

Policy 16 Construction Design and Management Policy

1.0 Introduction

Housing and Property recognise the need to comply with the Construction (Design and Management) Regulations 2007 (CDM) and to reduce the risks associated with construction work throughout the life cycle of a property.

The undernoted Policy has been developed to meet this need.

Housing and Property also recognises its contribution to the management system established for the control of Contractors working in authority premises (including dwellings) set out in the Highland Council Policy on the [Management of Contractors](#).

2.0 Policy aims

Housing and Property intends to ensure so far as is reasonably practicable, that the duties and obligations set out in the CDM regulations that apply to Highland Council where building construction works are managed by Housing and Property, are implemented to protect the health and safety of people working in construction and others who may be affected by their activities.

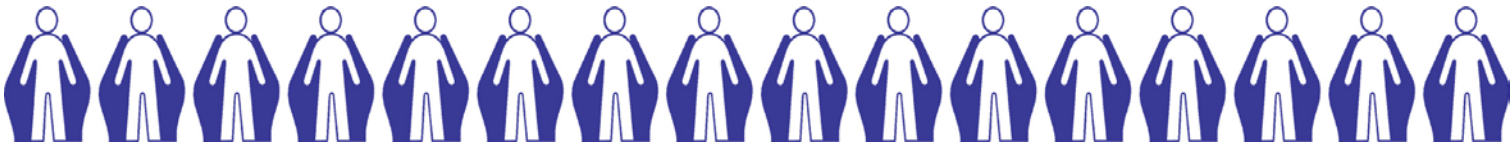
This Policy on construction, design and management shall ensure that there is systematic management of projects from concept to completion, hazards are identified and eliminated where possible, and any remaining risks are reduced and controlled with residual risk information made available to those persons who require it.

The policy will also cover the requirement to make available health and safety Pre-construction information (including Health and Safety files where applicable) to persons that need access to them.

Minimum standards will be set out and procedures will be established in accordance with the guidance provided in the Approved Code of Practice [Managing Health and Safety in Construction](#) to ensure:-

- realistic project programmes with adequate time allowed for planning, preparation and the construction work are established,
- key duty holders are identified and appointed early in relation to the project programme,





- duty holders are competent and have sufficient resources to meet their legal duties,
- health and safety pre-construction information is provided from the start of the design phase, through construction and be available for maintenance and eventual demolition,
- there is co-operation and communication between duty holders, and
- arrangements for the management and control of risks and health and safety issues resulting from construction work are in place and effective.

3.0 Responsibilities

The **Deputy Chief Executive and Director of Housing and Property** shall be responsible for ensuring that;

- a) the duties delegated under the Council's **Scheme of Delegation to Officials** to ensure compliance with the CDM regulations as appropriate are met, including;
 - Housing and Property acting as the Council's Project Manager in relation to contracts relating to the built environment entered into by the Council, and
 - Housing and Property to appoint consultants and contractors involved in projects relating to the built environment.
- b) appropriate arrangements (set out in writing) are provided to enable construction projects let by Housing and Property to be properly managed at all stages
- c) persons or organisations assigned or appointed to undertake key duty holder roles (including provision of advice) as required by the CDM regulations have their competence assessed prior to engagement, and that
- d) such persons or organisations undertaking duties required by the CDM regulations are named and are adequately resourced for the work they have to do.

The **Head of Property** shall be responsible for;

- e) ensuring that for **Housing and Property projects** the role and duties of the Client as defined in the CDM regulations are complied with by identifying persons assigned with delegated duties as;
 - **Project Sponsor** (*"Sponsor" or "Sponsoring Director" means the owner of the requirement as distinct from the Procurement Officer carrying out commercial action on their behalf*).
 - **Project Manager** (or Principal Officer for minor works) responsible for the





day-to-day detailed management of the project and who provides the interface between the project sponsor and the supply side of the project team.

Note: **Schedule A** to this policy sets out a list of Housing and Property Project Sponsor delegations.

- f) preparing and maintaining a **Project Management Manual** containing procedures to ensure that Client and other key CDM duties are implemented
- g) ensuring that a **Principal Contractor** shall not receive possession of a site until a suitable Construction Phase Plan and adequate arrangements for welfare have been prepared and a “**Plan-in-place**” confirmation has been issued
- h) ensuring that a **CDM Co-ordinator** as defined in the CDM Regulations is engaged for project with a duration of more than 30 days duration
- i) establishing arrangements for monitoring the health and safety performance of CDM duty holders (client, designer, CDM Co-ordinator, principal contractor) who are engaged by Housing and Property
- j) ensuring that, where design work is carried out by Housing and Property that the role and duties of **Designer** as defined in the CDM Regulations are complied with
- k) preparing and maintaining a **Design Manual** setting out minimum standards to be met by any designer working on behalf of the Highland Council.
- l) preparing and maintaining a **Property Management Manual** which includes the arrangements for storage and access to property **Pre-construction Information** and the standards for preparation, maintenance and format of property **Health and Safety Files** that considers the health and safety of those who will maintain, repair, clean, refurbish and eventually remove or demolish all or part of a structure as well as the health and safety of users of the workplace.

Note; Suitable arrangements are to be established to ensure that the requirements set out in Manuals are applied where external consultants are appointed.

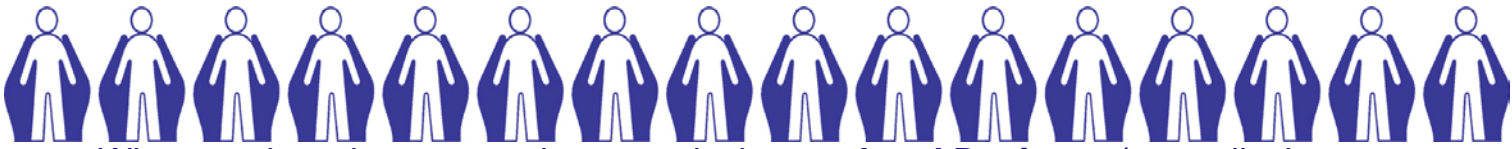
4.0 Risk assessment

Construction design works arranged or undertaken by Housing and Property are to be assessed for hazards at an early stage in the design process.

Risks resulting from design issues are to be identified, eliminated or controlled and communicated to those persons who require such information.

Such assessment shall be carried out by a competent person and be recorded in writing. The assessment shall take account of the principals of prevention specified in [Schedule 1 of the Management of Health and Safety at Work Regulations 1999](#).





Where projects have more than one designer a **Lead Designer** (normally the **Contract Administrator**) is to be identified. A list of all designers are to be maintained by the **CDM Co-ordinator** in a **Register of all Designers**.

Where the Highland Council is a “**Project originator**” i.e. in a Public Private Partnership or similar project managed by Housing and Property an assessment of risks and provision of relevant information shall be prepared for issue to bidders.

Note: Schedule A to this policy sets out Housing and Property designer delegations.

5.0 Method of control

Housing and Property shall be informed of all construction work (as defined in the CDM regulations) planned for council property for assessment purposes to ensure that the requirements of statutory legislation are met. Planned construction work will be recorded on a central **Register of all Works** (Note external access via <https://webvpn2.highland.gov.uk>). The Register shall be accessible by all CDM duty holders engaged by Housing and Property including other Services of the Council and be used for co-ordination and co-operation purposes e.g. by designers and contractors where more than one employer is carrying out construction work on a property.

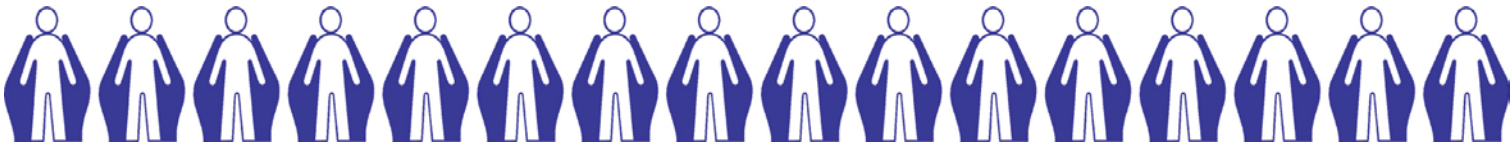
Liaison arrangements for works on Authority property have been set and local **Client rules** will be established by **Responsible Premises Officers (RPO's)** containing responsibilities for recording / logging in of visitors and contractors, co-ordination of contractors (e.g. where more than one employer is present at a property) and exchange of client rules (i.e. viewing asbestos register, fire evacuation procedure and method statement / control of work / plan-in-place confirmation). **Note:** The RPO may not permit access unless a contractor has a valid Plan-in-place confirmation.

A **Construction Phase Plan** shall be prepared and reviewed by the **Contract Administrator** (with advice from a CDM-C where applicable) for all construction work regardless of duration prior to any contractor taking possession of a construction site or work area. **Note:** The area **Maintenance Officer** is to be informed of all planned works and a copy of the Plan-in-place is to be forwarded to the RPO.

The **Plan** (or method statement for minor works) is to contain as a minimum;

- A reference to the health and safety goals set by the client for the project/works
- General information about the construction work to be undertaken, including a brief description and programme timescale
- Specific procedures and arrangements for early / high risk work to be carried out





- General procedures, client rules and management arrangements including those for monitoring of health and safety
- Welfare arrangements (*Note; use of existing property welfare will only be permitted by exception and with prior approval of the CA and RPO*)
- **Emergency** procedures, and
- Arrangements for communication between the **RPO** and other CDM duty holders.

Line managers shall ensure that staff, clients and consultants commissioned by Housing and Property are aware of this policy standard where they are involved in designing, commissioning or administering construction work.

Employees shall report any non-compliance matter identified in the course of their duties to their Line Manager.

6.0 Monitoring performance

The **Property Risk Management Officer** shall arrange for periodic monitoring of health and safety performance of all CDM duty holders.

Line Managers shall record accidents, dangerous occurrences and incidents of non-compliance using the **Safety Concern Procedure** and ensure that they are rectified by taking action to prevent recurrence. A copy of all recorded incidents shall be forwarded to the **Property Risk Management Officer** to follow-up on any accident or incident.

7.0 Training

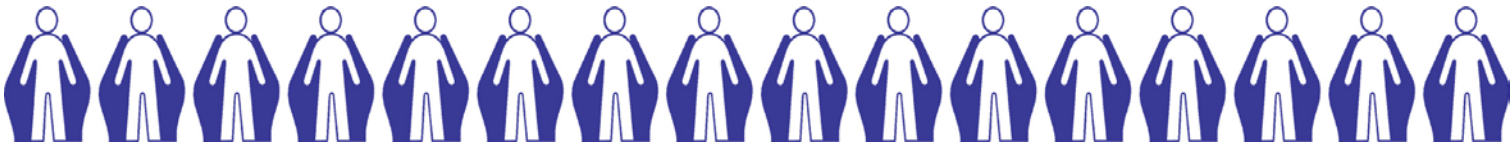
Line Managers shall ensure that employees are trained in accordance with duties they may undertake as set out in the CDM regulations and the procedures to be adopted for risk assessment.

Employees shall take part in necessary training and it shall be their duty to co-operate with Housing and Property as far as is necessary to ensure compliance with any duty placed on Housing and Property by the CDM regulations.

8.0 Auditing performance

Heads of Section shall where appropriate, ensure that risk assessments are carried out as required, records are available and ensure that audits of procedures implemented are carried out on an annual basis.





SCHEDULE A – Housing and Property CDM role delegations

1. Project Sponsor (CDM Client role)

Where projects are commissioned by Housing and Property the role of **Project Sponsor** with responsibilities for CDM Client duties are allocated as follows;

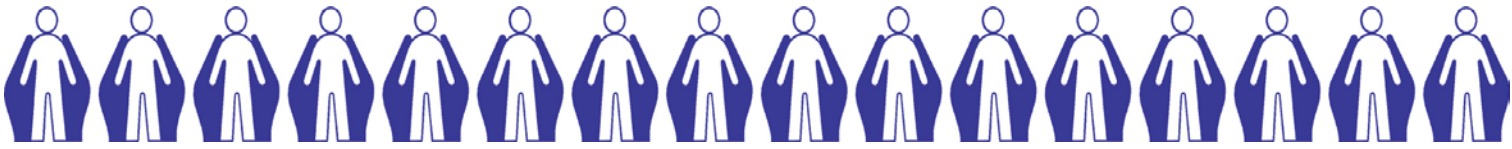
| Project type | Project Sponsor with delegated responsibility for CDM Client duties |
|---|---|
| Construction related works, repairs and servicing carried out in Council dwellings | Area Housing and Property Managers |
| Maintenance related repairs carried out in non housing properties | Area Housing and Property Managers |
| Construction related works and servicing carried out in non housing properties funded from the Strategic Asset Management (SAM), DDA, Energy Management or Highland wide servicing budgets | Head of Property |

a) F10 Project Notifications to Health and Safety Executive (HSE)

Project Notification forms to the HSE (Initial and Additional) require the name and contact details (including e-mail address) of the client for the project, and be signed by the client, or on their behalf, to declare that he/she is aware of their duties under CDM2007.

Whilst the **Highland Council** ultimately is client, the name and details of the **Client Service Director** are to be provided on the F10 form, with the form signed by the **Project Sponsor** e.g. Client Resource Manager (Budget Holder or equivalent) on their behalf. Signed forms are to be forwarded to the **Project Manager** (or **Principal Officer** for minor works) for record purposes and on-going issue to the **CDM Co-ordinator**.





b) Election of CDM Client

Where any project involving construction work to which the CDM2007 regulations apply involves more than one client, i.e. the council in partnership with another organisation, land owner, major budget holder or community body for instance, then one client has to be identified to undertake (and be accountable for) the client requirements of the regulations.

The **Project Sponsor** e.g. Client Resource Manager (Budget Holder or equivalent) shall agree, after consultation with the other clients, which client will be elected to be the **CDM client** and to undertake the role of client under CDM2007.

The names of all clients involved in the project and election of CDM client are to be recorded in writing and passed to the Project Manager (or Principal Officer for minor works), and to the **CDM Co-ordinator** appointed for the project for recording in a project **Register of clients**.

c) CDM Client Duties - Delegated tasks

It has been recognised that the Project Manager (which can be an external appointment) is not the client and that the CDM client role is undertaken separately by the Project Sponsor. There are however certain CDM related aspects which are under the control of the person managing the project - appointments and recommendations for example which the Project Sponsor will rely on.

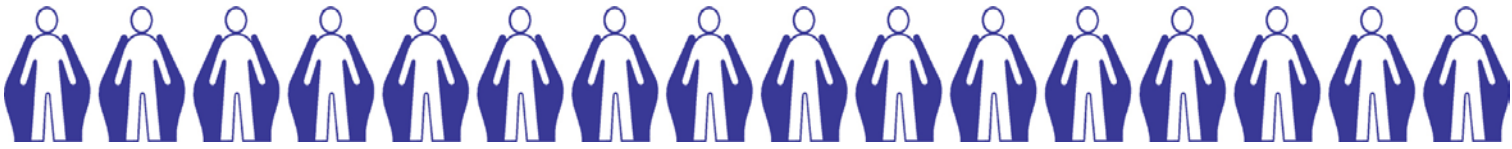
Arrangements have been made in project management procedures to meet specific CDM Client duties stages by delegating tasks to persons assigned to manage construction works where projects last more than 30 days as follows;

- **Project Manager (PM)** for works >£200k
- **Principal Architect or Engineer (PAE)** for works between £50k and £200k.

The table overleaf lists **CDM Client Duty tasks delegated to the Project Manager or Principal Architect/Engineer assigned to manage construction works**.

Note: The **Project Sponsor** will retain responsibilities to ensure CDM Client duties are met and will require to be satisfied that key contract tasks have been carried out before approving progression to next stages.

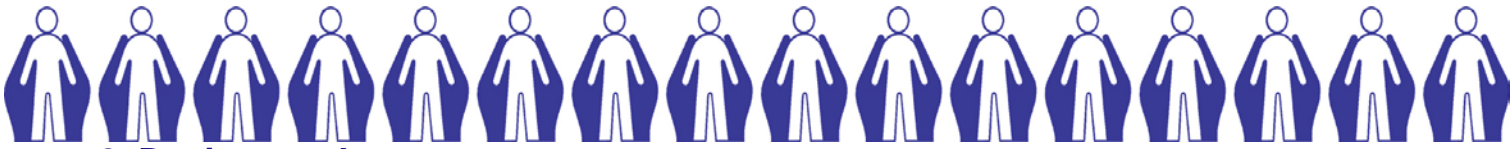




CDM Client Duty tasks delegated to the Project Manager or Principal Architect/Engineer assigned to manage construction works

| CDM Client duty | Delegated task | Project Sponsor action |
|--|--|---|
| H&S competent and resourced duty holders are appointed | PM take steps to assess the H&S competence and resources of CDM-C | <ul style="list-style-type: none"> • Sign F10 Initial / Additional for forwarding to HSE by CDM-C |
| | PM sign CDM-C letter of appointment | |
| | PAE take steps to assess the H&S competence and resources of project team Designers and tendering Contractors | |
| | PAE sign letters of appointment of Designers | |
| Existing pre-construction information (incl. any Health and Safety File) is provided to all Designers and all Contractors | PM / PAE to arrange for existing Health and Safety File and Pre-construction information to be forwarded to the CDM-C for onward distribution as appropriate | |
| | <p>PM / PAE to review Tender Report to ensure CDM-C has advised on H&S resources and response by preferred Principal Contractor to Pre-construction information</p> <p>PM / PAE provide Project Report to recommend contract award</p> | <ul style="list-style-type: none"> • Sign Project Report to instruct proceed to contract award • Sign letter of contract award to Principal Contractor |
| Adequate Construction Phase Plan is in place before works commence | PM / PAE to receive advice from the CDM-C on the adequacy of the Construction Phase Plan and sign/issue a ' Plan-in-place ' to allow start on site | |
| Health and Safety File is received on works completion | PM / PAE to ensure completed Building Manual / Health and Safety File is received and sign ' File-in-place ' to allow occupation | |



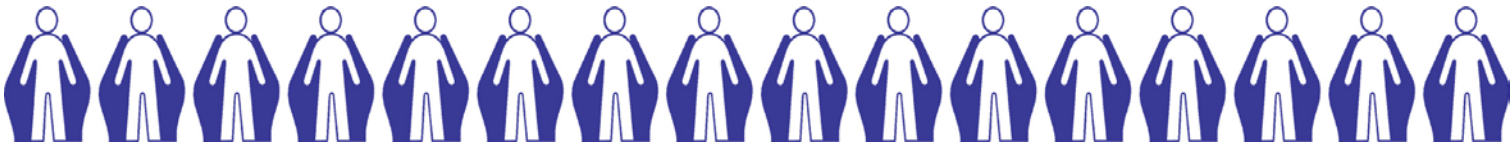


2. Designer role

Where construction works are commissioned or designed by Housing and Property responsibilities for ensuring CDM **Designer** duties are met are allocated as follows;

| Project type | Designer | Manager with delegated responsibility for ensuring CDM Designer duties |
|---|--|---|
| Construction related works, repairs and servicing carried out in Council dwellings by Building Maintenance | Maintenance Officer | Principal Housing Officers on behalf of Area Housing and Property Managers |
| Maintenance related repairs carried out in non housing properties | Maintenance Officer | Assistant Area Property Managers on behalf of Area Housing and Property Managers |
| Construction related works and servicing carried out in non housing properties including those funded from the Strategic Asset Management (SAM), DDA, Energy Management or Highland wide servicing budgets | Internal and consultants; Architect, Architectural Technologist, Engineer | Consultancy Manager on behalf of the Head of Property |





3. Principal Contractor (and Contractor) role – where construction work is carried out or managed by Building Maintenance

Where construction work is carried out or managed by the in-house Building Maintenance section responsibilities for ensuring CDM **Principal Contractor and Contractor** duties are met are allocated as follows;

| CDM duty | Manager with delegated responsibility for ensuring CDM Contractor duties |
|--|---|
| Make arrangements to provide evidence of health and safety competence and resources of Building Maintenance as a Contractor and Principal Contractor | Maintenance Manager |
| Plan, manage and monitor the construction phase to ensure works are carried out without risks to health and safety | Maintenance Manager |
| Ensure welfare facilities are sufficient and provided throughout the construction phase | Building Maintenance Manager |
| Identify to each contractor the information likely to be required by the CDM-C for inclusion in the Health and Safety File | |
| Prepare, update, review, revise and implement a Construction Phase Plan for the works | Measurement / Estimating Officer / Supervisor |
| Provide information, training and induction and consultation to every worker carrying out construction work | |
| Take reasonable steps to prevent access by unauthorised persons to the construction site | |

