



APPLICATION OF C. D. M.

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## CLIENT

### **DUTIES**

#### **Concept**

1. Determine whether the project falls within the scope of the Regulations.
2. Appoint a Planning Supervisor in accordance with reg. 6.1 C.
3. Be reasonably satisfied that the Designer and Planning Supervisor are Competent to carry out their duties with regard to Health and Safety on the project
4. Provide the Designer and Planning Supervisor with information relative to Health and Safety matters on projects as reg. 11.

#### **Design and Planning**

5. Continue with supply of information to the Designer and Planning Supervisor relative to Health and Safety matters as it becomes available through the project.
6. Be reasonably satisfied that the Designer and Planning Supervisors are competent to carry forwards the role in making adequate information available for the Safety Plan in accordance with reg. 8.2 and 9.2.

#### **Tender and Selection Stage**

7. Ensure adequate time is allowed for the Tender Process and consideration of the Safety Plan.
8. Take advice on the appointment of the Principal Contractor in accordance with reg. 6.1.b appoint a Principal Contractor.

## **Construction Phase**

9. Ensure that work on site does not begin until the Principal Contractor has developed the Health and Safety Plan appropriate to the project, in accordance with reg. 10.
10. Comply at all times with the management of the Health and Safety at Work Regulations 1992, and the Health and Safety at Work Act 1974.
11. Take advice as reasonably necessary on the competence of the Principal Contractor and the Contractors appointed in accordance with reg. 8.3 and 9.3.

## **Commissioning and Handover**

12. Make available to any interested party the completed Health and Safety File.

## THE DESIGNER

### **DUTIES**

#### **Concept and Feasibility**

1. Inform the Client of his Duties and Responsibilities in accordance with reg. 13.
2. As required by the reg. 13.2.b; 8.2 and 9.2 identify the HI Health and Safety Hazards on the project with regard to the Design and the Assessment of Risks attached to the Hazards.
3. Give regard to the hierarchy of Risk and Hazard control as noted in reg. 13.2a.
4. Provide adequate information on Health and Safety matters to those who reasonably request the information.
5. Cooperate with the Planning Supervisor and other designers as required by reg. 13.2.c.

#### **Design and Planning Stage**

6. Identify the significant Health and Safety Hazards and Risk in the Design as required by reg. 13.2.b.
7. Continue to give regard to the hierarchy of Risk Control as identified reg.13.2.a.
8. Continue to provide adequate information on Health and Safety to those with an interest in the project.
9. Continue to cooperate with the Planning Supervisor and Designers as reg. 13.2.c.
10. Ensure that any Designers are competent and have made adequate provision for Health and Safety matters.

#### **Tender Selection**

11. Ensure that the Principal Contractor and other Contractors are competent and have made proper provision for Health and Safety in accordance with reg. 8.3 and 9.3.

## **Construction Phase**

12. Identify the significant Health and Safety Hazards and lists of ongoing Design Works yet to be completed at Tender Stage, in accordance with reg. 13.2.1.
13. Continue with the hierarchy of Risk Control as reg. 13.2.a
14. Continue with provision of Health and Safety information as the work progresses, to those who have need of the information.
15. Continue with the cooperation with other Designers and the Planning Supervisors.
16. Ensure that the Contractors appointed throughout the project are competent to manage their Health and Safety matters in accordance with reg. 8.3 and 9.3.

## **Commission and Handover**

17. Identify the significant Health and Safety issues, Hazards and Risks as work progresses.
18. Continue to give regard to the hierarchy of Risk Control as reg. 13.2.
19. Continue to provide information on the issue of Health and Safety matters to those who reasonably require the information.
20. Continue to cooperate with the Planning Supervisor and other Designers as reg. 13.2. c.
21. Continue to ensure that the Contractors appointed to commission are competent to do so in terms of Health and Safety Management.

## PRINCIPAL CONTRACTOR

### **DUTIES**

#### **Pre-Construction Phase**

1. Cooperation with the Planning Supervisor in developing the Safety Plan sufficiently in accordance with reg. 15.4.
2. Complete and forward to the Planning Supervisor the revised Form F10 section 11, prior to the commencement on site.
3. Pass on to any interested party, the contents of the Health and Safety Plan as reasonably requested.

#### **Construction Phase**

4. Reasonably check the Contractors working on the project are competent and have made provision for Health and Safety matters, as required by reg. 8.3 and 9.3.
5. Obtain and check Method Statements from Contractors carrying out specialist or hazardous works.
6. Ensure cooperation and coordination with Contractors to ensure that they comply with their obligations under the Health and Safety at Work act 1974 and Management of Health and Safety at Work act 1994, and the Provision and Use of Work Equipment Regulations 1992, in accordance with reg. 16.1.a.
7. In accordance with reg. 1.2. ensure that adequate training for Health and Safety is given to employees.
8. Ensure adequate communication of Health and Safety matters between Contractors on site as required by reg. 17.1.
9. Make adequate arrangements to discuss Health and Safety matters on site with all operatives as reg. 18.
10. In accordance with reg. 16.1b,c,d; allow only authorized people onto the site.
11. Display all H.S.E. notification details on site for public view
12. Make arrangements to monitor the performance of the Contractors' Health and Safety performance.
13. Pass on to the Planning Supervisor any information relevant to the Health and Safety File, as reg. 16.1.e.
14. As required by reg. 16.2.c. pass on to Contractors any directions as are necessary for the management of Health and Safety on site.
15. In accordance with reg. 8.2 and 9.2 to ensure that when employing Contractors to carry out design works that they are competent to carry out the design and that adequate provision is made for Health and Safety and the hierarchy of Hazard and Risk Control as reg. 13.2.a.

## THE CONTRACTOR

### **DUTIES**

#### **Pre-Construction Phase**

1. In accordance with reg. 19.c,d; identify the Hazards of work and assess the Risks arising from the Hazards and notify the Principal Contractor of how the Risks are to be controlled.
2. As required by reg. 19.b, c and I notify the Principal Contractor of any dangerous occurrence as noticeable under the RIDDOR regulations.
3. As required by reg. 19.b, e, provide information for inclusion in the Health and Safety File.
4. As required by reg. 19.1. cooperate with the Principal Contractor on all matters relating to the management of Health and Safety on site.
5. Comply with all directions relating to Health and Safety at Work issued by Principal Contractor and the rules issued under the Health and Safety Plan as required by reg. 19.c. and 19.d.
6. Provide information to employees relating to Health and Safety at Work act 1974 and Management of Health and Safety at Work regulations 1992.
7. Ensure that when carrying out Design works that the Designers are competent and have made adequate provision for Health and Safety matters.

## PLANNING SUPERVISOR

### **DUTIES**

#### **Concept and Feasibility**

1. Notify the Health and Safety Executive of the project particulars as detailed on revised Form F10.
2. As required advise the Client regarding the competence of the Designers with regard to the provisions of Health and Safety issues.
3. Ensure the cooperation between designers on Health and Safety matters.
4. Ensure as far as is reasonable that Designers comply with their duties under the regulations.

#### **Design and Planning**

5. Continue to advise as necessary on the competence of Designers and their provision for Health and Safety as reg. 14.c.
6. Ensure the cooperation of the Designers as reg. 14.b.
7. Ensure that Designers comply with their duties under reg. 14.a.
8. Prepare a Health and Safety Plan for issue to the prospective Principal Contractors at Tender Stage, indicating the Principle and Significant Hazards identified prior to commencement on site.
9. Ensure that a Health and Safety Plan is developed to the stage of completeness by the selected Principal Contractor, that the Client can inspect and give authority for the works to commence on site as reg. 6.1.b. and reg. 10.

#### **Construction Phase**

10. The responsibility for the Health and Safety Plan normally passes to the Principal Contractor at commencement of the Construction Phase, with the development of the Health and Safety File being carried out separately by the Planning Supervisor, who will ensure the preparation of the File for handing to the Client on completion of the project.

## SUMMARY

### **CLIENT**

1. The duties of the Client are simply to ensure that the Planning Supervisor is appointed in good time to advise the Designer and other interested parties on the application of the regulations to the specific project in hand.
2. The Planning Supervisor will normally advise all parties of their roles in view to the new duties applicable under the regulations.
3. The Client has to appoint the Planning Supervisor formally and at a stage when the Design is just about to be developed into Working Drawings.
4. The Client is responsible for the appointment of the Principal Contractor and for being satisfied that the Contractor is competent to manage the Health and Safety issues on the site during the Construction Phase.
5. The Client is responsible for ensuring the competence of the Designers and hence that the Design has taken due account of the Health and Safety issues raised on the project.
6. The Client must allow sufficient time for the preparation of Tenders and the preparation of the Health and Safety Plan to a degree which can demonstrate that the proposed Principal Contractor has addressed all Health and Safety matters. This Plan must be approved for construction prior to work commencing on the site and the Client holds this responsibility, normally advised by the Design Team and the Planning Supervisor.

### NOTE

Where the Client chooses to appoint a direct order Contractor the responsibility for the control and performance of the Contractor with regards to Health and Safety matters, is with the Client. The Principal Contractor is responsible for the management of the Contractor onsite, but the liability for any misdemeanor is with the Client.

### **DESIGNER**

7. The Designer is responsible under the regulations for the application of the Health and Safety at Work reg. And for carrying out Assessments of Hazards in the Design process to identify for the Principal Contractor the significant Risks associated with the works, so as to allow preparation and inclusion of proper measures within the Tender to manage the Risks accordingly.
8. The Designer is also responsible for ensuring that the parties under his control are competent to carry out the duties delegated to them in managing Health and Safety.

## ***PRINCIPAL CONTRACTOR***

9. The Principal Contractor (formerly the Main Contractor) is responsible for all activities on the site and is advised to act accordingly. The limits of the site should be clearly defined and all persons on the site appraised of the Site Rules and Safety Information given in the Health and Safety Plan.
10. The management of the Health and Safety matters on site are almost identical to the duties applicable prior to the CONSTRUCTION DESIGN AND MANAGEMENT regulations coming into force, the regulations simply formalize what has been accepted as good practice in the industry for several years and has laid down the procedures to ensure that this is now planned prior to commencement, with the Planning Supervisor monitoring the process on behalf of the Client and advising the Client as necessary.
11. The Principal Contractor is responsible for the safe performance of every party on the site and this applies to Direct Order Contractors (formerly known as Artists and Tradesmen). These Contractors and Suppliers are obliged to carry out their work to the satisfaction of the Principal Contractor with regard to Health and Safety and the responsibility cannot be ignored because the Principal Contractor does not employ them.
12. The Principal Contractor is the coordinator of all other Contractors, both Domestic and Direct and is responsible for being satisfied as to the competence of the Contractor prior to allowing him to commence. The Principal Contractor is also responsible for obtaining the information for compiling the Health and safety File and for passing this on to the Planning Supervisor during the course of the Contract.