

Construction and Contractor Work Policy

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Document Control

Governance

Table 1 – Policy information

Item	Response
Title	Homes & Neighbourhoods Construction and Contractor Work Policy
Responsible officer	Safety, Health and Environmental (SHE) Manager
Author	Safety, Health and Environmental (SHE) Advisor
First approved	SMT April 2021
Version approved	HNSLT 04/03/2026
Next review date	04/03/2027
Review responsibility	Safety, Health and Environmental (SHE) Manager
Applicable to	All staff, contractors and subcontractors of Kirklees
Regulatory framework	Construction (Design and Management) Regulations 2015 (CDM 2015); Health & Safety Executive (HSE); Social Housing (Regulation) Act 2023 and associated RSH Regulatory Standards.

Revision history

Table 2 – Revision details

Date	Version	Author	Authorised by	Revision details
Apr 21	1.0	CV	SMT	First publication.
2022-2024	1.1-1.3	CV/AM	SMT	Annual reviews with minor amendments.
Apr 25	1.4	AM	Head of Housing Governance & Improvement	Reformatted to align with Kirklees Council's document accessibility standards.

Date	Version	Author	Authorised by	Revision details
04/03/2026	2.0	CV/AM	HNSLT	Policy refresh and addition of 'Improvement and Monitoring' information. Further document accessibility improvements.

1 Introduction

1.1 Purposes of this policy

- 1.1.1 Homes and Neighbourhoods is committed to meeting the requirements of the CDM Regulations 2015 by ensuring better integration and coordination of health and safety during the pre-construction and construction phases.
- 1.1.2 This policy has been developed to ensure that consideration of all health, safety, welfare and wellbeing issues is an essential and integral part of construction work and contractor work carried out by or on behalf of Homes & Neighbourhoods.
- 1.1.3 The policy sets out definitions under the CDM Regulations and identifies and assigns actions and duties accordingly.

1.2 Legal context

- 1.2.1 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.
- 1.2.2 This policy additionally responds to the [Social Housing \(Regulation\) Act 2023](#) and the associated [Regulatory Standards](#) by addressing the following requirements:

Safety and Quality Standard

- When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.
- Registered providers must identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.
- Registered providers must ensure that the safety of tenants is considered in the design and delivery of landlord services and take reasonable steps to mitigate any identified risks to tenants.

1.2.3 Where any structural, fire safety or intrusive works due to be carried out in HRRB (Higher Risk Residential Buildings), the Mandatory Occurrence Reporting Policy must be first be consulted and used to inform the RAMs. All intrusive works in any HRRB must first be approved and agreed upon with the Building Safety Team.

1.2.4 This policy also aims to ensure compliance with the following legislation and guidance:

- 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)
- Building Safety Act 2022

1.3 General definitions

1.3.1 For the purposes of this policy, the following general definitions apply:

Table 3 – List of definitions used in this policy

Term	Definition
Homes & Neighbourhoods, H&N	Kirklees Council’s housing services, inclusive of all departments and teams.
Tenant	A person that rents a home from Homes & Neighbourhoods.
Leaseholder	A person that owns a home on a lease, within a council-owned building.
Resident	Any person that is registered as living in a council-owned home or other building, including tenants, leaseholders and others.
Visitor	Any person that visits a council-owned building, and not referenced amongst these set definitions.
Staff/Officer/Employee	A person that works for Kirklees Council.
Contractor	A company or person that works on behalf of Kirklees Council.

2 Objectives and scope

2.1 Policy objectives

2.1.1 The aims of this policy are:

- To ensure Homes and Neighbourhoods complies with the Construction (Design and Management) Regulations 2015 by integrating 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 manage risks by applying the general principles of prevention.
- To adequately reduce risks to (i) those undertaking the work; (ii) those affected by the works; and (iii) those using the building/structure/location (for example tenants, public building users, members of the public etc.), including once the work is completed, as far as is reasonably practicable.

2.2 Policy scope

- 2.2.1 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.
- 2.2.2 As set out in sections 3.2.1 to 3.2.5 below, commitment to this policy is particularly required from those with:
- Client function;
 - Designer/Principal Designer function;
 - Contractor/Principal Contractor function.

3 CDM 2015 definitions

3.1 Definition of construction work

- 3.1.1 Maintenance and repair are referred to in CDM 2015's definition of construction work as:
- 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
 - b) "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." "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."
- 3.1.2 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.

3.1.3 The regulations also note that “any reference to a structure includes part of a structure”.

3.1.4 Therefore, the requirements of the CDM Regulations 2015 apply to most of the building work undertaken by Homes & Neighbourhoods.

3.2 Other definitions

3.2.1 Client:

- The 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.

3.2.2 Contractor:

- The 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.

3.2.3 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.
- 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.

3.2.4 Principal Designer:

- The principal designer 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.

3.2.5 Designer:

- The 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. Designers 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.

3.2.6 Pre-Construction Phase:

- The 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.

3.2.7 Pre-construction Information:

- Pre-construction information 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:
 - Last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project, or:
 - Exceed 500 person days.

3.2.8 Construction phase:

- The construction phase is the period of time beginning when construction work on a project starts and ending when construction work in that project is completed.

3.2.9 Construction phase plan:

- The 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.

3.2.10 Temporary works:

- Temporary works are the parts of a construction project that are needed to enable the permanent works to be built. Usually, the temporary works are removed after use – e.g. access scaffolds, props, shoring, excavation support, falsework and formwork, etc. Sometimes the temporary works are incorporated into the permanent works – e.g. haul

road foundations and crane or piling platforms may be used for hardstanding or road foundations.

3.2.11 Health and Safety File:

- The 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 the above is not a definitive list.

4 Roles and responsibilities

4.1 The Service Director

4.1.1 The Service Director will:

- Ensure adequate resources are provided to enable compliance with CDM Regulations 2015.

4.2 The Head of Service or Client

4.2.1 The Head of Service or Client will:

- Appoint competent persons to undertake specific roles and responsibilities.

- 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.
- When fulfilling the role of Client, H&N 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)

4.3 Property Services and Contractors

4.3.1 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 H&N construction project.
- Appoint the right people and organisations at the right time. Ensure that where H&N act as a Client, H&N 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 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.

4.4 Employees

4.4.1 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, H&N 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.

4.5 Safety, Health and Environmental Manager

4.5.1 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.

5 Monitoring and review

5.1 Monitoring and improvement

- 5.1.1 Construction Phase Plans (CPP), Risk Assessments and Method Statements (RAMS), are checked by the council's Safety, Health & Environmental (SHE) Advisor, prior to works commencing.
- 5.1.2 The SHE Advisor carries out documented site inspections to ensure the contractor is compliant with the council's expectations/legal requirements and the contractor's own CPP and RAMS. Any concerns that are an imminent risk are dealt with on site with the contractor. Following an inspection, the written report is forwarded to the Project Manager/Team Leader in charge of the project for them to take any shortcomings up with the contractor.
- 5.1.3 Health and Safety concerns are also discussed at project progress meetings.

5.2 Policy review

5.2.1 The policy will be reviewed on an annual basis, or in response to relevant changes in legislation, regulation or organisational structures.

5.2.2 This policy and future updates will be published on the council's website.

6 Associated policies and strategies

6.1 Homes & Neighbourhoods policies

6.1.1 The following Homes & Neighbourhoods policies and strategies are relevant:

- Health and Safety Policy
- Repairs and Maintenance Policy
- Asset Management Strategy