

Legal Duties When Employing Contractors

A lack of control of contractors can and does lead to many accidents and injuries not only to contractors employees, but also the other flat owners, employees, tenants, residents and their visitors.

Accidents can result in civil claims for compensation and statutory proceedings against property owners and their managing agents..

The following information relates to those statutory provisions of particular relevance to the control of contracted out services including general building work.

Legal Duties

The legal situation is spelt out in the Health and Safety at Work etc Act 1974.

Section 3 requires employers (and the self employed) to ensure that:

- ◆ their activities do not endanger persons not in their employ, and
- ◆ information is given concerning potential health and safety hazards.

Section 4 places duties on occupiers and/or owners of premises to ensure that:

- ◆ the premises, plant and substances contained in them are safe and without risks to health, and
- ◆ reasonable measures are taken to provide safe access.

In short, you must ensure that your contractor is not at risk from working on your building and your contractor must ensure that you, the other flat owners, any employees, tenants, residents and visitors are not at risk from his activities.

Other more detailed legal requirements are contained in The Management of Health and Safety at Work Regulations 1999, The Occupiers Liability Act 1984 and the Workplace Regulations 1992.

Exclusively flats, it's our policy.

