



# Construction Work Health and Safety

## INTRODUCTION

Construction work such as maintenance, refurbishment or restoration can be dangerous involving a range of hazardous activities (e.g. working at height). Because of this, where such work is carried specific legal duties will need to be met under the Construction (Design and Management) Regulations 2015 (CDM) by various parties.

CDM is intended to protect the health and safety of those carrying out the work and others who may be affected by it (e.g. members of the public).

CDM applies to all construction projects i.e. a project which includes or is intended to include construction work. The definition of 'construction work' is very comprehensive and includes the alteration, renovation, repair, upkeep, redecoration or other maintenance of a structure.



## MORE ABOUT CDM

CDM provides a framework designed to bond the fragmented activities on site, ensuring that health and safety matters are properly co-ordinated. It also forces the primary consideration of health and safety risks at the planning stages providing a basis for tackling problems at source.

Under the Regulations, a number of duty-holders are identified having defined responsibilities. They are:

- **Commercial Clients** - any individual or organisation that carries out a construction project as part of a business.
- **Domestic Clients** - any individual who has construction work carried out on their home, or the home of a family member, that is not done as part of any business.
- **Designers** - any organisation or individual whose business involves preparing or modifying designs for construction projects, or arranging for, or instructing, others to do this. Designs include drawings, design details, specifications, bills of quantity and design calculations.
- **Principal Designers** - a designer who is an organisation or individual (on smaller projects) appointed by the client to take control of the pre-construction phase of any project involving more than one contractor
- **Principal Contractors** - a contractor appointed by the client to control the construction phase of any project involving more than one contractor.
- **Contractors** - anyone who directly employs or engages construction workers or manages construction work. This includes sub-contractors, any individual self-employed worker or business that carries out, manages or controls construction work.

Further information on each duty-holders roles and responsibilities under CDM is available at [www.hse.gov.uk/construction/cdm/2015/summary](http://www.hse.gov.uk/construction/cdm/2015/summary)

## MANAGING CONSTRUCTION WORK AS A CLIENT

From time to time our customers may require construction work to be completed at their premises. This may be subject to the requirements of CDM and they may have to meet their legal duties as a **client**.

Usually, they won't be experts in carrying out construction work and they are not expected to actively manage or supervise the work themselves. However, the decisions they make can influence how it is carried out. This in turn can affect the health, safety or welfare of those involved in it. For example, when they decide which designer and contractor will carry out the work and how much money, time and resource is available to complete it.

Where CDM applies, **clients** are required to:

- Appoint a principal designer and a principal contractor - if there will be more than one contractor working on the project at any time. These appointments need to be in writing and made in a timely fashion before the work starts.
- Take reasonable steps to ensure that any designer or contractor they appoint has the skills, knowledge, experience and capability necessary to fulfil their duties.
- Ensure that adequate arrangements are in place (including the allocation of sufficient time and other resources) - for managing and organising any health and safety precautions including the provision of any necessary welfare facilities. These arrangements should be maintained and reviewed throughout the project.
- Provide appropriate information to the designer and contractor - which could include information about what is to be built, the site and existing structures or hazards that may be present (e.g. asbestos, overhead cables, and buried services).
- Notify the Health and Safety Executive of certain construction work - as soon as possible before the work starts. Work lasting longer than 30 days with more than 20 workers working at the same time or involving 500 person days of work is notifiable. If they ask someone else to do this, they need to check that they have done so.
- Ensure that an adequate construction phase plan is drawn up - by the principal contractor (or contractor if there is only one) before the construction work starts. This plan should explain how health and safety risks will be managed during the work.
- Take reasonable steps to ensure that the principal designer and the principal contractor carry out their duties.
- Ensure that a health and safety file is prepared - by the principal designer. This needs to meet certain requirements and should be handed to the client on completion of the work. It should contain relevant information which will help them manage any health and safety risks during future construction work. They should keep the file, make it available to anyone who needs to alter or maintain the building, and update it if circumstances change.

Further guidance is available in the publication *Need building work done? A short guide for clients on the Construction (Design and Management) Regulations 2015* [INDG411 (rev1)], from the Health & Safety Executive. This can be downloaded at [www.hse.gov.uk/pubns/indg411](http://www.hse.gov.uk/pubns/indg411)





## DOMESTIC CLIENTS

As we have seen a domestic client is any individual who has construction work carried out on their home, or the home of a family member, that is not done as part of any business.

While CDM places client duties on commercial clients in full, such duties for domestic clients normally pass to:

- The **contractor**, if it is a single contractor project, who must take on the legal duties of the client in addition to their own as contractor. In practice, this should involve little more than what they normally do in managing health and safety risks
- The **principal contractor**, for projects with more than one contractor, who must take on the legal duties of the client in addition to their own as principal contractor. If the domestic client has not appointed a principal contractor, the client duties must be carried out by the contractor in control of the construction work.

Further detail is available at [www.hse.gov.uk/construction/cdm/2015/domestic-clients](http://www.hse.gov.uk/construction/cdm/2015/domestic-clients)

## OTHER DUTY-HOLDER RESPONSIBILITIES

Sometimes, our customers might assume other duty-holder responsibilities under CDM (e.g. as designer, principal designer, contractor or principal contractor).

They may also carry out the role of more than one CDM duty holder on a project. This may be the case for larger customers with more significant construction projects. There is nothing to prevent them from doing this, as long as they have the necessary skills, knowledge, and experience and (if an organisation) the organisational capability to carry out those functions and responsibilities of each role in a way that secures health and safety.

Further detail is available at [www.hse.gov.uk/construction/cdm/2015/responsibilities](http://www.hse.gov.uk/construction/cdm/2015/responsibilities)

## GENERAL REQUIREMENTS FOR ALL CONSTRUCTION SITES

Part 4 of CDM sets out a number of provisions that only relate to work carried out on the construction site. Usually, a contractor carrying out construction work must comply with these and they identify standards that need to be achieved on site in relation to:

- Safe places of work, good order and site security
- Stability of structures
- Demolition or dismantling
- Safe use of explosives
- Excavations
- Cofferdams and caissons
- Reports of inspections
- Energy distribution installations
- Prevention of drowning
- Traffic routes
- Safe movement of vehicles
- Prevention of risk from fire, flooding or asphyxiation
- Emergency procedures
- Emergency routes and exits
- Fire detection and fire-fighting
- Fresh air
- Temperature and weather protection
- Lighting

In certain circumstances, a domestic client who controls the way in which any construction work is done may have to make sure that these requirements are met.

Further guidance is set out in *Managing health and safety in construction: Construction (Design and Management) Regulations 2015. Guidance on Regulations* [L153 HSE], which can be downloaded from [www.hse.gov.uk/pubns/books/l153](http://www.hse.gov.uk/pubns/books/l153)

## FURTHER TOPIC RESOURCES

Further information is available as follows:

General information is available at [www.hse.gov.uk/construction/index](http://www.hse.gov.uk/construction/index)

The Construction (Design and Management) Regulations 2015, SI 2015/No. 51, available at [www.legislation.gov.uk/uksi/2015/51/contents/made](http://www.legislation.gov.uk/uksi/2015/51/contents/made)

Health and safety in construction, HSG150, HSE, available at [www.hse.gov.uk/pubns/books/hsg150](http://www.hse.gov.uk/pubns/books/hsg150)