

Advising The Client

'buildability, usability and disposability'

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Introduction & Background

Who am I?

- Lead Author of the Clients Guidance for CDM
- Represented Clients on the CONIAC CDM Working Group
- BBC Construction Safety Specialist between 2003 – 2008

Recent Experience:

- CDM Coordinator for the SHARD of Glass
- Construction Safety Advisor on Chelsea Barracks
- Construction Safety Advisor for Henderson Global Investors

Current Role:

- Safety Health & Environmental Manager for COS EMEA

Construction (Design & Management) Regulations



Client

Regulation 16 Start of Construction	Regulation 17 Health & Safety File	Regulation 25 H&S Construction Sites
Regulation 12 Designs prepared outside GB	Regulation 14 Appointments where Notifiable	Regulation 15 Client Duty Information
Regulation 8 Election by Clients	Regulation 9 Client Duty Manage Projects	Regulation 10 Client Duty Information
Regulation 4 Competence	Regulation 5 Co-operation	Regulation 6 Co-ordination

Regulation 9 Arrangements for Managing Projects

CDM 1994 Approved Code of Practice

- Page 3 Para 13 'Clients must make appropriate arrangements to ensure projects are properly managed at all stages.'

CDM 2007 Regulation 9

- Every client shall take reasonable steps to ensure that the arrangements made for managing the project by persons with duties under these regulations are suitable.

How?

- Clear policy for construction works
- Procedures and arrangements

Regulation 4 Competence

Regulation 4 1(a)

- Nobody should appoint a CDM-C, Designer, Principal Contractor or Contractor unless reasonable steps have been taken to ensure they are competent for that appointment.

Regulation 4 1(b)

- No one should accept an appointment or engagement unless he is competent.

How?

- Appendix 4 of the ACoP
- Professional Membership Schemes including SSiP
- Project specific assessments by CDM Coordinator

Regulation 4 Competence

COMPETENCE	‘V’	RESOURCE
<p>Backwards looking Do they have the expertise?</p>		<p>Forward Looking How will they put this expertise into practice?</p>
<p>Qualification Professional bodies of which the company is a member Individual memberships within the organisation including CPD records</p>		<p>Who will be working on your project? Are there holidays planned or cover for sickness?</p>
<p>Experience & Application References from previous projects Meet project team</p>		<p>Who delivered these projects and will you get the same team?</p>
<p>Authority Will your project have dedicated resources? How will they be managed?</p>		<p>How will you ensure your project has the resources promised?</p>

Regulation 5 & 6 Cooperation and Coordination

Regulation 5 Cooperation

- Seek cooperation to enable himself to perform his duties
- Cooperate with other persons on the project so that they can meet their duties

Regulation 6 Coordination

- All persons concerned in a project must coordinate their activities to ensure the health and safety of persons, Carrying out the construction works, Affected by the construction works

How?

- Cooperate with the duty holders to enable them to meet their statutory responsibilities
- Consider staff activities and those of adjacent sites

Regulation 8 Election by Clients

Regulation 8

- Where there is more than one client in relation to a project, if one or more of such clients elect in writing to be treated for the purposes of these regulations as the only client, no other client who has agreed in writing to such election shall be subject after such election and consent to any duty owed by a client under these regulations.

Limitation:

- Save the duties in regulations 5(1)(b), 10(1), 15 and 17(1) insofar as those duties relate to information in his possession.

How?

- This election should be in writing, the clients elected should be identified on the HSE notification and sign to accept their responsibilities under these regulations.

Regulation 12 Designs from outside Great Britain

Application of Regulations

- The CDM regulations only apply to those based within the UK

Issue:

- Specifying plant and/or equipment supplied for out-side the UK
- Using Architects and Designers not based in the UK

Solution:

- If you appoint architects or designers from outside the UK ensure somebody is responsible for reviewing their design with regards to regulation 11
- If you are specifying plant and/or equipment again ensure this is reviewed by somebody in the team, if they are specifying plant and/or equipment ensure they have reviewed it against regulation 11 and in particular 11(5) and accept responsibility.

Regulation 10 & 15 Provision of Information

Application of Regulations

- What information is required, how do you know if its sufficient?

Issue:

- Existing Records
- When to instruct surveys

Solution:

- Management arrangements
- Seek advise from Safety Consultant or CDM Coordinator.

Regulation 25 H&S on Construction Sites

Regulation 25(2)

- Every person who controls the way in which any construction work is carried out by a person at work shall comply with the requirements of regulation 26 – 44 insofar as they relate to matters which are within his control.

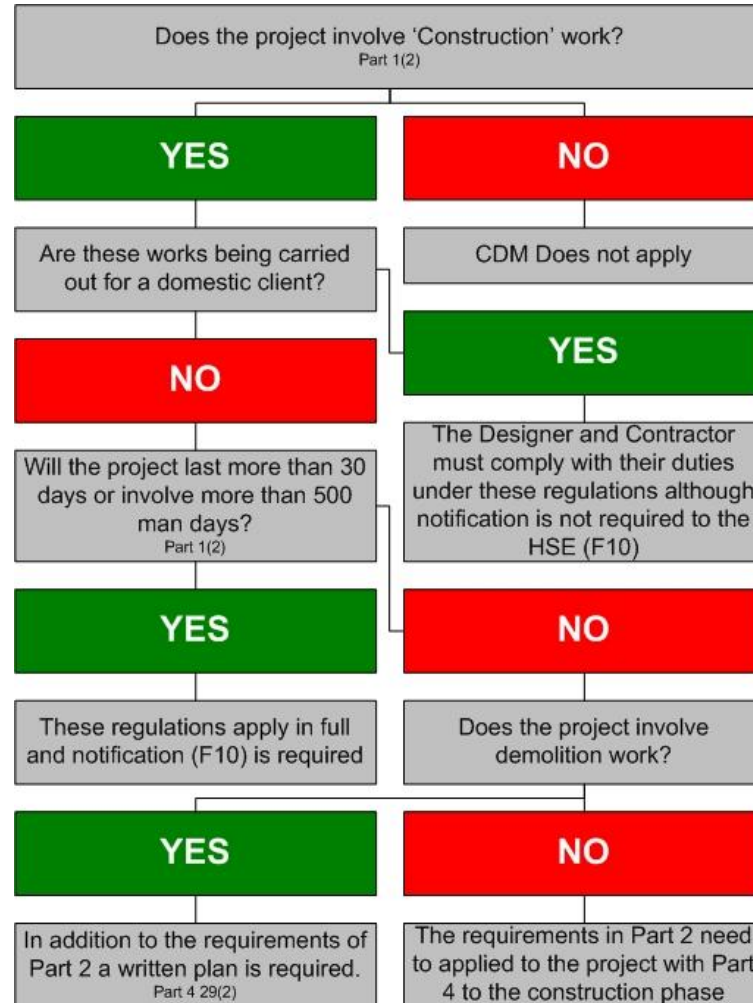
Issue:

- Fit-out and Refurbishment Works
- Shared Sites

How?

- If setting out rules and requirements ensure that responsibility for monitoring compliance with these is clear.
- Seek advise from the Principal Contractor and CDM Coordinator if notifiable.

Regulation 14 Notifiable Projects



Regulation 14 Notifiable Projects

Application of Regulations

- Where a project is notifiable, the client shall appoint a person (the CDM - Coordinator) to perform the duties specified in regulations 20 & 21 as soon as practicable after initial design work or other preparations for construction work has begun.

Issue:

- Regulation 14(4)(a) – the client shall be deemed for the purposes of these regulations to have been appointed as the CDM Coordinator or Principal Contractor or both for any period for which no person (including himself) has been formally appointed.

Regulation 16 Start of Construction Work

Application of Regulations

- Where a project is notifiable, the client shall ensure that the construction phase does not start unless there is a 'Construction Phase Health & Safety Plan' and that there are suitable provisions for welfare.

Issue:

- Who will check the 'Construction Phase Health & Safety Plan'?
- What are suitable welfare provisions?

How?

- Seek the advice from the CDM Coordinator
- For welfare ensure this forms part of the tender and that this is reviewed during the evaluation, get the contractor to develop a welfare strategy and to report against it.

Regulation 17 Health & Safety File

Application of Regulations

- The client must provide information to the CDM-C to enable them to meet their responsibilities, at the end of the project they must retain the file and ensure that it is kept up to date. If they sell / leave the premises they should pass on.

Issue:

- Format and structure?
- What about non-notifiable works

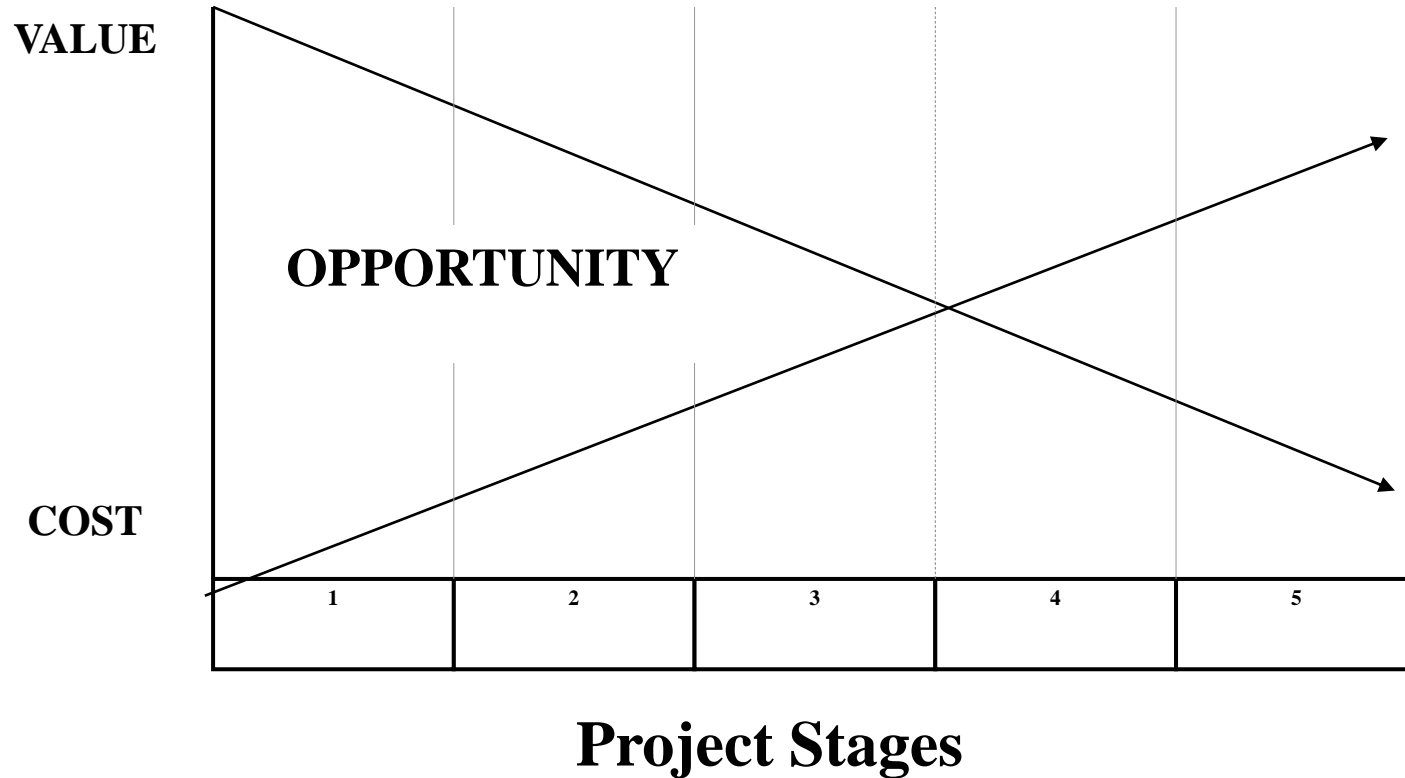
How?

- Have a standard for this document and ensure this is included in contract and appointment letters.

Buildability, Usability and Disposability



Buildability, Usability and Disposability



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TITLE: Project Risk Register risk register 1									
Ref No.	Risk Description	Risk Owner	When Risk Occurs		Financial Implication including controls		Review of Risk	Date	Client Accepts Risk
			During Costruction	During Use	During Costruction	During Use			
1					£	£			✓ CHECK
2									
3									

Buildability, Usability and Disposability



Success will come from strong leadership, clear expectations and ownership!