

CDM₂₀₀₇ DESIGNING FOR SAFETY

D4S

KNOW YOUR ROLE

ON 6 APRIL 2007 the Construction (Design and Management) Regulations 1994 (CDM 1994) were revoked and the Construction (Design and Management) Regulations 2007 (CDM 2007) came into force. At the same time the new Approved Code of Practice (ACOP) was also issued 'Managing health and safety in construction'. These applied to all projects involving construction work in Great Britain from 6 April 2007 onwards, including those that were already under way. These regulations impose duties on a range of participants in any construction project, including clients, designers and contractors. The objective of the new regulations is to improve health and safety within the construction industry. Failure to comply with the requirements of the regulations may result in a criminal prosecution.

If you need more information:

The Construction (Design and Management) Regulations 2007 and Approved Code of Practice – 'Managing health and safety in construction' are available in the MWH Library.

Is my project "notifiable" or "non-notifiable", and what's the difference?

The new regulations cover all projects, but the extent will depend on whether a project is either "notifiable" or "non-notifiable".

A "notifiable" project is one where the construction phase involves more than 30 days or 500 person-days of construction work. All the requirements of the regulations apply to notifiable projects. All "notifiable" projects require the completion and submission of an F10 to the Health and Safety Executive (HSE) to notify them of the project (find out more at

www.hse.gov.uk/construction/cdm/f10form.htm).



MWH

BUILDING A BETTER WORLD

"Non-notifiable" projects do not need to:

- designate a CDM co-ordinator;
- designate a Principal Contractor;
- create a CDM 2007 Health and Safety File;
- prepare a construction Phase Plan

What is your role?

All parties are now under an obligation to co-operate with others (including those involved on a different project on the same site or on a project on a neighbouring site) and coordinate their work to ensure the health and safety of the construction workers and others who may be affected by the project.

CLIENT

What clients must do for all projects

Clients must make sure that:

(a) designers, contractors and other team members that they propose to engage are competent (or work under the supervision of a competent person), are adequately resourced and appointed early enough for the work they have to do.

(b) they allow sufficient time for each stage of the project, from concept onwards;

(c) they co-operate with others concerned in the project as is necessary to allow other dutyholders to comply with their duties under the Regulations;

(d) they co-ordinate their own work with others involved with the project in order to ensure the safety of those carrying out the construction work, and others who may be affected by it;

(e) there are reasonable management arrangements in place throughout the project to ensure that the construction work can be carried out, so far as is reasonably practicable, safely and without risk to health. (This does not mean managing the work themselves, as few clients have the expertise and resources needed and it can cause confusion);

(f) contractors have made arrangements for suitable welfare facilities to be provided from the start and throughout the construction phase;

(g) any fixed workplaces (for example offices, shops, factories, schools) which are to be constructed will comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992;3

(h) relevant information likely to be needed by designers, contractors or others to plan and manage their work is passed to them in order to comply with regulation 10.

Additional things clients must do for notifiable projects

62 For notifiable projects, in addition to the duties set out previous, clients must:

(a) appoint a CDM co-ordinator to advise and assist with their duties and to coordinate the arrangements for health and safety during the planning phase;

(b) appoint a principal contractor to plan and manage the construction work - preferably early enough for them to work with the designer on issues relating to buildability, usability and maintainability;

(c) ensure that the construction phase does not start until the principal contractor has prepared a suitable construction phase plan and made arrangements for suitable welfare facilities to be present from the start of the work;

(d) make sure the health and safety file is prepared, reviewed, or updated ready for handover at the end of the construction work. This must then be kept available for any

CDM CO-ORDINATOR

What is the CDM co-ordinator's role?

On "notifiable" projects this role replaces the "Planning Supervisor". This is the first designation that a client should make under the regulations

What CDM co-ordinators should do

CDM co-ordinators must:

(a) give suitable and sufficient advice and assistance to clients in order to help them to comply with their duties, in particular:

- (i) the duty to appoint competent designers and contractors; and
- (ii) the duty to ensure that adequate arrangements are in place for managing the project;

(b) notify HSE about the project;

(c) co-ordinate design work, planning and other preparation for construction where relevant to health and safety;

(d) identify and collect the pre-construction information and advise the client if surveys need to be commissioned to fill significant gaps;

(e) promptly provide in a convenient form to those involved with the design of the structure; and to every contractor (including the principal contractor) who may be

or has been appointed by the client, such parts of the preconstruction information which are relevant to each;

(f) manage the flow of health and safety information between clients, designers and contractors;

(g) advise the client on the suitability of the initial construction phase plan and the arrangements made to ensure that welfare facilities are on site from the start;

(h) produce or update a relevant, user friendly, health and safety file suitable for future use at the end of the construction phase.



DESIGNER

What designers should do for all projects

Designers should:

(a) make sure that they are competent and adequately resourced to address the health and safety issues likely to be involved in the design;

(b) check that clients are aware of their duties;

(c) When carrying out design work, avoid foreseeable risks to those involved in the construction and future use of the structure, and in doing so, they should eliminate hazards (so far as is reasonably practicable, taking account of other design considerations) and reduce risk associated with those hazards which remain;

(d) provide adequate information about any significant risks associated with the design;

(e) co-ordinate their work with that of others in order to improve the way in which risks are managed and controlled.

Additional duties where the project is notifiable

In addition to the duties outlined previous, when the project is notifiable, designers should:

(a) ensure that the client has appointed a CDM co-ordinator;

(b) ensure that they do not start design work other than initial design work unless a CDM co-ordinator has been appointed;

(c) co-operate with the CDM co-ordinator, principal contractor and with any other designers or contractors as necessary for each of them to comply with their duties. This includes providing any information needed for the preconstruction information or health and safety file.

PRINCIPAL CONTRACTOR

What principal contractors must do

Principal contractors must:

(a) satisfy themselves that clients are aware of their duties, that a CDM co-ordinator has been appointed and HSE notified before they start work;

(b) make sure that they are competent to address the health and safety issues likely to be involved in the management of the construction phase;

(c) ensure that the construction phase is properly planned, managed and monitored, with adequately resourced, competent site management appropriate to the risk and activity.

(d) ensure that every contractor who will work on the project is informed of the minimum amount of time which they will be allowed for planning and preparation before they begin work on site;

(e) ensure that all contractors are provided with the information about the project that they need to enable them to carry out their work safely and without risk to health. Requests from contractors for information should be met promptly;

(f) ensure safe working and co-ordination and co-operation between contractors;

(g) ensure that a suitable construction phase plan ('the plan') is:
(i) prepared before construction work begins,
(ii) developed in discussion with, and communicated to, contractors affected by it,
(iii) implemented, and
(iv) kept up to date as the project progresses;

(h) satisfy themselves that the designers and contractors that they engage are competent and adequately resourced (i) ensure suitable welfare facilities are provided from the start of the construction phase;

(j) take reasonable steps to prevent unauthorised access to the site;

(k) prepare and enforce any necessary site rules;

(l) provide (copies of or access to) relevant parts of the plan and other information to contractors, including the self-employed, in time for them to plan their work;

(m) liaise with the CDM co-ordinator on design carried out during the construction phase, including design by specialist contractors, and its implications for the plan;

(n) provide the CDM co-ordinator promptly with any information relevant to the health and safety

(o) ensure that all the workers have been provided with suitable health and safety induction, information and training;

(p) ensure that the workforce is consulted about health and safety matters

(q) display the project notification.

CONTRACTORS

What contractors must do on all projects

For all projects Contractors must:

(a) check clients are aware of their duties;

(b) satisfy themselves that they and anyone they employ or engage are competent and adequately resourced;

(c) plan, manage and monitor their own work to make sure that workers under their control are safe from the start of their work on site;

(d) ensure that any contractor who they appoint or engage to work on the project is informed of the minimum amount of time which will be allowed for them to plan and prepare before starting work on site;

(e) provide workers under their control (whether employed or self-employed) with any necessary information, including about relevant aspects of other contractors' work, and site induction (where not provided by a principal contractor) which they need to work safely, to report problems or to respond appropriately in an emergency;

(f) ensure that any design work they do complies with regulation 11;

(g) comply with any requirements listed in Schedule 2 and Part 4 of these Regulations that apply to their work;

(h) co-operate with others and co-ordinate their work with others working on the project;

(i) ensure the workforce is properly consulted on matters affecting their health and safety; and

(j) obtain specialist advice (for example from a structural engineer or occupational hygienist) where necessary when planning high-risk work – for example alterations that could result in structural collapse or work on contaminated land.

Additional duties for notifiable projects - In the case of notifiable projects, contractors must also:

(a) check that a CDM co-ordinator has been appointed and HSE notified before they start work (having a copy of the notification of the project to HSE (form 10, see paragraph 18), is normally sufficient);

(b) co-operate with the principal contractor, CDM co-ordinator and others working on the project or adjacent sites;

(c) tell the principal contractor about risks to others created by their work;

(d) provide details to the principal contractor of any contractor whom he engages in connection with carrying out the work;

(e) comply with any reasonable directions from the principal contractor, and with any relevant rules in the construction phase plan;

(f) inform the principal contractor of any problems with the plan or risks identified during their work that have significant implications for the management of the project;

(g) tell the principal contractor about accidents and dangerous occurrences;

(h) provide information for the health and safety file (see paragraphs 256-268).

THE PRINCIPLES OF PREVENTION

Dutyholders should use these principles to direct their approach to identifying and implementing precautions which are necessary to control risks associated with a project.

The general principles of prevention

(a) avoiding risks

(b) evaluating the risks which cannot be avoided;

(c) combating the risks at source;

(d) adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their effect on health;

(e) adapting to technical progress;

(f) replacing the dangerous by the non-dangerous or the less dangerous;

(g) developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;

(h) giving collective protective measures priority over individual protective measures; and

(i) giving appropriate instructions to employees.