

EAST DUNBARTONSHIRE COUNCIL

HEALTH & SAFETY PROCEDURE

CDM

SP15

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DOCUMENT CONTROL AMENDMENT RECORD

Date	Issue No	Amendment	Person Responsible for Amendment
Sep 2023	01	Initial issue	Colin Hannigan / Laura Gold Health & Safety Team

1. INTRODUCTION

The Construction (Design and Management) Regulations 2015 (CDM 2015) changed in April 2015 and introduced specific duties and responsibilities on those involved in the delivery of construction works.

East Dunbartonshire Council (EDC) undertakes construction work at all levels, from routine maintenance to full scale construction projects which require notification to the Health and Safety Executive. The Council understands its responsibility to protect all its employees and people who could be affected by work they carry out or contract, (e.g., staff, tenants, contractors, and members of the public) by compliance with CDM 2015.

The purpose of this procedure is to detail how EDC will incorporate CDM 2015 into its daily management of construction projects and explain the roles and responsibilities of the specific duties placed upon the Council for the management of construction projects under the Regulations.

This document has been created to provide a suitable and correct procedure for the management of CDM 2015 throughout EDC.

2. SCOPE

This procedure applies to all construction projects managed by EDC and will ensure that the internal management of CDM 2015 within EDC is consistent and clear for all EDC employees with an involvement in the adherence to CDM 2015.

3. ROLES AND RESPONSIBILITIES

3.1 CHIEF EXECUTIVE

The East Dunbartonshire Council (EDC) Chief Executive has ultimate responsibility for health and safety and ensuring the management of construction projects which come under the scope of CDM 2015 regulations.

It is important to acknowledge that the Chief Executive's responsibilities are shared, in that the Deputy Chief Executive, Executive Officers and Managers will be responsible and accountable within their areas of responsibility for ensuring this management procedure is implemented in respect of premises under the control of or otherwise, occupied by EDC personnel.

3.2 EXECUTIVE OFFICERS & MANAGERS

The Executive Officers and Managers must ensure the following:

- Adequate resources and competent person(s) are allocated to support the implementation of this Management Procedure and relevant associated Health and Safety legislation.
- Nominated person(s) are supported in implementing the measures of this Management Procedure to comply with relevant Health and Safety legislation.

3.3 HEALTH AND SAFETY TEAM

The EDC Health and Safety Team will advise management in fulfilling their duties with regards to the implementation of this Management Procedure and associated regulations and guidance.

In particular, the Health and Safety Team shall:

- Advise the Executive Officer, Manager, Team and Squad Leaders in fulfilling their duties;
- Work with teams to provide feedback about actions and control measures that may need to be taken to prevent harm and protect employees;
- Provide and reinforce training and education on health risks associated with certain tasks;
- Monitor the compliance with this management procedure and the associated regulations and guidance by carrying out periodical audits and inspections and issuing subsequent reports detailing any possible gaps or issues that need to be addressed.

Please see C09 CDM Summary Flowchart for more instructions relevant for each service. Consultation and engagement with EDC H&S Team through the CDM process for each service must be followed. It is recommended a 10-day turnaround for document review by the H&S Team is applied.

3.4 THE CLIENT

CDM 2015 places clear responsibility on Clients, Designers, Principal Designers, Principal Contractors, and Contractors.

The Client is the person having construction work carried out for them and is responsible for making suitable arrangements for managing a project.

This includes making sure that:

- Other duty holders are appointed.
- Sufficient time and resources are allocated.
- Relevant information is prepared and provided to other duty holders.
- The principal designer and principal contractor carry out their duties.
- Welfare facilities are provided and must comply with Schedule 2 CDM 2015 requirements regardless of works duration or notifiable status or not.
- Notify the project (if required).
- Keep a copy of the H&S file following project completion.

A client brief can be prepared initially to share client requirements and expectations with the project team and help to comply with client duties under CDM.

East Dunbartonshire Council will **always** be the client for the works it requires, and on occasion will carry out works for other clients. The role of the council will be stated before works commence and an individual person would be named in the construction documents.

Please refer to: C01 Pre-Construction Information template

C06 Principal Contractor Appointment Letter

C07 Principal Designer Appointment Letter

C08 CDM Safety Plan for Minor Works

F10 Form notification – Health and Safety Executive website

3.5 PRINCIPAL DESIGNER

*A principal designer must be appointed in writing by the client for all **projects**.* The principal designer can be an external organisation or an internal EDC employee with sufficient knowledge, experience, and must be competent to carry out the role.

The principal designer is responsible for planning, managing, monitoring, and coordinating health and safety in the pre-construction phase of a project. This includes:

- Liaise with the client and principal contractor.
- Assist with the project set up.
- Assist with compiling the Pre-Construction Information
- Coordinate the pre-construction phase.
- Identifying, eliminating, or controlling foreseeable risks.
- Ensuring designers carry out their duties.
- Preparing and providing relevant information to other duty holders.
- Liaising with the principal contractor to help in the planning, management and monitoring of health and safety during the construction phase of the project.
- Prepare the Health & Safety File

Please refer to: C02 Construction Health and Safety Phase Plan template.

C03 Health and Safety file

Designers risk assessments and method statements

3.6 PRINCIPAL CONTRACTOR

The principal contractor is appointed by the client to plan, manage, monitor and co-ordinate health and safety during the construction phase of a project **when there's more than one contractor involved**.

The principal contractor's duty is to:

- Plan, manage, monitor, and coordinate health and safety in the construction phase of a project.
- Liaise with the client and principal designer.
- Prepare the construction phase plan.
- Ensure welfare facilities are provided.
- Organise cooperation between contractors and coordinate their work.

- Provide the right management and supervision.
- Display F10 notification form.

Please refer to: C02 Construction Health and Safety Phase Plan template.
Risk Assessments and Method Statements from the service provider.

3.7 DESIGNER

The designer is someone who, as part of a business, prepares or modifies designs for a building, product or system relating to construction work.

All Designers have duties under CDM 2015, and the Principal Designer must **ensure all Designers comply** with their duties.

The Principal Designer should work with other Designers involved in the project to identify significant risks that are likely to arise while carrying out construction work, or during future maintenance, cleaning, and use of the building.

The designer's role when preparing or modifying designs is to eliminate, reduce or control foreseeable risks that may happen during construction or maintenance and use of a building after it's been built, and provides information to other members of the project team to help them fulfil their duties.

The design process should now consider the 'whole life' and the purpose of a building and designers are required to design risk out as far as practicable during the design phase.

Any Contractor or EDC employee who decides or instructs a course of action in relation to the design of a construction project is a designer under the regulations.

3.8 CONTRACTOR

The individual or organisation doing the actual construction work.

Anyone who directly engages construction workers or manages construction work is a contractor. This includes companies that use their own workforce to do the work on their premises and duties apply to all workers be they employees, self-employed or agency workers.

The contractor's duty is to:

- Plan, manage and monitor construction work under their control so that it is carried out without risks to health and safety.
- For projects involving more than one contractor, co-ordinate their activities with others in the project team – in particular, comply with directions given to them by the principal designer or principal contractor.
- For single contractor projects, prepare a construction phase plan.

4. DEFINITION OF CONSTRUCTION WORK

The CDM 2015 Regulations apply to all defined construction work without exception. In all cases, Clients should assume activities are in scope unless the project in question is not covered by the comprehensive list of activities contained within the regulations.

The regulations and accompanying Health and Safety Guidance L153 provides a comprehensive definition of what is deemed construction work, an extract is detailed below:

“Construction work” means the carrying out of any building, civil engineering or engineering construction work and includes.

- a) the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration, or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure. or the use of corrosive or toxic substances), de-commissioning, demolition or dismantling of a structure.
- b) the preparation for an intended structure, including site clearance, exploration, investigation (but not site survey) and excavation (but not pre-construction archaeological investigations), and the clearance or preparation of the site or structure for use or occupation at its conclusion.
- c) the assembly on site of prefabricated elements to form a structure or the disassembly on site of the prefabricated elements which, immediately before such disassembly, formed a structure.
- d) the removal of a structure, or of any product or waste resulting from demolition or dismantling of a structure, or from disassembly of prefabricated elements which immediately before such disassembly formed such a structure.
- e) the installation, commissioning, maintenance, repair, or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are normally fixed within or to a structure.

5. APPLICATION OF CDM 2015 AT EDC

The application of CDM 2015 at EDC aims to comply with regulations in a way that is proportionate to the risk.

When undertaking any construction works, employees at EDC should consider first and foremost the aims of the legislation which are to:

- Sensibly plan the work so the risks involved are managed from start to finish.
- Have the right people for the right job at the right time.
- Cooperate and coordinate your work with others.
- Have the right information about the risks and how they are being managed.
- Communicate this information effectively to those who need to know.
- Consult and engage with workers about the risks and how they are being managed.
- Allow the review of Health and Safety information in a timely manner.

Note: Please see C09 CDM Summary Flowchart for more instructions relevant for each service. Consultation and engagement with EDC H&S Team through the CDM process for each service must be followed. It is recommended a 10-day turnaround for document review by the H&S Team is applied.

5.1 PROJECT INCEPTION

The Service or Project Manager undertaking the project is responsible for reviewing the scope of the construction works to be undertaken and ascertaining the category of the project.

Where they are unsure or unfamiliar with the nature of the works, they should seek advice from the appropriate teams within the Council before proceeding.

The Service or Project Manager will be the Client and may also act as the Designer or Principal Designer.

If works are being carried out by Council employees, the Service or Project Manager may also act as the Principal Contractor or Contractor

The following shows examples of the roles and responsibilities of where duties lie under CDM 2015. All roles will be assigned to a named person and positively recorded in relevant construction works documents.

1. Annual Housing Capital Programme – Internal Delivery

This is an annual, planned housing Capital programme involving the refurbishment of roofs, kitchens, bathrooms, and heating systems.

CLIENT	HOUSING INVESTMENT
PRINCIPAL DESIGNER	HOUSING INVESTMENT
PRINCIPAL CONTRACTOR	PROPERTY MAINTENANCE

2. Toilet Refurbishment in a School. Project Managed by Assets and Estates and delivered by external contractors.

CLIENT	ASSETS & ESTATES
PRINCIPAL DESIGNER	ASSETS & ESTATES
PRINCIPAL CONTRACTOR	TENDERED CONTRACTOR

3. Planned Preventative Maintenance Programme in a School involving decoration and a kitchen installation. Delivered by Property Maintenance because of a reactive or un-programmed capital request using a combination of internal and external contractors.

CLIENT	ASSETS & ESTATES
PRINCIPAL DESIGNER	ASSETS & ESTATES
PRINCIPAL CONTRACTOR	PROPERTY MAINTENANCE

4. Construction of a new vehicle bridge and utilising the expertise of an external contractor to complete the works.

CLIENT	ROADS
PRINCIPAL DESIGNER	ROADS / EXTERNAL APPOINTMENT
PRINCIPAL CONTRACTOR	TENDERED CONTRACTOR

5. The commission, design, development, and construction of a new school building

CLIENT	MAJOR ASSET PROJECTS
PRINCIPAL DESIGNER	External Designers

PRINCIPAL CONTRACTOR	TENDERED CONTRACTOR
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5.2 PROJECT START UP

When considering the project, the size, duration, and significant risks inherent in the project must be considered.

See **APPENDIX A** for a list of risks to be specifically considered.

Small projects: Work of short duration with no significant risks **and** covered by existing methods statements and/or work instructions/procedures that have been risk assessed.

There is no requirement to formally record duty holders. The Service Manager (or person instructing the works) should evidence they are suitably competent to manage the works - qualification/ previous experience/competent advisor or supervisor etc.

Medium and Large / High Risk projects: Work involving work with significant risks, inclusive of work that is notifiable.

Medium and High-risk operations require a more formally documented project plan with full Pre-Construction Information, Construction Phase Plan, evidence of suitably competent contractors and the creation on completion of a Health and Safety File

5.3 NOTIFIABLE PROJECTS

All construction projects must be notified to the Health & Safety Executive via the **F10** form where construction work is expected to:

- a) last more than **30 working days** and have more than **20 workers** working simultaneously at any point in the project.

or

- b) Construction project exceeds **500 person days** (for example **8 people** working for 3 months over **66 working days** $8 \times 66 = 528$ person days)

Where a project is complex or high risk, notification should be made even if the work is outside of the above parameters. Consult the Health and Safety Team for further project specific guidance.

The Client is responsible for the F10 notification.

The Department or Project Manager must take advice on projects that may comprise of a number of individual jobs in premises, but the programme as a whole could fall in to the category of notifiable work – for example bathroom or kitchen refurbishment programmes across an Estate.

It is better to complete a notification if unsure than fail to notify.

Notification is made electronically at <https://form.hse.gov.uk/f10>

The details required for the form are: -

1. The address of the construction site or precise description of its location.
2. The name of the local authority where the construction site is located.
3. A brief description of the project and the construction work that it entails.
4. Details of the client: name, address, telephone number and email address.

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5. Details of the principal designer: name, address, telephone number and email address.
6. Details of the principal contractor: name, address, telephone number and email address.
7. The date planned for the start of the construction phase.
8. The time allocated by the client for the construction work.
9. The planned duration of the construction phase.
10. The estimated maximum number of people at work on the construction site.
11. The planned number of contractors on the construction site.
12. The name and address of any contractor already appointed.
13. The name and address of any designer already appointed.
14. A declaration signed by or on behalf of the client that the client is aware of their duties.

Notification should be made as early as possible in the planning stage. The form requires detail on the contractors to be used, and will not permit completion without this, so should be completed as soon as this is known.

The Client must update the form as the project progresses.

In all cases a copy of the F10 should be sent to the Health and Safety Department And one copy always held on site by the principal contractor.

5.4 PROJECT RECORD KEEPING

5.4.1 Pre-Construction Phase

The Principal Designer is required to provide Pre-construction Information to the Contractor or Principal Contractor.

For medium to large projects the Client must ensure that they, or the Principal Designer, have completed **C01 Pre-Construction Information** and provided this to the Principal Contractor or Contractor.

5.4.2 Construction Phase

The Principal Contractor is responsible for site safety during this phase; however, the Client remains responsible overall. The Contractor or Principal Contractor must ensure they provide a suitable Construction Health and Safety Phase Plan, detailing the extent of the works they plan to manage. The Principal Designer will advise the Client to ensure their responsibilities are properly discharged.

Where EDC act as the Principal Contractor then the **C02 CDM Construction Phase Plan** must be completed.

5.4.3 Post Construction

The Principal Designer is responsible for updating or compiling the Health & Safety File as appropriate and passing the file to the Client at project handover or when they cease to be part of the project.

5.4.4 Health and Safety File

The Health & Safety File is defined as the file containing health and safety information to be considered during any subsequent project on the building. The file should be relevant and not include information which is of no help in planning future construction work. There is no mandatory format for a health & safety file however the contents must include specific information required by the CDM2015 Regulations. A template for Health & Safety File Information is available on the **C03 Health and Safety File Information** document. The file should be saved in the appropriate folder for individual assets

(currently on the S:/ Drive) therefore avoiding staff turnover having an impact on availability or loss of information. If the H&S file does not belong to asset, it should be saved in the relevant department's file.

5.4.5 Individual Service Procedures

Services that routinely carry out works to which CDM 2015 apply (Roads, Property Maintenance, Streetscene etc.) should aim to create their own procedure documents under this Management Procedure. These will detail the work procedures and method statements for minor works and specific works they plan, organise, arrange, or carry out. They will identify which job roles will have an advisory capacity for officers taking on the role of Client.

6. MONITOR AND REVIEW

As part of the EDC Health and Safety Management System, the EDC Health and Safety Team will conduct regular audits and inspections to monitor the implementation of this management procedure.

The EDC Health and Safety Team will review this management procedure every two years from the date of signing or sooner because of any changes to legislation or some other event i.e., a major incident or accident.

The EDC Health and Safety Team will provide feedback in the form of a report following any audits and inspections. When necessary, the procedure will be amended and reissued with an updated version number. The reports will be shared with all relevant parties where required.

All Team Leaders must ensure that local procedures are updated to reflect any changes to the management procedure.

7. REFERENCES

HSE Guidance and Regulation

- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Construction (Design and Management) Regulations 2015

East Dunbartonshire Council: Health and Safety Policy/Procedures

- HSP01 Health and Safety Policy
- HSP02 Gas Safety Policy
- HSP03 Fire Safety Policy
- HSP04 Management of Asbestos Policy
- HSP05 Management of Contractors Policy
- HSP06 Occupational Health Policy
- HSP07 Controlling Workplace Hazards Policy
- SP23 Work at Heights Procedure

- SP03 Trade Specification for Scaffolding

East Dunbartonshire Council: Health and Safety Forms

- C01 Pre-Construction Information Template
- C02 Construction Health and Safety Phase Plan Template
- C03 Health and Safety File Information
- C04 Client CDM HSE Checklist A Pre-Start
- C04 Client CDM HSE Checklist B Pre-Start
- C06 Principal Contractor Appointment Letter
- C07 Principal Designer Appointment Letter
- C08 CDM Safety Plan for Minor Works
- C09 CDM Summary Flowchart

8. APPENDIX A – MEDIUM AND HIGH-RISK ACTIVITIES

Significant risks that need to be considered in assessing small, medium, or large construction projects.

Issues that could increase health and safety risks from: -

1. Delivery and removal of materials (including waste) and work equipment from the site – for example proximity to school/community area, narrow roadways etc.
2. Utilities, impact on gas, water, power, or communication lines – for example overhead power lines, provision of temporary utilities etc.
3. Adjacent land use.
4. Stability of the structure while carrying out work, including temporary and adjacent structures.
5. Work at height.
6. Work with or near fragile materials.
7. Work with heavy prefabricated components.
8. Work near high voltage cables.
9. Work with poor ground conditions.
10. Excavations.
11. Underground work.
12. Work near water.
13. Work in confined spaces.
14. Work close to vehicle movement.
15. Work with hazardous materials.
16. Site security or lack of it.
17. Increased fire risk.
18. Work with asbestos.