

## CARDIFF COUNCIL

### CODE OF GUIDANCE

## CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2007

### Introduction

The Construction (Design and Management) Regulations 2007 (CDM 2007) came into force on 6<sup>th</sup> April, 2007. They replace the Construction (Design and Management) Regulations 1994 and the Construction (Health Safety and Welfare) Regulations 1996.

The key aim of CDM 2007 is to integrate health and safety into the management of all construction projects and to encourage everyone to work together from the very start of each project.

The Regulations are intended to focus attention on planning and management throughout a project from design concept onwards. Health and safety considerations must be treated as an essential, but normal part of a projects development and not an afterthought or bolt on extra.

**Construction work** is clearly defined in the Regulations. It basically means the carrying out of any building, civil engineering or engineering construction work. What is included in this definition is defined in Regulation 2 and in addition to traditional “construction work” includes installation, commissioning ,maintenance, repair or removal of mechanical, electrical, gas, telecommunications, computer or similar services fixed within or to a structure. Before any work which could however loosely be considered to be construction , is undertaken, reference should be made to the Regulations to determine if they are applicable to the project or advice sought from a Health and Safety Adviser.

CDM 2007 clearly defines the roles of all parties who are involved in work to which the Regulations apply. It should be noted that there are duties for all parties in respect of projects to which CDM 2007 applies and that in respect of projects notifiable to the Health and Safety Executive (HSE), there are additional duties. (**Notifiable projects** are those where construction work is expected to last more than 30 days or involve more than 500 person days). The Approved Code of Practice (ACOP) which accompanies the Regulations also defines competencies for certain roles. **No one should undertake a defined role unless they are competent to do so.**

This Code of Guidance contains a basic summary of the following:

- 1.0 Roles defined in CDM 2007
- 2.0 Competencies
- 3.0 Health and safety files
- 4.0 Notifications

**NB If any work is being undertaken which is subject to the requirements of CDM 2007, reference must be made to the Regulations and the associated ACOP and not just this Code of Guidance**

## **1.0 Roles defined in CDM 2007**

### **1.1 Clients**

1.2 A client is an organisation or individual for whom a construction project is carried out. Clients only have specific duties when the project is associated with a business or other undertaking. Clients can include local authorities, school governors, insurance companies and project originators on Private Finance Initiatives (PFI) projects.

1.3 The following table summarises the duties of clients

<b>All construction projects</b>	<b>Additional duties for notifiable projects</b>
<ul style="list-style-type: none"> <li>• Check competence and resources of all appointees</li> <li>• Ensure there are suitable management arrangements for the project including welfare facilities NB Requirements for welfare facilities are detailed in the Schedule of the Regulations</li> <li>• Allow sufficient time and resources for all stages</li> <li>• Provide pre-construction information to designers and contractors</li> </ul>	<ul style="list-style-type: none"> <li>• Appoint CDM co-ordinator*</li> <li>• Appoint principal contractor*</li> <li>• Make sure that the construction phase does not start unless there are suitable:               <ul style="list-style-type: none"> <li>- welfare facilities, and</li> <li>- construction phase plan in place</li> </ul> </li> <li>• Provide information relating to the health and safety file to the CDM co-ordinator</li> <li>• Retain and provide access to the health and safety file  <b>(*There must be a CDM co-ordinator and principal contractor until the end of the construction phase)</b> </li> </ul>

## NOTE

- a) A client will be deemed to be a designer under the Regulations if s/he modifies or arranges or instructs any person to do this
- b) For any period during which a CDM co-ordinator or principal contractor has not been appointed, the Regulations deem the client to have been appointed to these roles.

### 1.4 CDM co-ordinators

1.5 The role of CDM co-ordinator is to provide the client with a key project adviser in respect of construction health and safety risk management matters.

1.6 Early appointment of the CDM co-ordinator is crucial for effective planning and establishing management arrangements from the outset.

1.7 The following table summarises the duties of CDM co-ordinators

<b>All construction projects</b>	<b>Additional duties for notifiable projects</b>
<ul style="list-style-type: none"><li>• Appointment not required on non notifiable projects</li></ul>	<ul style="list-style-type: none"><li>• Advise and assist the client with his/her duties</li><li>• Notify HSE</li><li>• Co-ordinate health and safety aspects of design work and co-operate with others involved with the project</li><li>• Facilitate good communication between client, designers and contractors</li><li>• Liaise with principal contractor regarding ongoing design</li><li>• Identify, collect and pass on pre-construction information</li><li>• Prepare/update health and safety tile.</li></ul>

### 1.8 Designers

1.9 Designers must ensure they are competent and adequately resourced to address the Health and Safety issues likely to be involved in the design.

1.10 Designers duties apply whenever designs are prepared which may be used in construction work in Great Britain. This includes concept designs, bids for grants, modifications to existing designs and relevant work carried out as part of feasibility studies.

1.11 The following table summarises the duties of designers

All construction projects	Additional duties for notifiable projects
<ul style="list-style-type: none"> <li>• Eliminate hazards and reduce risks during design</li> <li>• Provide information about remaining risks</li> <li>• Check client is aware of their duties</li> </ul>	<ul style="list-style-type: none"> <li>• Check client is aware of their duties and CDM co-ordinator has been appointed. Do not do any design work other than initial design work unless CDM co-ordinator has been appointed</li> <li>• Provide any information needed for the health and safety file</li> </ul>

### 1.12 Principal contractors

1.13 The following table summarises the duties of principal contractors:

All construction projects	Additional duties for notifiable projects
	<ul style="list-style-type: none"> <li>• Plan, manage and monitor construction phase in liaison with contractor</li> <li>• Prepare, develop and implement a written plan and site rules. (Initial plan completed before the construction phase begins)</li> <li>• Give contractors relevant parts of the plan.</li> <li>• Make sure suitable welfare facilities are provided from the start and maintained throughout the construction phase</li> <li>• Check competence of all appointees.</li> <li>• Ensure all workers have site inductions and training needed for the work</li> <li>• Consult with the workers</li> <li>• Liaise with CDM co-ordinator regarding ongoing design</li> <li>• Secure the site</li> </ul>

## 1.14 Contractors

1.15 The following table summaries the duties of contractors:

<b>All construction projects</b>	<b>Additional duties for notifiable projects</b>
<ul style="list-style-type: none"><li>• Plan, manage and monitor own work and that of workers</li><li>• Check competence of all their appointees and workers</li><li>• Train own employees</li><li>• Provide information to their workers</li><li>• Comply with the specific requirements in Part 4 of the Regulations</li><li>• Ensure there are adequate welfare facilities for their workers</li></ul>	<ul style="list-style-type: none"><li>• Check client is aware to duties and a CDM co-ordinator has been appointed and HSE notified before starting work</li><li>• Co-operate with principal contractor in planning and managing work, including reasonable directions and site rules.</li><li>• Provide details to the principal contractor by any contractor whom he engages in connection with carrying out the work</li><li>• Provide any information needed for the health and safety file</li><li>• Inform principal contractor of problems with the plan</li><li>• Inform principal contractor of reportable accidents, diseases and dangerous occurrences</li></ul>

## 1.16 Everyone

1.17 The following table summaries the duties of everyone:-

<ul style="list-style-type: none"><li>• Check own competence</li><li>• Co-operate with others and co-ordinate work so as to ensure the health and safety of construction workers and others who may be affected by the work</li><li>• Report obvious risks</li><li>• Comply with requirements in Schedule 3 and Part 4 of the Regulations for any work under their control</li><li>• Take account of and apply the general principles of prevention when carrying out duties.</li></ul>
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## **2.0 Competencies**

2.1 The Approved Code of Guidance gives clear advice about the assessing the competency of organisations and individuals engaged or appointed under CDM 2007 - CDM co-ordinators ,designers , principal contractors and contractors .

2.2 In each case the assessment of competency should be a two- stage process. In respect of organisations, the stages are:

Stage 1. An assessment of the company's organisation and arrangements for health and safety to determine whether these are sufficient to enable them to carry out the work safely and without risk to health. This has been done for all Council contractors as part of the process to be included on the approved list. No contractor should be used unless this assessment has been completed and approved.

Stage 2. An assessment of the company's experience and track record to establish that it is capable of doing the work; it recognises its limitations and how these should be overcome; and that it appreciates the risks from doing the work and how these should be tackled ., and previous experience for the actual type of work that is to be undertaken. This assessment is carried out by the Service Area concerned with the assistance of a Health and Safety Adviser where necessary.

2.3 In respect of individuals, Stage 2 is essentially the same as for organisations. Stage 1 requires an assessment of the individual's task knowledge to determine if this is sufficient to enable them carry out the task safely and without risk .This includes looking at the individual's qualifications, training records and arrangements for their Continuing Professional Development.

2.4 When assessing organisational and individual competencies, reference must be made to CDM 2007 and the associated Approved Code of Practice.

2.5 Any Service Area taking on a role under CDM 2007 must ensure that individuals are competent for the role.

## **3.0 Health and safety files**

3.1 The health and safety file should contain the information needed to allow future construction work, including, cleaning, maintenance, alterations, refurbishment and demolition to be carried out safely.

3.2 Clients, designers, principal contractors and other contractors must supply information necessary to compile or update the safety file to the CDM co-ordinator.

- 3.3 The CDM co-ordinator must prepare, review, amend or add to the safety file as the project progresses and give it to the client at the end of the project.
- 3.4 The client must keep the file to assist with future construction work

#### **4.0 Notifications**

- 4.1 Notification is required to the HSE using a form F.10 (rev) for work that is expected to last more than 30 working days or involve more than 500 person day's i.e. 50 people working for over 10 days.  
N.B. A person day is one individual, including supervisors and specialists carrying out construction work for one normal working shift.
- 4.2 The completed F.10 (rev) form must be signed by the client and forwarded to the HSE by the CDM co-ordinator as soon as possible after their appointment. Form available on [www.hse.gsi.gov.uk](http://www.hse.gsi.gov.uk)
- 4.3 If the principal contractor has not been appointed at that time then another updated notification must be made after they have been appointed. Any missing or unavailable information must be notified when it becomes available The notifier must make it clear the information relates to an earlier notification. Any significant changes must be notified to the HSE i.e. change of principal contractor or start date delayed for 1 month or longer.
- 4.4 Any construction work being carried out by contractors for the Council should be notified to the Health and Safety Team in People and Organisational Development on CIS document [4.C.260](#) to enable periodic health and safety site inspections to be undertaken by a competent Health and Safety Adviser.

#### **Further Information:**

Construction (Design and Management) Regulations 2007

Managing health and safety in construction. Construction (Design and Management) Regulations 2007 Approved Code of Practice ISBSN 9780 7176 6223 4

Want construction work done safely? A quick guide for clients on the Construction (Design and Management) Regulations 2007 INDG411

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