

STA Advice notes

Health and Safety, plus welfare



No. 9 - Part 1, April 2015

Part 1 - CDM regulations for STA members

Objective

To provide STA members and their customers with a brief reference on the Construction (Design & Management) regulations, CDM 2015 that come into force on 6th April 2015.

Who should read this?

Customers of STA members and the projects designers, engineers, manufacturers, erectors and design and build contractors.

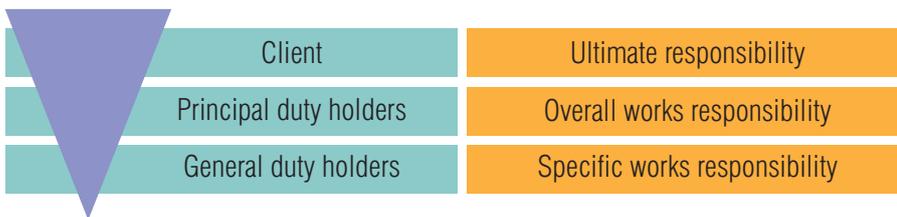
You should know

The benefits of using an STA member

Only STA members have Site Safe and specific H&S guidance which addresses key elements of CDM 2015. Use a STA member and avoid taking the risk.

CDM 2015 structural timber building - the basics

The structural timber building end-client understands the hierarchy of responsibility.



Client	Ultimate responsibility
Principal duty holders	Overall works responsibility
General duty holders	Specific works responsibility

- All parties involved in the process can do the job required of them and is experienced in general health and safety matters relating to the form of structural timber building technique.
- All parties involved in the design and construction process have removed, where possible, health and safety hazards; where hazards cannot be removed then actions are communicated regarding these special health and safety issues.
- The building client is experienced to select persons to undertake the works, or the client engages professional persons to ensure works are undertaken with the necessary skills and experience, plus knowledge of the design and build process being considered.
- Ignorance, lack of experience, lack of understanding of the structural timber process being considered by the relevant duty holder is a violation of the CDM 2015 regulations. Attending courses and reading books, while of assistance, is not a measure of competence and the CDM regulations require appropriate skills, knowledge and experience.



CDM 2015 - the scope

Applies to any construction work - whether it's a new kitchen, small extension, new house or large development. All will need a construction phase plan.

The functional requirements set out in the new Regulations remain unchanged from those in CDM 2007. CDM 2015 shows the legal chain of responsibility of Health and Safety management, in respect of relevant CDM information being transferred between parties. For example, structural timber frame risk assessment and Site Safe correspondence.

You should know

Relevant CDM information

Frame design Health & Safety (H&S) risk assessment information to factory and site trades.

Frame erection H&S risk assessment information.

H&S risk from specific and unusual product, assembly and construction elements or changes that may impact on follow on trades.

CDM basic demands

- Emphasis on the responsibilities of the client to ensure appropriate time and reasonable skilled resources are in place to provide a safe and practicable construction, with appropriate welfare to all parties available.
- The term client covers all those who commission construction/ building works including domestic clients.
- Explicit requirement for all involved to have appropriate skills, knowledge and experience for the works undertaken.
- There is no such role as a CDM coordinator as the responsibility falls to all those involved in the process from design to build.
- CDM regulations are about increasing appropriate communication between each of the duty holders. Everyone in the design and construction process has a legal obligation to ensure their part of the works has appropriate health and safety reviews - and any special actions and concerns to be communicated to those who may be affected.
- The principal designer (PD) is the role of the person (or organisation) **who takes overall responsibility for the design of the project** - and being appointed by the client **will take responsibility for the planning, managing, monitoring and coordination of pre-construction phase health and safety**.
- Principal contractor (PC) will be appointed by the client to **manage the construction site process and take responsibility of the health and safety** and welfare as they take place on site.
- The principal designer and principal contractor will have a duty to cooperate and coordinate in order to plan and manage both the pre-construction (principal designer) and construction phase (principal contractor).
- Principal designer and principal contractor will be required on all projects where there will be more than one contractor working on the project.

Those affected by CDM regulations

There are six duty holders:

- Clients
- Designers
- Principal designers
- Contractors
- Workers
- Principal contractors.

It should be noted that 'clients' also includes domestic clients, but normally these duty holders can transfer duties to the contractor, or where more than one contractor is engaged, to the principal contractor.

First the construction client shall ensure suitable arrangements are in place from start to finish, so that duty holders can secure the health, safety and welfare throughout the life of the project.

You should know

The client duties

Make suitable arrangements for managing a project that are both appropriate and proportionate. This includes making sure:

- Other duty holders with have the skill and knowledge to undertake the works are appointed.
- Sufficient time and resources are allocated.

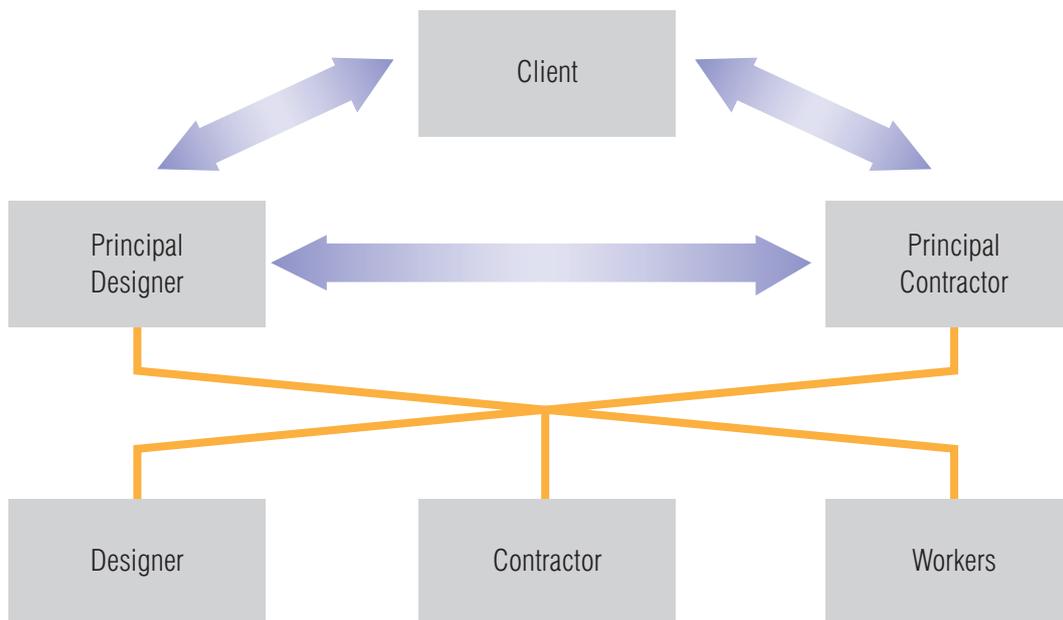
Making sure:

- Relevant information is prepared and provided to other duty holders
- The principal designer and principal contractor carry out their duties
- Welfare facilities are provided.

Duty holder relationships

The three main duty holder relationships are:

1. The client ensures that the construction project is set up, so that it is carried out from start to finish in a way that adequately controls the risks to the health and safety of those who may be affected.
2. The principal designer manages health and safety in the pre-construction phase of a project. The role extends to the construction phase through the principal designer's duties to liaise with the principal contractor and ongoing design work.
3. The principal contractor manages the construction phase of a project. This involves liaising with the client and principal designer throughout the project, including during the pre-construction phase.



You should know

Structural timber frame pre-construction information

Timber building risks identified, such as weight of panels, lifting sequence, temporary support that is required and specific issues relating to follow-on trades.

STA Site Safe is specific information needing to be provided.

STA member's design information will be input into the principal designer's roles.

Site Safe correspondence is CDM.

NOTE: *The principal designer has an obligation to have addressed the fire risk mitigation process in the first place. The STA member, as part of Site Safe policy and CDM requirements, must make their customer aware of the building designer's fire during construction risk review requirements.*

During the building works

Construction phase plan - This is prepared by the principal contractor, to outline the arrangements for managing health and safety on site during construction work. The plan **must** record the arrangements for managing the **significant health and safety risks** associated with the construction phase of a project. It is the basis for communicating these arrangements to all those involved in the construction phase, so it should be as simple as possible and easy to understand.

The plan must be specific to the project and have the appropriate detail to clearly set out the site arrangements, site rules, site induction, welfare facilities and fire and emergency procedures.

The plan must be proportionate to the scale and complexity of the project and the risks involved.

The plan should not be a mass of documents, but a simple and clearly understood plan which can be communicated to the workforce. The plan is not generic risk assessments, decision records or detailed safety method statements.

Health and safety file - The health and safety file is prepared or revised by the principal designer (PD). It will require the PD to liaise with the client, designers, principal contractor and contractors. The file will contain information necessary for future construction, maintenance, refurbishment or demolition to be carried out safely and is retained by the client, or any future owner of the property.

The health and safety file is only required where there is more than one contractor on a project. The client must ensure that the principal designer prepares it for their project.

The file must contain all the information about the current project that is likely to be needed to ensure health and safety during any subsequent work - such as maintenance, cleaning, refurbishment or demolition.

There should be enough detail to allow the likely risks to be identified and addressed by those carrying out the work and be proportionate to those risks. The file should not include things that will be of no help when planning future construction work, such as pre-construction information, the construction phase plan, contractual documents, safety method statements etc. Information must be in a convenient form; clear, concise and easily understandable.

You should know

Structural timber frame information for the construction phase plan

Summary of the structural frame erection process.

Site Safe policy correspondence documents.

You should know

Structural timber frame information for the Health and Safety file

Summary of the structural frame information, should future changes or maintenance be required.

Design life and items needing essential maintenance at specific periods, in so much they may impact on Health and Safety e.g. flame retardant on exposed timber surfaces, external weather protection of structural timber.

What is a designer?

'Designer' means any person including a client, contractor or other person in the design to construction process.

A design could include drawings, sketches, design details, specifications and product selection, bills of quantity or calculations - prepared for the purpose of constructing, modifying or using a building or structure, a product, or system (such as a roof or floor cassette).

The term 'designer' can be architects, consulting engineers, fabrication designers, temporary work engineers, chartered surveyors, technicians, specifiers, principal contractors and specialist contractors. An individual could also be carrying out design work even if they would not normally identify themselves as a designer. An example would be a client or contractor specifying a particular product, such as selecting a type of window.

Manufacturers supplying standardised products for use in any construction project are not designers. However, the person who selects the product is a designer and must take account of health and safety issues arising from the installation and use of those products.

Structural timber building system businesses are designers; in that they decide on the size and type of materials used in the building structure and, where appropriate, how to erect the building.

A designer's duties to advise the client regarding pre-construction information and the principles of prevention to eliminate, reduce and control risks; and provide information on remaining risks, are unchanged.

NOTE: *Anyone that modifies a design for a construction project, including the design of temporary works, or arranges for, or instructs, someone else to do so takes on the role of a designer and may become the principal designer if this information is not coordinated to the project principal designer.*

You should know

A designer is a person who

Prepares or modifies a design.

Arranges for, or instructs, any person under their control to undertake works in a particular way.

Structural timber building system companies undertake design roles for the structure and may include other CDM designer responsibilities including:

- building physics (insulation and fire protection)
- loading lorries
- erecting panels
- modifications on site.

Who is the principal designer and why are they important?

The principal designer will be responsible for coordinating the pre-construction phase of the project.

The principal designer is the person (or business) that has the meaningful responsibility for coordination of the design of the project.

The principal designer will usually be an organisation or, on smaller projects, an individual with; a technical knowledge of the construction industry (relevant to the project), plus an understanding of how health and safety is managed through the design process. They will also have the skills to be able to oversee health and safety during the pre-construction phase of the project and the ongoing design.

Commercial works, where the project is a design and build contract, will result in the design and build contractor taking the role of principal designer.

For bill of quantities type contractor, typically the architect will be taken as the principal designer.

For self-build type projects, the architect, if used (or the project manager) may be the principal designer. Note that the client may take the role of the project manager and the project may not have an architect, but rely on the timber frame supplier to provide the planning and detail design. In this scenario, if there is not a project manager then the timber frame supplier may fall into the principal designer role. Note that the project manager may also take on the principal contractor's role if packaged subcontracts are used to build the house.

Summary of principal designer duties

To plan, manage, monitor and coordinate health and safety in the pre-construction phase of a project.

This includes:

- Identifying, eliminating or controlling foreseeable risks
- Ensuring designers carry out their duties
- Prepare and provide relevant information to other duty holders
- Liaise with the principal contractor to help in the planning, management, monitoring and coordination of the construction phase.

Who is the principal contractor?

The principal contractor is the contractor in overall charge of the construction phase. They are appointed by the client and there should only be one principal contractor for a project at any one time.

Commercial works, where the project is a design and build contract, will result in the design and build contractor taking the role of principal contractor.

For bill of quantities type contractor, the architect will be more typically taken as the principal contractor.

For self-build type projects that do not have a packaged build contractor, but where packaged subcontracts are used to build the house, the project manager may take on the principal contractor's role.

Summary of principal contractor duties

To plan, manage, monitor and coordinate the construction phase of a project. This includes:

- Liaising with the client and principal designer
- Preparing the construction phase plan
- Organising cooperation between contractors and coordinating their work.

To ensure:

- Suitable site inductions are provided
- Reasonable steps are taken to prevent unauthorised access
- Workers are consulted and engaged in securing their health and safety; and
- Welfare facilities are provided.

You should know

Structural timber building system designer duties

STA manufacture/designer must:

1. Understand and be aware of the significant risks that construction workers can be exposed to - and how these can arise from design decisions
2. Have the right skills, knowledge and experience, plus be adequately resourced to address the health and safety issues likely to be involved in the design
3. Check that the customer is aware of their duties - with particular reference to Site Safe letters - and that this requirement is communicated to the principal designer
4. Take into account the general principles of prevention when carrying out design work
5. Provide information about the risks arising from their design
6. Coordinate their work with that of the principal designer and principal contractor.

Does the duty holder's role change on small projects?

For any works, small to large duties will apply; for very small domestic projects the duty holder roles may become merged, but the functional requirement of each role must be fulfilled. For example, on a small domestic extension it is likely that the builder will take all the roles of designer, principal designer, contractor and principal contractor - where they have been deemed competent to do so. The homeowner client's role will be discharged by the contractor or principal contractor for design and build, or if the client makes a specific appointment, the designer.

You should know

For self-build projects

If the customer is project managing the work packages then the customer undertakes both the principal designer and principle contractor role; unless the customer takes on and retains an architect or other designer to provide the principle designer roles.

If the customer appoints the STA member on a design and build contract, for the frame elements only, then the customer must clarify who the principal designer / principal contractor is and agree this before works commence.

It is not appropriate for the STA member to take on roles of principal designer / principal contractor unless the cladding and internal fit out is managed by the STA member.

What happens during the construction phase?

Once works have commenced on site the principal contractor/contractor is the main authority on site for health and safety matters.

Depending on the contract type, the principal designer will be engaged to provide design works and may continue to have a role and provide information and services throughout the construction phase. If the principal designer's appointment finishes before the end of the project because all design work is complete, or the role is complete before the construction work commences, then the principal designer must ensure that the principal contractor has comprehensive information on risks which have not been eliminated in the designs. This means that a principal designer is to be employed to reduce or control those risks - and the implications for implementing the design work during the remainder of the project. The principal designer should also arrange to hand over the health and safety file.

The need for training skills and knowledge

All projects must be undertaken from design to completion using persons with relevant and current skills, knowledge, training and experience.

For employees of duty holders, there is a need for an internal audited trail to demonstrate that information, instruction, training and supervision have been given - with workers having their training needs assessed against the needs of the job in hand. It is the responsibility of the employer to meet the gap in skills knowledge through appropriate training.

Notifiable projects

F10 is now only required for projects lasting more than 500 person days, or lasting more than 30 days and with more than 20 workers simultaneously.

Site Safe duties

As part of the CDM duties the STA Site Safe procedures must be followed.

Transition arrangement

For projects starting before 6 April 2015, where the construction phase has not yet started and the client has not yet appointed a CDM coordinator, the client must appoint a principal designer as soon as it is practicable.

If the CDM coordinator has already been appointed, a principal designer must be appointed to replace the CDM coordinator by 6 October 2015, unless the project comes to an end before then.

You should know

Legal implications

The CDM Regulations impose criminal as well as civil liabilities on duty holders. Duty holders should read the draft guidance on the CDM Regulations 2015, the Legal (L) Series guidance - available on the HSE website.

Further advice

CITB guidance documents explain the responsibilities of each key duty holder as defined by the Regulations
www.citb.co.uk/cdmregs

HSE guidance documents

Construction (Design and Management) Regulations 2015 - Guidance on the Regulations (L153)

Need building work done? Short guide for clients on CDM 2015 INDG411

Construction Phase Plan (CDM 2015) CIS80

Government guidance

CDM web guide

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