

Homes & Neighbourhoods

Construction and Contractor Work Policy

Summary: Set out in this policy are the duties and obligations that apply to CDM responsibilities throughout the company.

The company's safety performance will be monitored at periodic intervals.

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Regulatory Standard: Construction (Design and Management) Regulations 2015 (CDM 2015)

Publish Date: 28.04.2021

Review Date: 28.04.2022

Date Originated:	28/04/202	Approved by:	
Date Revised:		Approval Date:	
Ref:		Minute Number	
Template update	1/3/2024		

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1 INTRODUCTION

- 1.1 The Construction (Design and Management) Regulations 2015 (CDM 2015) came into force on 6 April 2015, replacing CDM 2007. The law applies to the whole construction process on all construction projects, from concept to completion. HSE Guidance publication L153 provides guidance on the legal requirements for CDM 2015.

Kirklees Council – Homes and Neighbourhoods is committed to the aims of the CDM Regulations 2015 by ensuring better integration and coordination of health and safety during the pre-construction and construction phases.

Clients, Principal Designers, Designers, Contractors and health and safety professionals all have a vital role to play in ensuring health and safety risks are managed effectively in the preparation of and during construction.

Our aims are:

- To ensure KC Homes and Neighbourhoods complies with the Construction (Design and Management) Regulations 2015 and to integrate health and safety into the management of construction projects.
- To encourage liaison and communication between parties, ensure thorough planning and management of projects from conception to completion, and managing the risks by applying the general principles of prevention.
- This policy sets out the actions required of KC Homes and Neighbourhoods, which any construction work is being carried out by or on behalf of, as well as parties involved or duty holders appointed under the regulations.

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Commitment to this policy is required from those with a:

- Designer/Principal designer and client function e.g. Kirklees Council Physical Resources and Procurement Service, etc.
- Contractor/Principal Contractor function e.g. KC Homes and Neighbourhoods, External Contractor etc.

1.2 Definition of Construction Work:

Maintenance and repair are referred to in CDM 2015's definition of construction work as follows:

- (a) "the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, decoration 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", and at
"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."

A "structure" is then defined widely as:

- (a) "Any building, timber, masonry, metal or reinforced concrete structure, railway line or siding, tramway line, dock, harbour, inland navigation, tunnel, shaft, bridge, viaduct, waterworks, reservoir, pipe or pipeline, cable, aqueduct, sewer, sewerage works, gasholder, road, airfield, sea defence works, river works, drainage works, earthworks, lagoon, dam, wall, caisson, mast, tower, pylon, underground tank, earth retaining structure or structure designed to preserve or alter any natural feature and fixed plant"
- (b) "Any structure similar to anything in paragraph (a)"
- (c) "Any formwork, falsework, scaffold or other structure designed or used to provide support or means of access during construction work."

The regulations also note that "any reference to a structure includes part of a structure".

Therefore, the requirements of the CDM Regulations 2015, applies to the majority of building work and all "construction work" as defined in the regulations.

1.3 Other Definitions:

Client:

Is an organisation or individual for whom a project or work is carried out, who –

- Decides what is to be constructed, where, when and by whom
- Commissions the design and construction work
- Initiates the work
- Funds and procures the project
- Appoints contractors/duty holders (including the designer, principal designer and principal contractor)
- Undertakes the duties on behalf of a commissioning client

Contractor:

May be an individual, sole trader, a self-employed worker or a business who carries out, manages or controls construction work in connection with a business.

Anyone who directly engages construction workers or manages construction work is a contractor. This includes companies that use their own workforce to do construction work on their own premises.

Principal Contractor (PC):

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.

The term project is used to describe any construction, building, infrastructure repair or maintenance work, whether on a fixed or transient site.

The principal contractor must be capable of carrying out the role and have the right skills, knowledge, training and experience. This will depend upon the nature of the work and the range and nature of health and safety risks involved.

The principal contractor is normally a contractor so will also have contractor duties. They may be principal contractor on some projects and a contractor on others.

Principal Designer (PD):

Is an organisation or individual that controls the pre-construction phase and influence how health and safety is managed. This includes the design and planning stage of the project, preparing and modifying the design, including temporary works; or instructing someone to do so.

Designer:

Is an organisation or individual who prepares or modifies a design for any part of the construction project, including temporary works, or arranges or instructs someone to do so. This can be architects, consulting engineers, interior designers, temporary work engineers, chartered surveyors, technicians, specifiers, principal contractors and specialist contractors.

Depending on the work, where a client becomes actively involved in designing in relation to a project, they may also be considered as a designer, even if they are not normally identified as one.

Pre-Construction Phase:

Is any period of time during which design or preparatory work is carried out for a project and may continue during the construction phase.

Pre-construction information:

Is information in the client's possession or which is reasonably obtainable by or on behalf of the client, which is relevant to the construction work and of an appropriate level of detail proportionate to the risks involved.

Notification:

Is the formal, written notification to the Health and Safety Executive of a project which falls into the notifiable criteria. (F10 document)

A project is notifiable if the construction work on a construction site is scheduled to -

- (a) Last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project;
or
- (b) Exceed 500 person days.

Construction phase:

Is the period of time beginning when construction work in a project starts and ending when construction work in that project is completed.

Construction phase plan:

Is a plan that sets out the health and safety arrangements, site rules and specific control measures for any risk associated with activities taking place on the construction site.

Temporary Works:

Temporary works (TW) are the parts of a construction project that are needed to enable the permanent works to be built. Usually the TW are removed after use – e.g. access scaffolds, props, shoring, excavation support, falsework and formwork, etc. Sometimes the TW is incorporated into the permanent works – e.g. haul road foundations and crane or piling platforms may be used for hardstanding or road foundations.

Health and Safety File:

Contains relevant information about the project to be used when any further work is undertaken on the building/structure after the current project is finished.

The file should contain all relevant documentation such as:

- Record of Amendments and Revisions to Developed H&S Plan
- Pre-Tender Health and Safety Plan
- Construction Phase Plan
- Setting up Site Checklist
- Setting up Site Checklist Action Plan
- Copy of F10 Notification
- Site Services Drawings/Plans
- Scaffold Drawings/Plans
- Traffic Management Plan
- On-Site Safety Audit Report
- Asbestos Survey
- Fire Risk Assessment
- Fire Evacuation Plan
- Induction Forms

- Risk Assessments & Method Statements
- Site Specific RAMS
- Contractors/Sub-Contractors Risk Assessments and Method Statements
- Toolbox Talk Records
- Information on Temporary Works

Please note this is not a definitive list

2 POLICY SCOPE

- 2.1 This policy has been developed to ensure that all health, safety, welfare and wellbeing issues relating to construction work and contractor work are an essential and integral part of planning and managing to adequately reduce the risk to; those undertaking the work; those affected by the works; and those using the building/structure/location e.g. tenants, public building users, members of the public etc., including once the work is completed, as far as is reasonably practicable.

3 POLICY STATEMENT

3.1 The Chief Operating Officer will:

- Ensure adequate resources are provided to enable compliance with CDM Regulations 2015.
- Appoint competent persons to undertake specific roles and responsibilities.

3.2 The Director of Property Services will:

- Ensure any Consultants and all Contractors comply with requirements set out in the CDM Regulations 2015.
- Maintain a list of Authorised Contractors who have been assessed as competent to carry out “construction works”.
- Ensure Principal Designers/Designers and Principal Contractors/Contractors are appointed at the right time.

3.3 The Client:

When fulfilling the role of Client, KC Homes and Neighbourhoods also has duties and responsibilities under other health and safety legislation and guidance, including:

- The Health & Safety at Work Act 1974
- Workplace (Health, Safety and Welfare) Regulations 1992
- Control of Asbestos Regulations 2012
- Managing for Health and Safety (HSG65)

3.4 Property Services staff and any externally appointed contractors involved in construction work will:

- Ensure the core requirements of the CDM regulations and other relevant legislation are met, by providing appropriate support to all parties, to ensure the highest standards of health and safety are achieved. The same commitment is expected from all parties, consultants and contractors, involved in every KC Homes and Neighbourhoods construction project.
- Appoint the right people and organisations at the right time. Ensure that where KC Homes and Neighbourhoods act as a Client, KC Homes and Neighbourhoods will appoint Principal Designers and Principal Contractors as soon as practicable and before the start of the construction phase, so they have enough time to carry out their duties to plan and manage the pre-construction and construction phases respectively.
- Ensure that all risks are managed by applying the general principles of prevention.
- Provide relevant information in order for duty holders to carry out their work in a way that secures health and safety. Ensure that there are effective arrangements to receive, collate, and disseminate health and safety information.
- Cooperate and communicate with duty holders and all relevant parties.
- Ensure that all directly appointed duty holders have suitable and sufficient training to enable them to carry out their duties under the Regulations.
- Ensure that all staff are aware of their responsibilities in respect of health and safety and properly trained to be able to fulfil these responsibilities.
- Where a project is notifiable, the HSE will be notified as soon as is practicable before the construction phase begins
- Ensure that the sufficient time is allocated to ensure that safe working practices can be developed.
- Ensure the health, safety and welfare of all staff, tenants, members of the public and any other persons who may be affected by the works.

3.5 Employees must ensure that:

- They understand and undertake the full extent of their role, responsibilities and statutory duties given to them in relation to construction and contractor work.
- Follow all relevant statutory, KC Homes and Neighbourhoods and service specific policies, guidance, procedures, processes and arrangements applicable to construction and contractor work.

- Participate in and attend any training and awareness, as required.

5.3 The Safety, Health and Environmental Manager and/or Advisors will:

- Provide professional advice, guidance and support for managing construction and contractor work
- Provide relevant information, updates, briefings on managing construction and contractor work
- Carry out site safety inspections to ensure compliance with CDM 2015/site rules, and report any non-conformances to the relevant Team Leader, Supervisor, Operations Manager and/or Project Manager.

4 ANY ASSOCIATED DOCUMENTS AND POLICIES

- 4.1 [Construction Work \(CDM 2015\) Procedure](#)
[Managing Contractor Work Procedure](#)

5 REVIEW

- 5.1 This Policy will be reviewed on an **annual** basis, or if subject to legislative change.