

Managing health and safety in construction

Construction (Design and Management) Regulations 2007



Approved Code of Practice

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ACOP**The CDM co-ordinator (notifiable projects only)**

84 The role of CDM co-ordinator is to provide the client with a key project advisor in respect of construction health and safety risk management matters. They should assist and advise the client on appointment of competent contractors and the adequacy of management arrangements; ensure proper co-ordination of the health and safety aspects of the design process; facilitate good communication and co-operation between project team members and prepare the health and safety file.

Regulation 9

85 Through early involvement with clients and designers, a CDM co-ordinator can make a significant contribution to reducing risks to workers during construction, and to contractors and end users who work on or in the structure after construction.

ACOP**Appointing the CDM co-ordinator**

86 Early appointment of the CDM co-ordinator is crucial for effective planning and establishing management arrangements from the start. The Regulations require the appointment to take place as soon as is practicable after initial design work or other preparation for construction work has begun. This allows the client to appraise their project needs and objectives, including the business case and any possible constraints on development to enable them to decide whether or not to proceed with the project before appointing the CDM co-ordinator. The CDM co-ordinator needs to be in a position to be able to co-ordinate the health and safety aspects of the design work and advise on the suitability and compatibility of designs, and therefore they should be appointed before significant detailed design work begins. Significant detailed design work includes preparation of the initial concept design and implementation of any strategic brief. As a scheme moves into the detailed design stage, it becomes more difficult to make fundamental changes that eliminate hazards and reduce risks associated with early design decisions.

87 Proper consideration of the health and safety implications of the design for those who build and maintain the structure will make a significant contribution to reducing its whole life cost, and will make delivery to time, cost and quality more likely.

88 The CDM co-ordinator can be an individual or a company. They can be appointed independently of any other role on the project team, or they may combine this work with another role, for example, project manager, designer or principal contractor. Where the role is combined, it is crucial that the CDM co-ordinator has sufficient independence to carry out their tasks effectively. The tasks can be shared out, but when this happens it is important to make sure that all of the duties are discharged. On simple projects one person should be able to provide all of the support that clients need, but a team approach will be more common for larger or more complicated projects because of the workload and skills required.

Regulation 14

89 Paragraphs 193-240 contain advice on selecting a competent CDM co-ordinator.

ACOP**What CDM co-ordinators should do****Regulations 20 and 21**

90 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:

ACOP

The health and safety file (notifiable projects only)

256 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. Information in the file should alert those carrying out such work to risks, and should help them to decide how to work safely. The file should be useful to:

- (a) clients, who have a duty to provide information about their premises to those who carry out work there;
- (b) designers during the development of further designs or alterations;
- (c) CDM co-ordinators preparing for construction work;
- (d) principal contractors and contractors preparing to carry out or manage such work.

257 The file should form a key part of the information that the client, or the client's successor, is required to provide for future construction projects under regulation 10. The file should therefore be kept up to date after any relevant work or surveys.

258 **The scope, structure and format for the file should be agreed between the client and CDM co-ordinator at the start of a project.** There can be a separate file for each structure, one for an entire project or site, or one for a group of related structures. The file may be combined with the Building Regulations Log Book, or a maintenance manual providing that this does not result in the health and safety information being lost or buried. What matters is that people can find the information they need easily and that any differences between similar structures are clearly shown.

Regulation 24

ACOP

What you must do

259 Clients, designers, principal contractors, other contractors and CDM co-ordinators all have legal duties in respect of the health and safety file:

- (a) CDM co-ordinators must prepare, review, amend or add to the file as the project progresses, and give it to the client at the end of project;
- (b) clients, designers, principal contractors and other contractors must supply the information necessary for compiling or updating the file;
- (c) clients must keep the file to assist with future construction work; and
- (d) everyone providing information should make sure that it is accurate, and provided promptly.

260 A file must be produced or updated (if one already exists) as part of all notifiable projects. For some projects, for example redecoration using non-toxic materials, there may be nothing of substance to record. Only information likely to be significant for health and safety in future work need be included. The NHBC Purchaser Manual provides suitable information for developers to give to householders. You do not have to produce a file on the whole structure if a project only involves a small amount of construction work on part of the structure.

Regulations 17,
20(1)(c)and(2)(e)

ACOP

264 The file does not need to include things that will be of no help when planning future construction work, for example:

- (a) the pre-construction information, or construction phase plan;
- (b) construction phase risk assessments, written systems of work and COSHH assessments;
- (c) details about the normal operation of the completed structure;
- (d) construction phase accident statistics;
- (e) details of all the contractors and designers involved in the project (though it may be useful to include details of the principal contractor and CDM co-ordinator);
- (f) contractual documents;
- (g) information about structures, or parts of structures, that have been demolished - unless there are any implications for remaining or future structures, for example voids;
- (h) information contained in other documents, but relevant cross-references should be included.

Some of these items may be useful to the client, or may be needed for purposes other than complying with the CDM Regulations, but the Regulations themselves do not require them to be included in the file. Including too much material may hide crucial information about risks.

Regulation 20(1)(c) and (2)(e)

Storing the file after the work is complete

265 To be useful the file needs to be kept up to date, and retained for as long as it is relevant - normally the lifetime of the structure. It may be kept electronically (with suitable backup arrangements), on paper, on film, or any other durable form. Where clients dispose of their entire interest in a structure, they should pass the file to the new owners and ensure that they are aware of the nature and purpose of the file. Where they sell part of a structure, any relevant information in the file should be passed or copied to the new owner.

Example 28

A client included the preparation of the health and safety file in the CDM co-ordinator's contract. The CDM co-ordinator received information from the principal contractor and designers for inclusion within the health and safety file. The CDM co-ordinator reviewed all the information provided and extracted what was needed for inclusion within the health and safety file. One contractor had provided his risk assessments. The CDM co-ordinator did not include these because they were not relevant to future construction or cleaning work.

266 If the client leases out all or part of the structure, arrangements need to be made for the health and safety file to be made available to leaseholders. In some cases, the client might transfer the file to the leaseholder during the lease period. In other cases, it may be better for the client to keep the file, but tell leaseholders that it is available. If the leaseholder acts as a client for future construction projects, the leaseholder and the original client will need to make arrangements for the file to be made available to the new CDM co-ordinator.

Regulation 17(3) and (4)