

1 Construction (Design and Management) Policy

1.1 Introduction

Bryen Langley aims to promote a consistent approach with regard to construction work as defined by the Construction (Design and Management) Regulation 2015. It is the responsibility of directors, managers and anyone deemed to be in control of the site and areas of the site to ensure that construction related issues are managed in line with this document.

1.2 Scope of Policy

This policy applies to Bryen Langley employees, contractors, site operatives and agency staff who are required to work at the company premises utilising any of the permanent buildings on the site. They are also required to work on client sites and premises.

1.3 Key Responsibilities

Organisational Responsibility:	Responsibility allocated to:
Director(s)	Line Managers

1.4 Description of What to Do

The Regulations place duties on all parties involved in construction work, from clients, through the design team and into construction.

On notifiable projects, and where there are two or more contractors employed on a project, the client must appoint a competent Principal Designer to ensure health & safety is taken into account during the design & planning stage of the project. It is the responsibility of the Principal Designer to ensure the general principals of prevention are implemented throughout the design, identifying the major hazards which the contractors will encounter, together with details of the design stage risk assessments produce by all designers.

On notifiable projects, and where there are two or more contractors employed on a project, the client must then appoint a competent principal contractor to manage and co-ordinate health & safety activities on site. The principal contractor must develop the construction phase health & safety plan, detailing how they intend to manage the project, provide details of the site rules and site emergency and welfare arrangements.

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As the construction phase commences, the Principal Designer should, together with the client, discuss and agree with the principal contractor the style and content of the health and safety file. This will enable the principal contractor to start collating the necessary information from suppliers and sub-contractors, making it much easier for both the principal contractor and principal designer to produce the health & safety file at the end of the project.

The client must ensure the principal designer; principal contractor and contractors are competent. Providing the person or company has sufficient competence, the person or company could be appointed as both principal designer and principal contractor, especially when working as part of a design and build contract. If within the clients undertaking, there is sufficiently skilled and competent staff, then the client could also take the role of principal designer and principal contractor if they so wished.

Contractors who sub-contract work must similarly ensure the sub-contractors are competent.

Where there is only one contractor appointed on the construction phase, it is the responsibility of that contractor to complete, or make arrangements to have completed a Construction Phase Health and Safety Plan for the project. This must follow the general principals of prevention and must detail the management arrangements for the project.

CDM 2015 8(1) A designer (including a principal designer) or contractor (including a principal contractor) appointed to work on a project must have the skills, knowledge and experience and, if they are an organisation, the organisational capability, necessary to fulfil the role that they are appointed to undertake, in a manner that secures the health and safety of any person affected by the project.

1.5 Application of the Regulations

Part 1 of the regulations is the introduction and explains that the HSE have produced guidance (L153) to assist with the application of the regulations. The CITB have also produced guidance for all duty holder, and this is available on their website.

Part 2 of the regulations includes client's duties, appointments and notifications and application to the domestic client.

The regulations apply to all construction work carried out on construction sites and covers physical safeguards which need to be provided to prevent danger. Duties to achieve these standards are held by contractors who carry out the work, irrespective of whether they are employers or are self-employed. Duties

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are also held by those who do not undertake construction work themselves but control the way in which the work is done. In each case, the extent of the duty is in proportion to the degree of control which the individual or organisation has over the work in question.

Where there is more than one contractor or if it is reasonably foreseeable that more than one contractor will be working on a project at any time the client must appoint in writing - (a) a designer with control over the pre-construction phase as principal designer; & (b) a contractor as principal contractor. The appointments must be made as soon as practicable, and in any event, before the construction phase begins. Failure to appoint either if these duty holders will pass the responsibility for these roles to the Client.

The regulations set out additional management duties which apply to projects above the notification threshold:

- If the work will involve more than 30 days of construction activities AND have more than 20 persons working on the project, or more than 500-person days of construction work then the HSE are to be informed; form F10 (available from the HSE can be used).

Notification is to be made as soon as is practicable before the construction phase begins.

Where the regulations refer to the domestic client, it states that, where a domestic client is involved, the duties in regulations 4 and 6, must be carried out by - (a) the contractor for a project where there is only one contractor; - (b) the principal contractor for a project where there is more than one contractor; or - (c) the principal designer where there is a written agreement that the principal designer will fulfil those duties.

If a domestic client fails to make the appointments required by reg. 5 - (a) the designer in control of the pre-construction phase of the project is the principal designer - (b) the contractor in control of the construction phase of the project is the principal contractor.

Part 3 of the regulations in the main refer to the Health and Safety Duties and Roles. They also refer to the General Duties of Designers and Designers outside GB and the Duties of Principal Designer. Like the previous regulations, they also outline requirements for the Construction Phase Plan & the Health & Safety File, together with the duties of the Principal Contractor & Consulting with Workers and that of the Duties of Contractors.

Part 4 remains largely unchanged from the previous regulations and details the general requirements for all construction sites.

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Part 5 details the general schedules.

1.6 Specific application where company must act as a Client

When acting as a Client, in order to fulfil our obligations and duties under the regulations we will ensure that:

- Pre-Construction information will be collated at an early stage and provided to designers tendering to work on the project.
- Designers, contractors and other team members that they propose to engage are competent (or work under the supervision of a competent person), are adequately resourced and appointed early enough for the work they have to do.
- We allow sufficient time for each stage of the project, from concept onwards.
- We co-operate with others concerned in the project as is necessary to allow other duty holders to comply with their duties under the Regulations.
- We co-ordinate their own work with others involved with the project in order to ensure the safety of those carrying out the construction work, and others who may be affected by it.
- There are reasonable management arrangements in place throughout the project to ensure that the construction work can be carried out, so far as is reasonably practicable, safely and without risk to health. (This does not mean managing the work themselves, as few clients have the expertise and resources needed and it can cause confusion).
- Contractors have planned for suitable welfare facilities to be provided from the start and throughout the construction phase; Any fixed workplaces (for example offices, shops, factories, schools) which are to be constructed will comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992
- Relevant information likely to be needed by designers, contractors or others to plan and manage their work is passed to them in order to comply with regulation 10.

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1.7 Company Appointed as a Principal Contractor

When acting as a Principal Contractor after appointment by the Client, it is our intention to fulfil our obligations and duties under the regulations by:

- Satisfying themselves that clients are aware of their duties, and that a Principal Designer has been appointed and HSE notified before they start work.
- Making sure that they are competent to address the health and safety issues likely to be involved in the management of the construction phase.
- Ensuring that the construction phase is properly planned, managed and monitored, with adequately resourced, competent site management appropriate to the risk and activity.
- Ensuring that every contractor who will work on the project is informed of the minimum amount of time which they will be allowed for planning and preparation before they begin work on site.
- Ensuring that all contractors are provided with the necessary information about the project that they need to enable them to carry out their work safely and without risk to health. Requests from contractors for information should be met promptly.
- Ensuring safe working and co-ordination and co-operation between contractors.
- Ensuring that a suitable construction phase plan ('the plan') is:
 - Prepared before construction work begins,
 - Developed in discussion with, and communicated to, contractors affected by it,
 - Implemented, and kept up to date as the project progresses.
- Satisfying themselves that the designers and contractors that they engage are competent and adequately resourced.
- Ensuring suitable welfare facilities are provided from the start of the construction phase.
- Taking reasonable steps to prevent unauthorised access to the site.
- Preparing and enforce any necessary site rules.

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- Providing (copies of or access to) relevant parts of the plan and other information to contractors, including the self-employed, in time for them to plan their work.
- Liaising with the Client and principal designer on design carried out during the construction phase, including design by specialist contractors, and its implications for the plan.
- Providing the principal designer promptly with any information relevant to the health and safety file, unless there is no principal designer on the project and then it lays with us to complete the health and safety file.
- Ensuring that all the workers have been provided with suitable health and safety induction, information and training.
- Ensuring that the workforce is consulted about health and safety matters.
- Displaying the F10 project notification.

1.8 Company Appointed as a Contractor

When acting as a contractor on a project, whether appointed by the principal contractor or the Client, it is our intention to fulfil our obligations and duties under the regulations by:

- Ensuring our clients are aware of their duties.
- Satisfy ourselves that we and anyone we employ or engage are competent and adequately resourced.
- Plan, manage and monitor our work to ensure that workers under our control are safe from the start of their work on site.
- Ensuring that any contractor who we appoint or engage to work on the project is informed of the minimum amount of time which will be allowed for them to plan and prepare before starting work on site.
- Providing workers under our control (whether employed or self-employed) with any necessary information, including relevant aspects of other contractors' work, and site induction (where not provided by a principal contractor) which they need to work safely, to report problems or to respond appropriately in an emergency.

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- Ensuring that any design work we complete is passed to the principal designer.
- Complying with any requirements listed in Schedules 2 and Part 4 of these Regulations that apply to our work.
- Cooperating with others and coordinating their work with others working on the project.
- Ensuring the workforce is properly consulted on matters affecting their health and safety.
- Obtaining specialist advice (e.g. from a structural engineer or occupational hygienist) where necessary when planning high risk-work – e.g. alterations that could result in structural collapse or construction on contaminated land.

1.9 Company Appointed as a Designer

- Designers are not permitted to commence work until any client for the project is aware of their duties under CDM 2015 and that a principal designer has been appointed.
- The way designers meet this duty can be built into routine business procedures covering client meetings and liaison.
- It is sensible to retain written evidence that client awareness has been established before work is started for any client on a project.
- Designers should not accept a project engagement unless their design, business and those carry out or managing design, are competent.
- The standards include policy and organisation; arrangements; sources of advice and training
- Design practices need to show how, in preparing the design; they eliminate hazards and reduce risk from those hazards remaining.
- Project clients and principal designers must prepare and promptly provide designers with pre-construction information.
- Designers should consider the PCI and use it to inform preparation of their design. PCI consists of all the information that is relevant to the health and safety of those engaged in, affected by the work or using the structure as a future workplace.

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- Arrangements are required to avoid foreseeable risk in preparing a design by:
- Eliminating hazards giving rise to the risk; and
- Reducing risk from any remaining hazards.

Designers must consider risks to people:

- Carrying out or affected by the construction work.
- Cleaning windows; maintaining the structure; and using a structure designed as a workplace.
- The amount of effort put into avoiding hazards and reducing risks should be proportionate to the degree of risk. HS
- Designers are not required to spend time, money and trouble on low-risk issues.

Information on residual risks must be provided. This information should focus on risks that may not be obvious to those who use the design. One good way of communicating this information is using notes on drawings.

1.10 Forms for Recording

The following forms are attached to this policy arrangement:

Form:	How the form must be used:
HASF 134 Construction Phase Plan Checklist	To be completed when created and reviewing Construction Phase Plans.
HASF 135 Site Managers H&S Documentation Checklist	To be used by Project and Site Managers to ensure all site-specific health and safety documentation is in place.
HASF 136 Permit to Dig	Permit to be issued prior to digging/excavating.
HASF 137 Permit to Work	Permit to be issued prior to commencing work.
HASF 138 Hot Works Permit	Permit to be issued prior and hot work activity.

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HASF 139 Permit to Work on Live Services	Permit to be issued prior working on live services, including electricity, gas or water.
HASF 140 Confined Spaces Permit	Permit to be issued prior working in a confined space.
HASF 141 Hoarding Inspection Register	Inspection of hoarding register.

1.11 How this Policy will be Reviewed

This policy shall be reviewed annually.

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