

CORPORATE PROCEDURE

CONSTRUCTION DESIGN AND MANAGEMENT

1 Aim of the procedure

1.1 The aim of this procedure is to outline the arrangements that Neath Port Talbot County Borough Council (NPTCBC) have in place for managing health and safety in construction.

1.2 These arrangements shall be consistently applied for all works undertaken so as to ensure compliance with the Construction Design and Management Regulations 2007.

1.3 For construction projects that are NOT notifiable (ie do not meet the criteria in 1.4), most elements of the CDM 2007 Regulations still apply.

(see flowchart appendix i)

Non notifiable work includes **maintenance** work generated via the Call Centre/ Total Property Management System (TPMS), and construction work of duration less than 30 working days. For this type of work, Architects and Surveyors from the Property and Regeneration Section will automatically carry out the role of “Designer”. The person, who seeks or accepts the Designers service for such work, will be identified as the Client.

1.4 Construction projects are notifiable to the HSE if they are expected to;

(a) last more than 30 working days, or

(b) involve more than 500 person days, for example 50 people working for over 10 days.

(see flowchart appendix ii)

2 Responsibilities

2.1 Corporate Directors

Corporate Directors shall be responsible for the overall implementation of this Corporate Procedure.

2.2 Governing Bodies of Schools Maintained by Education Authority

There is a shared overall responsibility for health, safety and welfare between the LEA, governing body and headteacher.

2.3 Heads of Service/Headteachers

2.3.1 Heads of Service shall be responsible for the day-to-day implementation of this Corporate Procedure and will ensure the provision of the necessary resources to ensure a safe system of work, comply with the requirements of the regulations.

2.3.2 Directorate Heads of Service shall also be responsible for discharging their duty as “Client” or the “Principal Contractor” as identified in the Construction Design and Management Regulations 2007 depending upon whether their service area commission or provide construction services.

2.4 Managers/Team Leaders

2.4.1 Managers/ Team Leaders shall be responsible for ensuring the implementation of this Corporate Procedure within their workplaces to comply with management guidance.

2.4.2 Managers / Team Leaders are also responsible for discharging their duties as “Designer”, “Principal Contractor” or “Contractor” as identified within Construction Design and Management Regulations 2007, depending upon whether they design or provide construction services.

Duties and Responsibilities under CDM 2007

All correspondence to the CDM Coordinator must be sent via e-mail to the following address:- cdm@npt.gov.uk

3.1 Client Duties and Responsibilities

The “Client” as defined by CDM 2007 is;

“A person who, in the course or furtherance of a business-

(a) seeks or accepts the services of another, which may be used in the carrying out of a project for him, or;

(b) carries out a project himself

3.1.1 Identifying a Client is a statutory requirement and it is the Directorate who ultimately decides, what is to be constructed, where, when and by who, and also initiates the work.

3.1.2 Client duties:

- To engage the services of a competent and adequately resourced Designer.
- To appoint a competent and adequately resourced Contractor(s) from the Authority Approved Contractor “Select list”.
(Ref; [CP/19](#) “Procurement and Management of Contractors”)
- Take reasonable steps to ensure that the arrangements made for managing the scheme by persons with duties imposed under CDM 2007, including the client are suitable.
- Allow sufficient time and resources for all stages of the scheme under guidance from the Designer and CDM Coordinator.
- Promptly provide pre-construction information to the Designers and contractors taking into consideration the nature, size and complexity of the job.
- Ensure there are suitable management arrangements in place for the construction phase of the scheme including welfare facilities.

3.1.3 Additional Client Duties for CDM notifiable schemes:

- To appoint a competent and adequately resourced Designer in writing (using form [CF/25/01](#)). (use Designer competency checklist [CF/29/02](#) “Property and Regeneration”, or [CF/38/01](#) “Engineering and Transport”)

NB; Where several projects are to be allocated to the same Designer or CDM Coordinator, this may be covered with one letter, making reference to all relevant projects.

- To appoint a competent and adequately resourced CDM coordinator in writing, and ensure the post remains filled until completion of the scheme. (using form [CF/30/01](#) and competency checklist [CF/31/02](#))

- To appoint a competent and adequately resourced Principal contractor and ensure that the post remains filled
- Provide information to the CDM coordinator relating to the health and safety file
- Ensure that the health and safety file has been provided at the end of the project
- Ensure that the health and safety file is available to those who require to use it.

3.2 Designer Duties

3.2.1 All projects;

- Prepare the pre construction information taking into consideration the nature, size and complexity of the job.
(“Pre Construction Information” template [CF/24/02](#) for notifiable projects or “Project Information” template [CF/39/01](#) for non notifiable work)
- Not to commence work unless the client is aware of his duties under CDM 2007.
- When preparing or modifying a design, avoid foreseeable health and safety risks to persons carrying out or liable to be affected by the scheme.
- Eliminate, where reasonably practicable, any hazards which give rise to risks
- Reduce risks from any remaining hazards

3.2.2 Additional Designer Duties for notifiable schemes:

- Not to commence design work, other than initial design work unless the CDM coordinator has been appointed
- Take all reasonable steps to provide sufficient information with the design on aspects of the structure, its construction and its maintenance to assist the CDM coordinator to comply with their duties
- Contribute towards the preparation of the health and safety file.

3.3 CDM Coordinator Duties:

3.3.1 The appointment of a CDM coordinator is a statutory requirement for all notifiable schemes and is/ can be an individual, department or joint responsibility who:

3.3.2 Duties

- Advise the client with regards to their duties imposed under CDM 2007 (using form [CF/27/01](#))
- Ensure that the Health and Safety Executive are notified (using HSE form F10)
- Identify, collect and pass on pre-construction information
- Coordinate the health and safety aspects of design work and cooperate with others involved with the project
- Facilitate good communication between clients, designers and contractors
- Liaise with principal contractor regarding ongoing design
- Prepare the health and safety file, (using form [CF/26/01](#)) or update it if one already exists, and pass it to the Client on the completion of the scheme.

3.4 Principal Contractor Duties

- To plan, manage and monitor the construction phase in a way which ensures so far as is reasonably practicable that it is carried out without risk to health and safety.
- Facilitate the cooperation and coordination between persons concerned with the scheme and apply the general principles of prevention.
- Liaise with the CDM coordinator
- Ensure adequate welfare facilities are provided throughout the construction phase
- Where necessary draw up site rules

- Give reasonable instructions to any contractor to enable the principal contractor to fulfil their duties
- Ensure that every contractor is informed of the minimum time they will be allowed for the planning and preparation before the construction work begins.
- Where necessary consult with contractors before finalising the parts of construction phase plan that are relevant to the work undertaken by them.
- Ensure that every contractor is given access to the relevant parts of the construction phase plan in sufficient time to enable them to prepare properly for the work to be done by them.
- Ensure that every contractor is given sufficient time as such information they need to carry out the work to ensure so far as is reasonably practicable that it is carried out without risks to health and safety.
- Identify to each contractor the information which is likely to be required by the CDM coordinator for inclusion in the Health and Safety file and ensure that it is promptly provided.
- Ensure that the HSE notification (F10) is displayed in a prominent position at the location of the work.
- Take reasonable steps to prevent access by unauthorised persons.
- Take all reasonable steps to ensure:
 - All workers are provided with a suitable site induction,
 - That contractors are providing their workers with information, instruction and training they need to undertake their work safely and without risk to health.
- Before the start of the construction phase, prepare a construction phase plan which is sufficient to ensure that the construction phase is planned, managed and monitored in a way which enables the construction work to be started so far as is reasonably practicable without risk to health or safety, paying adequate regard to the information provided by the designer and the pre-construction information.

- Ensure that Designers and Contractors they engage are competent and adequately resourced.
- As may be appropriate throughout the scheme update, review, revise and refine the construction phase plan so that it continues to be sufficient to ensure that the construction phase is planned, managed and monitored in a way which enables the construction work to be carried out so far as is reasonably practicable without risk to health or safety;
- Arrange for the construction phase plan to be implemented in a way which will ensure so far as is reasonably practicable the health and safety of all persons carrying out or who may be affected by the construction work.
- Shall take all reasonable steps to ensure that the construction phase plan identifies the risks to health and safety arising from the construction work (including the risks specific to the particular type of construction work concerned) and includes suitable and sufficient measures to address such risks, including any site rules.
- Shall make and maintain arrangements which will enable him and the workers engaged in the construction work to co-operate effectively in promoting and developing measures to ensure the health, safety and welfare of the workers and in checking the effectiveness of such measures.
- Consult those workers or their representatives who are not consulted on matters connected with the project which may affect their health, safety or welfare by their employer, and ensure that such workers or their representatives can inspect and take copies of any information which the principal contractor has, or which these Regulations require to be provided to him, which relates to the planning and management of the project, or which otherwise may affect their health, safety or welfare at the site, except any information –
 - (i) the disclosure of which would be against the interests of national security,
 - (ii) which he could not disclose without contravening a prohibition imposed by or under an enactment,
 - (iii) relating specifically to an individual, unless he has consented to its being disclosed,

- (iv) the disclosure of which would, for reasons other than its effect on health, safety or welfare at work, cause substantial injury to his undertaking or, where the information was supplied to him by some other person, to the undertaking of that other person, or
- (v) obtained by him for the purpose of bringing, prosecuting or defending any legal proceedings.

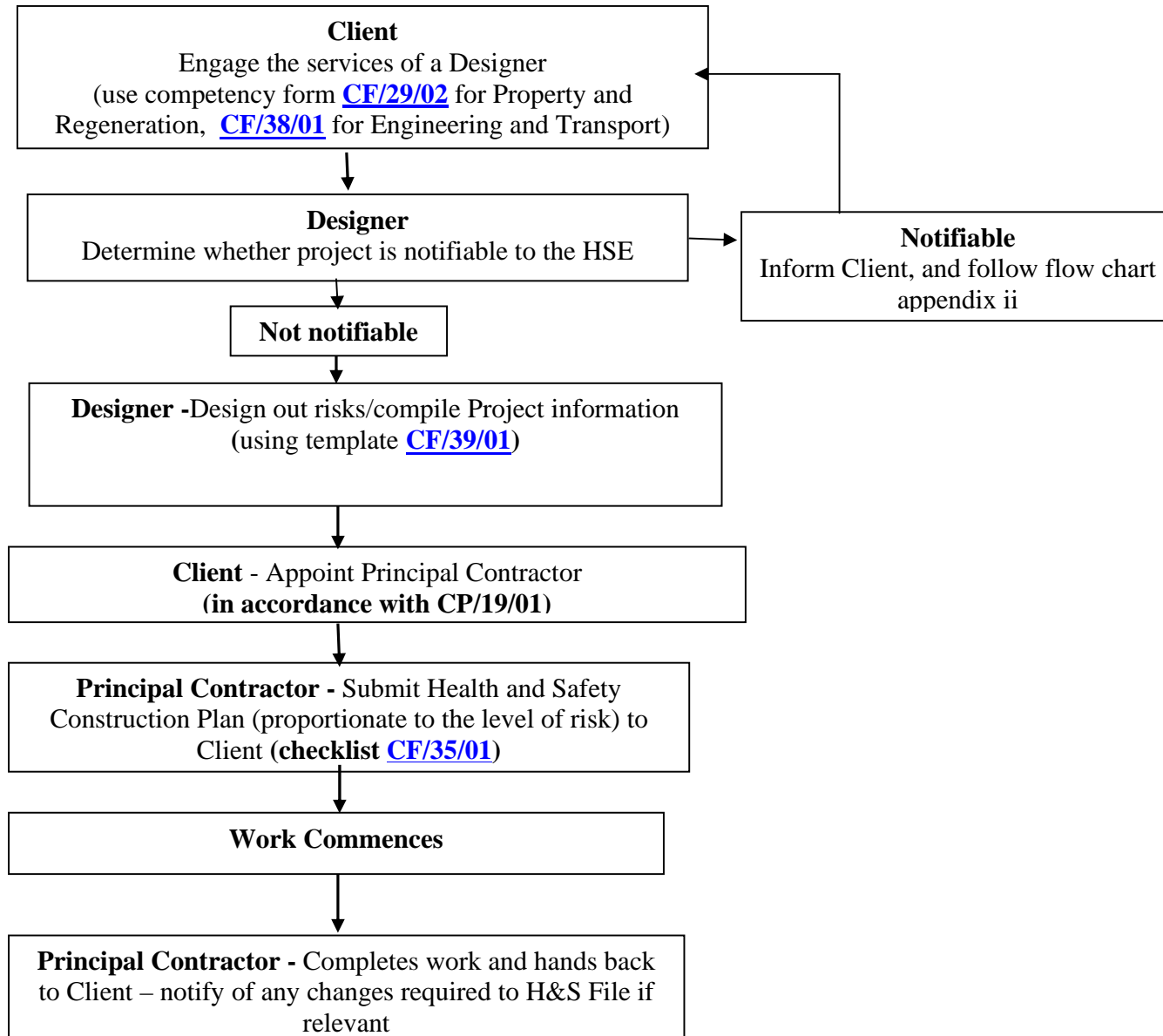
3.5 Contractor Duties and Responsibilities

3.5.1 All contractors must:

- Satisfy themselves that any contractors or designers they engage are competent and adequately resourced;
- Co-operate with the principal contractor;
- Provide information to the principal contractor about risks to others created by their work this information might, for example, come from risk assessments and method statements;
- Comply with any reasonable directions from the principal contractor; and with any relevant rules in the health and safety plan;
- Tell the principal contractor about accidents and dangerous occurrences;
- Provide information for the health and safety file;
- Provide information and training to their employees.

(Appendix i)

CDM Flow Chart



(Appendix ii)

CDM Flow chart – Notifiable projects

