
Phoenix Contractors, Suppliers and Service Providers Charter

For all Construction, Internal & External Work Contractors, Suppliers and Service Providers who wish to contract with Phoenix Community Housing.

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Phoenix Contractors, Suppliers and Service Providers Charter

1. Introduction

1.1 Phoenix Community Housing

At Phoenix Community Housing “how” we do things is as important as “what” we do.

Our core values are:

- Community
- Customer
- Consideration
- Collaboration

We want to ensure that we are focused on building our community, providing the best possible service to our residents, considering others and collaborating with our internal and external colleagues.

We want to make sure everyone who works with us or provides us with services upholds these values.

Our vision is:

"To work together to build a better future for our Phoenix community"

Any project that impacts on the physical environment should be assessed from an urban design perspective, and any contractor, supplier or service provider involved will be expected to work closely with us, to achieve this aim.

2. Statutory and Regulatory Context

2.1 Continuous Improvement and Innovation

The Regulator of Social Housing requires Phoenix to have a “comprehensive and strategic approach to achieving value for money”. Our Regulator requires us to manage resources economically, efficiently and effectively to provide quality services and homes, and planning for and delivering on-going improvements in value for money.

Phoenix has added equality, environmental impact and electronic service delivery to these measures of continuous improvement. The Regulator of Social Housing requires Phoenix to meet all relevant laws. Contractors, suppliers or service providers will take reasonable steps to co-operate with and assist Phoenix in fulfilling this duty, in particular to secure continuous improvement in the provision of works, supplies and services.

2.2 Social Value

The Public Services (Social Value) Act 2012 also known as the Social Value Act places a requirement on public bodies including housing associations to consider the following when procuring a service:

- How the proposed service to be procured might improve the economic, social and environmental well-being of the relevant area, and
- How, in conducting the process of procurement, it might act with a view to securing that improvement.

Phoenix will look wider than the straightforward cost benefit analysis of a service when coming to a decision on awarding contracts to contractors, suppliers or service providers. All contractors, suppliers or service providers must show how they will contribute to social value.

2.3 Value for Money

Phoenix Community Housing produces a Value for Money statement every year.

This statement sets out how we meet the Value for Money Standard set by The Regulator of Social Housing

2.4 Collusive Tendering

Contractors, suppliers or service providers must not collude with another in the pricing or submission of any tender. Contractors, suppliers or service providers will be requested to sign a Phoenix Community Housing Anti Collusion Certificate when submitting a tender. If such collusion is proven to the satisfaction of Phoenix, then the contractor, supplier or service provider concerned will be removed from the tender process and any contracts obtained by such methods may be determined by Phoenix.

2.5 Considerate Constructor Scheme (CCS)

All construction or refurbishment contracts/projects in excess of £100,000 or 6 weeks in duration must be registered with the Considerate Constructor Scheme (CCS) and all contractors working on these projects need to adhere to the rules of the scheme. (Guidance on CCS is shown on Appendix 1).

The registration must be undertaken by the principal contractor, who should detail on the CCS documentation the name and contact details of the Phoenix principal contact for each project.

The costs of the scheme must be paid by the contractor.

Contact details for the CCS can be found here: www.ccscheme.org.uk

2.6 Defects Liability and Liquidated Damages

Contractors, suppliers or service providers will be subject to defects liability and liquidated damages clauses in circumstances where Phoenix's Standing Orders so require.

For every construction related contract in which Phoenix could suffer loss if the contract works, supplies or services are not provided within the time specified, the contract shall provide for the payment of liquidated damages by the contractor to reflect the anticipated loss to the Association. The calculation of liquidated and ascertained damages shall be that described within the individual tender invitation.

2.7 Equalities Act

At Phoenix we aim to make sure that applicants, residents, staff, volunteers and other customers are treated fairly and are free from direct or indirect discrimination on any grounds. We also aim to tailor our services to meet current and future needs.

Contractors, suppliers or service providers must not treat any person less favourably than another because of his or her age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation in any recruitment, training, promotion, delivery of goods, and provision of services or undertaking of works.

All must follow best practice and comply with all equalities legislation as well as Phoenix's policies.

Contractors, suppliers and service providers will provide Phoenix with copies of their:

- a) Equalities Policy
- b) Instructions to those concerned with recruitment, promotion and training.
- c) Policies, procedures and other relevant documents available to employees, recognised trade unions or other representative groups of employees.
- d) Recruitment advertisements or other literature.
- e) Examples of organisation 'best practice'.
- f) Equality Impact assessments as well as how they are completed and followed up.

Details of Phoenix Community Housing Equality and Diversity Charter can be found here www.phoenixch.org.uk

2.8 Safeguarding

Phoenix requires all contractors, suppliers or service providers that have access to Phoenix premises and Phoenix communal areas where 'at risk' adults or children reside to adopt and follow Phoenix's policies and procedures in relation to the safeguarding of adults and children.

All contractors' suppliers and service providers must acknowledge that they have responsibilities regarding the safeguarding of 'at-risk' adults and children. Phoenix aims to promote & safeguard the welfare of its residents including children and young people and may require its contractors, suppliers and service providers to attend Phoenix Safeguarding Training.

2.9 Modern Slavery

The Modern Slavery Act 2015 requires large companies with a turnover of over £36m, which supply goods, or services, to publish information each financial year to reflect the steps taken to ensure there is no slavery or human trafficking in their business or supply chains.

2.10 Financial Viability

Phoenix Community Housing reserves the right to ask all contractors, suppliers or service providers to provide copies of audited accounts and where applicable, auditors and director's reports in order that financial viability may be assessed.

Contractors, suppliers and service providers will be subject to a periodical review of their financial situation and must satisfy Phoenix of their continuing financial capability to resource any prospective contracts.

Phoenix requires all contractors to register with Constructionline and to keep their registration up to date. Phoenix may suspend a contractor in the event that key documents such as insurance certificates, company accounts or health & safety policies are not up to date with Constructionline.

2.11 Fraud and Corruption

Phoenix Community Housing expects all of its employees, contractors, suppliers, service providers, agents, partner organisations and individuals, to act with honesty and integrity. Officers will be responsible for monitoring their actions and for ensuring that their terms of reference, agreements and / or contracts include a clause to the effect that contractors, suppliers and service providers must abide by the Phoenix Anti-Fraud and Corruption Policy and co-operate with any fraud investigations by Phoenix officers. Our Policy for Anti-Fraud and Corruption can be found on the policy section of the Phoenix website here www.phoenixch.org.uk

2.12 Gifts and Hospitality

The receipt of gifts and hospitality are subject to clear restrictions. Whilst Phoenix will always consider the facts of every individual case, if it is proven to Phoenix's satisfaction that any such fee or reward is offered then any contract the contractor, supplier or service providers has with Phoenix is likely to be terminated and damages sought from the contractor, supplier or service provider.

2.13 The Bribery Act 2010 ('the Act')

The Bribery Act applies to the Phoenix Community Housing Group. The Act introduces a strict liability offence for organisations where someone associated with an organisation commits an act of bribery to obtain or retain business or a business advantage. The responsibilities under the Act therefore need to be taken extremely seriously by all contractors, suppliers or service providers.

In addition, the contractor, supplier or service provider concerned will be removed from any Select or Tender Lists for which the organisation is being considered.

Details of Phoenix Community Housing Group Anti Bribery Policy can be found on the policy section of the Phoenix Website www.phoenixch.org.uk

2.14 Whistleblowing

Phoenix is committed to providing excellent services and maintaining the highest standards of conduct and governance so we can deliver our vision "to work together to build a better future for our Phoenix community". We aim to create a culture and ways of working to uphold the highest standards of governance and conduct. We also have policies, procedures and codes of conduct to support this. However, sometimes malpractice and wrong-doing may occur. Phoenix encourages people to report anything they are worried about. Phoenix is committed to supporting and protecting individuals who make disclosures in good faith. Details of our Whistle Blowing Policy can be found here www.phoenixch.org.uk

2.15 Lobbying

Contractors, suppliers or service providers must not lobby or canvass either a member or employee of Phoenix Community Housing in an endeavour to obtain a contract.

In addition, all contractors, suppliers and service providers will be required to disclose at the time of tendering the nature of any relationship with an employee or a member of Phoenix.

2.16 Commercially Sensitive Interests

The main exemption relevant to procurement will be Commercial Interests, which means trade secrets and information likely to prejudice the commercial interests of any person (including the Association) holding it. However, this is a qualified exemption, and Phoenix

can only refuse to disclose information where having decided the exemption applies, and the Association considers the public interest in withholding disclosure is greater than the public interest in disclosure.

2.17 Data Protection Compliance

Data Protection Laws (the 'General Data Protection Regulations 2016', the 'Data Protection Act 2018' and the 'Privacy and Electronic Communication Regulations 2003') places obligations and requirements on all organisations to implement appropriate technical and organisational measures to protect and safeguard the rights of data subjects in how they use, store or otherwise process personal information. To meet these requirements Phoenix will carry out due diligence measures prior to appointment (and periodically after appointment) to risk assesses suppliers who are asked to use or process personal information on our behalf. All contractors, suppliers or service providers using, storing or processing information will be required to enter into data processing and data sharing agreements. This is to ensure that those contractors, suppliers or service providers meet these requirements, provide sufficient assurances and are able to demonstrate that appropriate security measures and privacy safeguards are maintained.

2.18 Health and Safety

Phoenix Community Housing (Phoenix) reserves the right to ask any contractors, suppliers or service providers to provide Phoenix with a copy of their Health and Safety Policies and Procedures.

In assessing the adequacy of these documents Phoenix will take into account the nature of the work, supply or service to be undertaken.

Contractors, suppliers and service providers must keep copies of their Health and Safety policies and procedures on site and at all locations from which they operate, ensuring that all their employees are aware of these policies and procedures.

Phoenix will require Health and Safety Policy statements to be available, practised and regularly reviewed regardless of the size of the contractor, supplier or service provider concerned.

All contractors must comply with the Health and Safety at Work Act 1974 and insurance requirements that apply to the type of work to be undertaken.

Phoenix Health and Safety Statement of Intent can be found here
www.phoenixch.org.uk

In addition, compliance to other specialised safety regulations would be required as follows but not limited to:

- The Management of Health and Safety at Work Regulation
- Reporting Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).
- Working at Height
- Manual Handling
- Provision and Use of Work Equipment Regulation (PUWER)
- Lifting Operations & Lifting Equipment Regulations (LOLER)
- Regulatory Reform (Fire Safety) Order 2005
- Control of Substances Hazardous to Health (COSHH)
- Personal Protective Equipment (PPE)
- Construction, Design and Management Regulations (CDM)
- The Control of Asbestos at Work Regulations.

As stated in 2.10, Phoenix requires all contractors to be registered with Constructionline and to keep this registration up to date. Phoenix may suspend a contractor if key documents such as insurance certificates, company accounts or Health and Safety policy statements are not up to date with Constructionline.

Insurances

All contractors, suppliers and service providers employed by Phoenix Community Housing must maintain such insurance policies as are necessary to cover any liability, which may arise under the contract.

For contractors, suppliers and service providers wishing to tender for contracts, the following policies will be required as a minimum:

- Public Liability with a minimum indemnity limit of £10m in respect of each and every claim.
- Employers Liability with a minimum indemnity limit of £10m in respect of each and every claim.
- Professional Indemnity insurance with a minimum indemnity limit of £5m in the annual aggregate.

The insurance policies must be maintained with reputable insurers and approved by Phoenix Community Housing.

Phoenix may in certain circumstances amend the required level of cover where a risk assessment of a contract indicates such a level is appropriate.

As noted in 2.10, Phoenix requires all contractors to be registered with Constructionline. Phoenix may suspend a contractor where insurance details on Constructionline are not up to date or if adequate cover is not in place.

2.20 Local Employment

It is hoped that contractors, suppliers and service providers engaged to work for Phoenix will show a commitment to the residents of Bellingham and Downham. If it is necessary for employees to be recruited to work on Phoenix contracts, all contractors are to take action to encourage local applicants and Phoenix residents specifically.

In addition, contractors, suppliers and service providers will be asked to keep abreast of employment schemes for local initiatives including – mentoring and training.

- Promoting employment opportunities and, where possible, source local labour.
- Agree to work to improve the accessibility of employment opportunities to those locally unemployed.
- Agree to pay the appropriate rate and at least the agreed London Living Wage to all employees working on the contract.

- Working with local education providers to provide apprenticeship and work experience opportunities as well as related to courses for job opportunities that may arise as a result of the work.
- Agree to participate in schemes providing work experience to locally based students both on site and in 'back office' functions.
- Agree to provide apprenticeship and training opportunities and places for local young people (under 25s').
- Agree to work positively with local education providers in the promotion of the value of skills and training in the disciplines associated with construction.

2.21 Local Procurement

It is hoped that contractors, suppliers and service providers will use and source materials and supplies so far as possible within the Phoenix area with due regard to price, quality and availability of services and goods.

2.22 Materials, Plant Equipment and Machinery

All materials, plant equipment and machinery used on Phoenix contracts must comply with the specification(s) in the contract documents or if none is so specified, the most suitable materials, plant, equipment and machinery reasonably obtainable. Where a British Standard applies then materials, plant, equipment and machinery that meet the latest standard must be used.

2.23 Quality Standards

Whilst it is not a requirement for contractors, suppliers or service providers to be formally Quality Assured with an accredited certification body, it is a requirement that organisations work towards or have a quality management system in place that is at least to the standard of ISO9001: 2000 (or equivalent). Such a system must take into account of the following principles of quality management:

- Focus on Customer Care
- Provide leadership
- Involve people within the Organisation
- Use a process and systems approach
- Encourage continual improvement
- Base decisions on facts
- Work with suppliers.

2.24 Statutory Obligations

Contractors, suppliers and service providers must comply with, and give all notices required by, any Act of Parliament or any instrument rule or order made under any Act of Parliament.

2.25 Sub-Contracting

Any contractor, supplier or service provider wishing to sub-contract must submit the name of the sub-contractor to Phoenix for approval and inclusion within the Construction Phase H&S Plan documentation. The main contractor, supplier or service provider will be responsible as far as practicable for the compliance with this Charter by any sub-contractor employed on a contract and the contractor, supplier or service provider must enforce its provisions against the sub-contractor if necessary. When seeking written permission from Phoenix to sub-contract, the main contractor must satisfy Phoenix of the intended sub-contractors' competence and provide written evidence of having assessed the sub-contractor in the following areas:

- Experience in the type of work to be done
- Health and Safety policies and practices
- Recent Health and Safety performance (number of accidents etc)
- Qualifications and skills
- Safety method statement
- Health and Safety training and supervision provided
- Arrangements for consulting the workforce
- Any independent assessment of their competence
- Memberships of a relevant trade or professional body or
- Whether they or their employees hold a 'passport' in Health and Safety training
- Financial viability
- Insurance Cover
- Paying the London Living Wage
- Modern slavery statement (if applicable)

This degree of competence required will depend on the work to be done, and the level of risk involved.

Phoenix Community Housing will treat a breach of this Charter by a sub-contractor as if it were a breach by the main contractor, supplier or service provider and will be entitled to take action against the main contractor, supplier or service provider accordingly.

The main contractor, supplier or service provider must make it a requirement in any sub-contract that the sub-contractor complies with this Charter and the main contractor, supplier or service provider must supply a copy to the sub-contractor. For this purpose, Phoenix will on request provide additional copies of this Charter to the main contractor, supplier or service provider.

2.26 Technical Competence

Phoenix Community Housing will satisfy itself of contractors, suppliers and service providers technical competence and ability to undertake works for which they may have been considered. In assessing such suitability, account will be taken of similar works undertaken recently and the size and qualifications of the contractor's or supplier's workforce relevant to its ability to resource the particular type of work. The contractor, supplier or service provider must provide such relevant information and reasonable access for Phoenix to assess such suitability.

2.27 Tipping, Removal and Disposal of Waste

Contractors must satisfy Phoenix that they have and maintain satisfactory arrangements for the removal of rubbish and waste materials. Phoenix will require contractors to prove that such arrangements have been made and where possible will seek to recycle as much site waste as possible.

Contractors must obtain and maintain suitable licences for the specific trade waste operations being carried out. Phoenix may request sight of such licences and waste consignment tickets at any time.

3 **Customer Care**

3.1 Introduction

Phoenix is committed to ensuring that its contractors, suppliers and service providers gives Customer Care the highest priority and that all residents are treated with respect and courtesy at all times.

Phoenix is also committed to ensuring that its contractors, suppliers and service providers provides a service which is welcoming, accessible, convenient and that a culture of mutual respect is encouraged between contractors, suppliers, service providers and residents.

3.2 Customer Care

Phoenix is committed to ensuring that contractors, suppliers and service providers, working on behalf of Phoenix, provide the best possible service, which meet resident needs and that contractors, suppliers and service providers maintain the highest Customer Care standards.

Contractors, suppliers and service providers will:

- Create, develop and sustain strong and long-lasting relationships with residents.
- Achieve a thorough understanding of residents aims and needs in order to ensure that residents are satisfied with the service standards.
- Create, develop and maintain good working relationships with Phoenix Resident Liaison Advisors, to co-ordinate work programmes.
- Treat all residents, equally regardless of age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- Resident Liaison Officers to work closely with Phoenix residents and staff on all major works projects.
- Always carry identity cards, and identify themselves, where appropriate.
- Provide different ways for residents to make contact.
- Take seriously all complaints, respond to, and where possible resolve within 20 working days. Apologise for and learn from mistakes.
- Use plain English, without jargon, and offer information in other languages where appropriate.
- Treat residents with respect and courtesy at all times.

- Agree to respect residents homes, whilst working in them.
- Make relevant safeguarding referrals to Phoenix Community Housing or other appropriate support services
- Adopt a 'No Smoking' policy whilst working in and around people's homes.
- Allow for the use of cooking, washing and sanitary facilities, overnight, at weekends and bank holidays, during the duration of the works.
- Provide assistance with moving and packing furniture, where needed during major works.
- Ensure that the dwelling is left clean and tidy at the end of each working day, and all trade waste is removed from site.
- Ensure minimal disruption for residents, throughout the duration of the works.
- Provide realistic timescales, for improvement works.

Details of Phoenix Community Housing Complaints Policy can be found here; www.phoenixch.org.uk

4 Programme of Works

4.1 Introduction

Phoenix is committed to ensuring that any inconveniences caused by the improvement works to properties are kept to a minimum.

Phoenix, along with contractors, suppliers and service providers and in consultation with residents, will produce practical improvement plans and programmes of work.

Contractors, suppliers and service providers will work closely with Phoenix Resident Liaison Advisors who will be the main liaison between the contractors, suppliers and service providers and tenant, ensuring that all work programmes, procedures, start and finish dates and contract information is disseminated.

4.2 Initial Scope of Works

Contractors, suppliers and service providers will be issued with an initial scope of works for each property which will include components identified for replacement / upgrade.

4.3 Programme of Works

Once the initial scope of works has been produced, contractors, suppliers and service providers will prepare, in agreement with Phoenix, a detailed and sequenced programme of works for all individual properties.

5. Control of Pollution and Noise from Demolition and Construction Sites (for all Building and Improvement Work Contracts).

5.1 Introduction

This section of the contractors, suppliers and service providers charter is intended to give guidance to contractors on measures that Phoenix expects them to take to minimise the environmental impacts of their work on the local community. The term ‘contractor’ applies to all contractors and sub-contractors.

- 5.2 Phoenix Community Housing has specific powers under the Control of Pollution Act 1974 and the Environmental Protection Act 1990 to deal with noise and environmental nuisance. The expectation under the legislation is that “best practicable means” (BPM) will be used to prevent nuisance occurring.
- 5.3 Phoenix Community Housing requires contractors to apply BPM to all their work programmes and techniques, irrespective of the size of the demolition / construction work being undertaken.
- 5.4 Adherence to this section of the Charter will demonstrate a commitment to BPM and will subsequently minimise the environmental disturbance to local residents, reducing the need for enforcement action.

The contractor is encouraged, in showing their commitment to BPM. This is of particular importance for large-scale developments.

5.5 General principles

5.6 Hours of Work: -

- 5.7 Where residential occupiers are likely to be affected by construction and improvement works, the hours of work will normally be restricted to the following: -

<i>Monday– Friday</i>	8am – 4.30pm (7am to 7pm only permitted with prior agreement from Phoenix and resident)
<i>Saturday</i>	Not permitted without prior agreement from Phoenix
<i>Sunday and Bank Holidays</i>	Not permitted without prior agreement from Phoenix

- 5.8 All vehicles and plant equipment arriving at and leaving the site / location shall comply with the same restrictions on hours. Contractors, suppliers or service providers shall be held responsible for ensuring these instructions are given to all drivers, including those delivering all site / location materials.
- 5.9 These times may be varied according to local circumstances. Any works outside of these hours will require prior approval from Phoenix. It should be noted that approval will only be granted under exceptional circumstances and will always be conditional

on the contractor informing local residents in advance of the proposed activity.

5.10 Publicity

Phoenix Community Housing considers that liaison with local residents who may be affected by construction or improvement work is essential. The local residents should be informed of the nature of the works, proposed hours of work and their expected duration.

5.11 Communication to local residents should include publicity, including the name and contact number of the main contact. This contact person should be able to give further information to the caller and deal with any complaints or emergencies that may arise at any time. Contractors, suppliers or service providers will work closely with residents, Liaison Advisors and Phoenix staff throughout duration of works.

5.12 Operation

Where noise, dust and air pollution are likely to affect local residents, during construction and improvement work, the contractor shall be responsible for ensuring that:

- All plant and equipment, including any on hire, is checked to ensure it is in good working order and conforms to the manufacturer's standards and relevant regulations. Equipment is to be properly silenced and meet statutory emission standards. Defective items are not to be used.
- Effective methods of work are adopted to prevent dust from becoming airborne at source. As dust is harder to suppress once it has become airborne, careful consideration at the design stage is required to the enclosure of fixed plant, addition of moisture, or provision of effective exhaust ventilation and filtering.
- Before works commence, the site workforce shall be fully briefed on the need to keep all noise generated to a minimum. Shouting and raised voices are not permitted other than in cases where warnings of danger must be given. Radios shall not be played, in dwellings or on site, at a volume that is likely to disturb local residents.

5.13 Monitoring

- Where local residents are likely to be affected, all working methods that minimise noise, dust and air pollution impacts are to be used at all times.
- Measures included in this charter are not exhaustive and additional measures can be used which will reduce environmental impacts further.
- The effectiveness of all measures shall be monitored frequently, reviewed weekly and may be subject to inspection by officers of Phoenix Community Housing.

6. Noise and Vibration

6.1 Plant and Equipment

6.2 Noisy plant or equipment shall be sited as far away as is practicable from sensitive buildings. The use of barriers should be considered effective to deflect noise away from noise sensitive areas, wherever practicable.

6.3 Wherever practicable all plant and equipment shall be powered by battery operated tools but where plant items require mains electricity residents will be informed of options. Where supply is used from the resident's home reimbursement costs may apply on the production of meter readings.

6.4 Vehicles and mechanical plant used for the purpose of the works shall be maintained in good working order and operated to minimise noise emissions. The contractor, supplier or service provider shall ensure that all plant complies with the relevant statutory and manufacturers requirements.

6.5 Machines in intermittent use should be shut down in the intervening periods between work or throttled down to a minimum. Noise emitting equipment that is required to run continuously may have to be housed in suitable enclosures.

6.6 Compressors must be 'sound reduced' models fitted with properly lined and sealed acoustic covers that must be kept closed whenever the machines are in use.

6.7 Equipment, which breaks concrete, brickwork or masonry by bending or by bursting, shall be used in preference to percussive tools as far as practicable.

6.8 Pneumatic percussive tools must be fitted with mufflers or silencers of the type recommended by the manufacturers.

6.9 Where practicable rotary drills and bursters actuated by hydraulic, chemical or electrical power shall be used for excavating hard or extrusive material.

6.10 Plant shall be maintained in good workmanlike condition so that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.

6.11 Care shall be taken when loading or unloading vehicles, dismantling scaffolding or moving materials etc to reduce impact noise.

6.12 Piling

6.13 In assessing the impact of any piling operations, the contractor, supplier or service provider will comply with the recommendations set out in the relevant current British Standard BS5228 Part 4 'Code of Practice for noise and vibration control applicable to piling operations.

6.14 Where practicable pile driving shall be by jacking. The use of conventional impact

hammers should, wherever possible, be avoided. Any pile driving is to be carried out by plant equipped with a recognised noise reducing system.

- 6.15 In some circumstances the Director of Property and New Business or delegated authority may limit the hours of piling further than those quoted in 5.8.

7. Dust and Air Pollution

7.1 Dust

- 7.2 Watering down of the area should be carried out where necessary to minimise dust transfer into unaffected rooms and areas, and neighbouring premises.

- 7.3 Stockpiles of material shall be damped down or otherwise suitably treated to prevent the emission of dust from the site. Stockpiles should be planned and sited to minimise the potential for dust generation. The handling of material should be kept to a minimum and when deposited onto a stockpile it should be from the minimum possible height.

- 7.4 Dust pollution shall be minimised during demolition by:

- the complete screening, if practicable, of the building or structure and / or rooms, where work or demolition is occurring, with debris screens or sheets.
- control of cutting or grinding of materials on the site.
- mixing or large quantities of concrete or bentonite slurries in enclosed / shielded areas.

- 7.5 Skips and removal vehicles shall be properly covered when leaving site. Materials should be handled in such a way so that it does not give rise to excessive dust. Watering of rubble chutes shall be undertaken where necessary to prevent dust emission.

- 7.6 The contractor, supplier or service provider shall ensure that the area around the site, including the public highway, is regularly and adequately swept to prevent any accumulation of dust and dirt. Dwellings will be left clean each day and all trade waste removed from site, on a daily basis. The use of wheel cleaning facilities and road sweeping equipment may be required.

- 7.7 Any plant used for the crushing of materials must be authorised by a local authority under the Environmental Protection Act 1990 Part 1 (Prescribed Processes). All works shall be carried out in accordance with the conditions of such an authorisation. Where plant is used to recycle materials, the appropriate license from the Environment Agency shall be obtained. The process operator should notify the local authority / Phoenix prior to the movement of the plant on to the site.

7.8 Air Pollution

7.9 Burning of materials on the site will **NOT** be permitted.

7.10 The contractor, supplier or service provider shall take all necessary precautions to prevent the occurrence of smoke emissions or fumes from the site plant or stored fuel oils for safety reasons and to prevent such emissions or fumes drifting into residential areas. In particular, plant should be well maintained, and measures taken to ensure that it is shut down in the intervening periods between work or throttled down to a minimum.

7.11 Emphasis should be placed on the following to minimise the risk of air pollution:

- Use processes that do not generate hazardous fumes and / or hazardous dust.
- Ensuring that airborne hazards do not escape from the site to affect members of the public and surrounding environment.

7.12 Sandblasting

- The work area shall be close sheeted to reduce dust nuisance from grit. Routine checking is required to ensure that the sheeting remains sound or sealed during the operation. Particular attention shall also be given to the working platform to ensure that it is properly sheeted or sealed to contain dust.
- Non-siliceous grit shall be used to avoid long term irreversible lung damage from silica dust.
- Proper protection shall be provided for any structure painted with lead-based paint.
- In cases where water is used for large scale cleaning and blasting the requirements of the Environment Agency should be followed.
- All grit must be prevented from falling into watercourses.

8. **Asbestos**

Phoenix Community Housing considers that all asbestos, including waterborne asbestos, is potentially dangerous and that there is no safe limit of exposure. Accordingly, the Health & Safety Executive (HSE) has banned the use of all asbestos products in the construction of any new building or in any alterations to existing buildings.

8.1 Special precautions shall be taken if materials containing asbestos are encountered. The contractor shall comply with the Control of Asbestos at Work Regulations 2012. The contractor shall observe the exposure limits and measurement methods for asbestos that are set out in the relevant and current Health and Safety Executive Guidance Notes. It is Phoenix's policy that the removal of asbestos and related products is undertaken by specialist contractors licensed for the purpose by the

Health and Safety Executive. The contractor shall consult with the Health and Safety Executive concerning precautions required when removing asbestos material.

- 8.2 Phoenix Community Housing will provide contractors with access to its asbestos register. The register will be used to inform Phoenix staff and contractors of any suspected and known asbestos materials, including type and location, so that the Phoenix Asbestos register can be maintained.
- 8.3 If any suspected asbestos is discovered by a contractor, other than a licensed one, during the work they must cease immediately, and the Phoenix Specialist Contract Manager must be contacted for advice.

Details of the Phoenix Asbestos Policy can be found here www.phoenixch.org.uk

9. Fire Safety

- 9.1 Contractors, suppliers and service providers are to ensure that works carried out do not compromise the fire integrity of the existing substrate / building fabric.

Additionally, any existing compartmentation / fire barriers removed as part of ancillary works must be reinstated and certified in accordance with the prevailing regulations.

- 9.2 All works disturbed, installed and / or reinstated are to be fully documented by way of photographs, certificates and / or any other means as requested by Phoenix's representative or specifications.

10. Contaminated Land

- 10.1 If during site works contamination is encountered on site, which has not previously been identified, no further development shall take place until a site investigation has been carried out. The investigation will survey and assess the extent of contamination. Recommendations for remediation shall be submitted to and approved in writing by Phoenix's Executive Team before further works can proceed.
- 10.2 The contractor shall consult with the Health and Safety Executive when working on land which is contaminated.
- 10.3 The contractor shall consult with the Environment Agency and the Contract Manager regarding proposed measures to prevent the contamination of watercourses and aquifers.

11. Sustainability

Phoenix Community Housing places great importance on the environmental impact of its activities and will foster environmental awareness and understanding in contractors, suppliers, service providers and other stakeholders. Emphasis will be especially given to:

- Reducing energy use
- Reducing rubbish & waste
- Reducing water & waste
- Promoting sustainable transport
- Procuring partners & service providers who operate in a sustainable way
- Ensuring green spaces are maintained and enhanced

11.1 Supporting Phoenix to deliver carbon reduction targets the service provider shall comply with the provisions of the Environmental Protection (Duty of Care) Regulations (1991), Hazardous Waste (England and Wales) Regulations. The Wildlife and Countryside Act (1981) and other relevant laws, requirements and conditions.

11.2 The service provider will aim to make the most efficient use of resources, including (but not limited to) the following:

- Make full use of existing assets and site attributes, to minimise the need for new construction and to optimise the value of site won materials.
- Use the minimum amount of resources that will deliver functional and design requirements.
- Design an operationally efficient asset that is flexible to accommodate future changes in use.
- Select materials which are appropriately durable and have minimal lifecycle impact.
- Select materials and products with lower embodied carbon and higher recycled content than comparable alternatives.
- Optimise material consumption and reduce wastage.
- Maximise waste reuse and recovery.
- Use energy and water efficiently on-site.
- Enable efficient operations by encouraging responsible use, careful management and maintenance of equipment and facilitating investment in new more efficient technology.

11.3 Details of Phoenix Community Housing Sustainability policy can be found here www.phoenixch.org.uk

Ancillary Site Activities

- 11.4 Access to any site shall be located to ensure the minimum of disturbance from vehicles entering or leaving the site to persons in nearby noise sensitive buildings. Company and operative vehicles shall be parked as per local parking restrictions and shall be parked sympathetically to accommodate local resident parking needs.
- 11.5 Lorries shall enter and exit the site in a forward direction except where space restrictions do not allow this. These conditions will be subject to prior discussions with the Highway Authority and Police before implementation.
- 11.6 Wherever practicable all loading and unloading of vehicles will take place on site or as close to the site as appropriate.
- 11.7 Lorries that cannot immediately enter or leave site must switch off their engines.
- 11.8 The contractor will be responsible for all lorries delivering to or exiting from the work site and shall comply with the time restrictions in 5.8.
- 11.9 Mud on roads is regarded as one of the main environmental nuisance problems arising from construction sites. Phoenix will expect the contractor to take strict measures to minimise the problem.
- 11.10 Rubbish and trade waste shall be removed at frequent intervals and the site kept clean and tidy.
- 11.11 Fly-tipping will not be permitted. Loads must only be deposited at authorised tips or into designated barges.
- 11.12 Deposition shall be in accordance with the requirements of the Environment Agency, the current Environmental Legislation and Special Waste regulations.
- 11.13 To prove the correct depositing of excavated material and to prevent the occurrence of fly-tipping a ticket system will be operated on all sites. The contractor will provide a sequentially numbered ticket system for each work site to confirm that each lorry load of spoil is deposited at an approved site. Phoenix will request to review copies of tipping receipts, ensuring that licensed tips are being used.
- 11.14 Hoardings shall be frequently inspected, repaired and repainted as necessary.
- 11.15 Site lighting shall be positioned and directed so as not to intrude unnecessarily on adjacent buildings and land uses. It must not cause distraction or confusion to passing drivers on adjoining public highways.
- 11.16 Where appropriate, toilet and washing facilities will be provided, kept clean and properly maintained.
- 11.17 Where appropriate, contractors, suppliers and service providers will report faults which when identified may affect work progress in similar properties.

12. Using this Charter

- 12.1 Phoenix Community Housing will seek to ensure that all contractors, suppliers and service providers whom it employs comply with this Charter. Phoenix will monitor that contractors, suppliers and service providers are complying with this charter by:
- Checking Key Performance Indicators monthly
 - Holding regular performance meetings
 - Carry out regular on-site spot checks
 - Checking accuracy & analysing efficiency of cash flow
- 12.2 Any duly accredited representative(s) of Phoenix Community Housing will have the contractual right at all reasonable times to visit any site, depot, workshop or office of the contractor, supplier or service provider (or the sub-contractor if appropriate) to ascertain whether or not this Charter is being complied with. During any such visit the representative(s) may be accompanied by the contractor, supplier or service provider or their representatives.
- 12.3 Contractors, suppliers and service providers will be monitored against the criteria detailed in this charter and will be monitored against, namely: -
- Overall Performance.
 - Tenant and Resident feedback. (From both individual and Tenant Groups).
 - Set Key Performance Indicators.
 - Customer Care.
- 13.4 Where failures are noted contractors, suppliers and service providers, will be expected to introduce remedial procedures. Continuous and / or repeated performance failure may result in sanctions being applied, and in extreme circumstances the contract suspended.

Appendix 1 – Considerate Constructor Scheme – Codes of Practice

The Code of Considerate Practice applies to all registered sites, companies and suppliers regardless of size, type or location.

Care about Appearance

Constructors should ensure sites appear professional and well managed:

- Ensuring that the external appearance of sites enhances the image of the industry.
- Being organised, clean and tidy.
- Enhancing the appearance of facilities, stored materials, vehicles and plant.
- Raising the image of the workforce by their appearance.

Respect the Community

Constructors should give utmost consideration to their impact on neighbours and the public:

- Informing, respecting and showing courtesy to those affected by the work.
- Minimising the impact of deliveries, parking and work on the public highway.
- Contributing to and supporting the local community and economy.
- Working to create a positive and enduring impression and promoting the Code.

Protect the Environment

Constructors should protect and enhance the environment:

- Identifying, managing and promoting environmental issues.
- Seeking sustainable solutions, and minimising waste, the carbon footprint and resources.
- Minimising the impact of vibration, and air, light and noise pollution.
- Protecting the ecology, the landscape, wildlife, vegetation and water courses.

Secure everyone's Safety

Constructors should attain the highest levels of safety performance:

- Having systems that care for the safety of the public, visitors and the workforce.
- Minimising security risks to neighbours.
- Having initiatives for continuous safety improvement.
- Embedding attitudes and behaviours that enhance safety performance.

Value their Workforce

Constructors should provide a supportive and caring working environment:

- Providing a workplace where everyone is respected, treated fairly, encouraged and supported.
- Identifying personal development needs and promoting training.
- Caring for the health and wellbeing of the workforce.
- Providing and maintaining high standards of welfare.