

HEALTH AND SAFETY ASSOCIATES

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C.D.M. Regulations 2007

incorporating the

Construction (Safety, Health and Welfare) Regulations 1996

APPLIES TO ALL CONSTRUCTION WORKS :

Parts 2 and 4 are appropriate to non-notifiable Projects;

additional requirements upon Notifiable Projects ie Part 3

- Intended to simplify the 1994 Regulations and reduce needless paperwork, but will make enforcement by the HSE much easier: **philosophy is 'guilty' until proven 'innocent'**.
- Focuses attention on planning and management throughout construction Projects, from design concept onwards, and upon the actions necessary to reduce and manage health and safety risk.
- Introduced changes in duties and responsibilities for **immediate implementation** on 6/04/2007 on Notifiable Projects.
- In particular, responsibilities upon some dutyholders are now more demanding. Clients have a **continuous responsibility** for the health, safety and welfare of all Persons associated with their Projects.
- Emphasises need for 'competence' by all persons associated with a Project and provides explicit guidance on competence assessment.
- Requirement for everyone to 'co-operate' with each other to enable their duties to be fulfilled. This includes co-operation between different Projects on the same or adjoining Sites

Clients must:-

1. **Appoint a competent Co-ordinator immediately beyond the initial design stage** of a Project. Failure to do so means that **the Client is deemed to fulfil all the Co-ordinator duties**.
2. Ensure that all persons used on a Project, Designers, Contractors and other Persons are **'competent', adequately resourced and appointed early enough** to undertake their scope of works, and **appointed in writing**.
3. Allow **sufficient time for each stage** of the Project, from concept onwards.
4. Ensure there are reasonable **management procedures in place throughout the Project**, so that as far as is reasonably practicable, the construction works can be undertaken safely and without risk to health.
5. Ensure that the Contractors **have suitable welfare** arrangements in place **from the start** and throughout the Project.
6. **NOT PERMIT construction Works to start** without adequate welfare arrangements operational.
7. Ensure that all Projects constructing fixed Workplaces, ie. Factories, Shops, Offices, Schools etc are designed and materials used in compliance with The Workplace (Health, Safety and Welfare) Regulations 1992.
8. Supply all relevant information needed by Designers, Contractors to the CDM Co-ordinator:eg. existing Health and Safety Files, to enable them to plan and manage their work.
9. **ENSURE** that the new revised HSE Form F10 is submitted to the HSE.
10. Ensure that the Health and Safety File is received from the CDM Co-ordinator.

NB. Under these Regs. the Clients Agent **does not exist**.

Co-ordinator (renamed from 'Planning Supervisor') must:-

1. Ensure that he is 'competent' to undertake his duties commensurate with the scope of the Project.
2. Act as 'Client's friend'.
3. Advises Client on 'competence' of and provisions of health and safety by the Designers.
4. Collates and prepares 'Information pack' containing relevant pre-construction information and distributes to **everyone** that needs it.
5. Make Notifications to the HSE using Form F10.
6. Ensure suitable arrangements are in place for co-ordinating health and safety during the planning and pre-construction phase.
7. Facilitate co-operation and good communications between Client, designers and contractors.
8. Advise Client on the suitability of the construction phase Plan prepared by the Principal Contractor including subsequent liaison with Principal Contractor regarding on-going design.
9. Compile and hand over the Health and Safety File for the Client.

Designers:

1. No major changes regarding Risk assessment and Risk mitigation as with CDM 1994 Regs.
2. Must ensure that he is 'competent' to undertake his duties commensurate with the scope of the Project.
3. MUST advise Client of his duties.
4. **Not permitted to undertake detailed design without a Co-ordinator being appointed.**
5. Design work must address Workplace (H S & W) Regs. 1992.
6. Must consider hierarchy of risk on their designs and provide all necessary information for high risk activities.
7. Must co-operate with all other designers, Co-ordinator and the Principal Contractor.
8. Provide 'As Built' information to the Co-ordinator needed for the Health and Safety File.

Principal Contractors and Contractors.

1. No major changes regarding management of Risk as with CDM 1994 Regs.
2. Must ensure that a CDM Co-ordinator is appointed and HSE notified before starting work.
3. Must give adequate 'mobilisation' period to his contractors, for planning etc.
4. Must consult with the workforce for achieving higher standards of health and safety.
5. Must give contractors relevant parts of the written construction phase Plan, site rules etc.
6. Must maintain suitably adequate welfare facilities throughout the Project.
7. Must check 'competence' of all Appointees, ensuring that as far as possible, all personnel are adequately trained to perform their duties in a safe manner.
8. Must liaise with the CDM Co-ordinator regarding on-going design.
9. Must secure the Site.
10. Must prepare a construction phase Plan which has to be updated as the project proceeds.
11. Must provide Information to the Principal Contractor for the Health and Safety File.
12. Must notify the Principal Contractor of any 'incidents' appropriate to RIDDOR.

Demolition:

- If not notifiable – then outside the scope of CDM 2007.
- However, arrangements for the Works **MUST** be in writing, before the works commence.

The Approved Code of Practice (ACOP) to the Regulations is available from HSE books.