to cancel the permit, verify the competence of the new requestor, and decide on further action before any new permit is issued.

Emergency Procedures

- 11.1 Due to the increased risks involved in activities requiring a permit to work, it is essential that site-specific emergency procedures are in place that can adequately deal with the potential consequences if things go wrong. All involved in the activity must fully understand the emergency procedure and their responsibilities for implementing them. For emergency purposes, contact telephone numbers must be listed on the permit to work document.
- 11.2 For work in confined spaces, emergency rescue arrangements complying with the Confined Spaces Regulations 1997, regulation 5, must be in place before entry, including: identification of rescue equipment (harnesses, tripods, breathing apparatus); trained rescue personnel on standby; means of raising the alarm; and arrangements for summoning emergency services.
- 11.3 For hot works, emergency procedures must include: availability of suitable fire extinguishing equipment at the work location; a fire watch for at least one hour after work ceases; and evacuation procedures if required.

- 11.4 First aid provision must comply with the Health and Safety (First-Aid) Regulations 1981. For high-risk activities in isolated locations or confined spaces, a trained first aider must be present on site or immediately available.
- 11.5 In the event of any accident, injury, dangerous occurrence, or near miss, the incident must be reported to the Council's Health and Safety team immediately. The Council will determine whether notification to the Health and Safety Executive under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) is required.

Verification of contractors

- 12.1 Residents should be assured that contractors working on site have the permit to work by showing the permit when meeting residents to gain access or at the request of residents. Contractors must carry and display identification and evidence of authorisation (permit or reference to it) when meeting residents to gain access or at the request of residents.
- 12.2 If a resident suspects an individual or individuals or not genuine contractors with a permit to work, they should contact the Council Contact Centre to report any concerns. The Council will then investigate (in compliance with UK GDPR and Data Protection Act 2018 when handling personal data) and will update the resident on the action it is taking.

Complaints

- 13.1 If a requestor is not satisfied by the way in which their application has been dealt with, or in the way in which their work may be criticised, the requestor can submit a formal complaint which will be considered within 10 working days of receipt of the complaint with a response provided within 20 working days of receipt of the complaint.
- 13.2 If the requestor remains dissatisfied following the response under paragraph 12.1 they may escalate the matter to the Director of Housing. This procedure does not affect any legal rights or remedies available to the contractor under the contract or at law"

Equality, diversity, inclusion, and vulnerability (including most at risk groups)

- 14.1 An Equality Impact Assessment (EqIA) has been carried out to determine whether the policy would have an impact on any member of staff, tenants, or contractor workforce, which unfairly discriminates or disadvantages them in the context of the Equality Act 2010. The EqIA will be kept under review and updated if there are significant changes to the policy or evidence of differential impact on protected groups
- 14.2 The EqIA has identified that there are no particular groups who will be unlawfully disadvantaged by this policy, based on current evidence

Legislation

15.1 The following list is not exhaustive; however, the key legislative requirements relate to:

Health and Safety Legislation:

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999 (SI 1999/3242)
- Workplace (Health, Safety and Welfare) Regulations 1992 (SI 1992/3004)
- Provision and Use of Work Equipment Regulations 1998 (SI 1998/2306)
- Personal Protective Equipment at Work Regulations 1992 (SI 1992/2966)
- Confined Spaces Regulations 1997 (SI 1997/1713)
- Work at Height Regulations 2005 (SI 2005/735)
- Electricity at Work Regulations 1989 (SI 1989/635)
- Control of Substances Hazardous to Health Regulations 2002 (SI 2002/2677)
- Control of Asbestos Regulations 2012 (SI 2012/632)
- Reporting of Injuries, Diseases and Dangerous Occur

Construction and Building Regulations:

- Construction (Design and Management) Regulations 2015 (SI 2015/51)
- Building Regulations 2010 (as amended)
- Building Safety Act 2022

Fire Safety Legislation:

- Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541)
- Fire Safety Act 2021
- Fire Safety (England) Regulations 2022 (SI 2022/547)

Housing Legislation:

- Housing Act 2004 (Part 1: Housing Health and Safety Rating System)
- Landlord and Tenant Act 1985

Insurance and Employment:

- Employers' Liability (Compulsory Insurance) Act 1969
- Employers' Liability (Compulsory Insurance) Regulations 1998

15.2 This policy must be read in conjunction with the above legislation and any guidance issued by the Health and Safety Executive, Home Office (fire safety), Building Safety Regulator, or other relevant regulators. In the event of any conflict between this policy and statutory requirements, the statutory requirements shall prevail

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