

A CDM GUIDE FOR PRINCIPAL CONTRACTORS

Working On Small To Medium Sized Projects



Contents

1.0 Introduction	Page 3
2.0 What are the CDM Regulations 2015?.....	Page 4
3.0 Duty Holders under the CDM Regulations	Page 5
4.0 Planning for the Construction Phase.....	Page 6
4.1 Pre-Construction Information.....	Page 7
4.2 The Construction Phase Plan.....	Page 8
4.2.1 Risk Assessments and Method Statements (RAMS).....	Page 9
4.3 Appointing Competent Contractors.....	Page 10
4.4 F10 Notification.....	Page 11
4.5 Welfare Provisions.....	Page 12
5.0 Managing, Coordinating and Monitoring the Construction Phase.....	Page 13
6.0 Inductions.....	Page 14
7.0 Preventing Unauthorised Access.....	Page 15
8.0 General Requirements for all Construction Sites.....	Page 16
9.0 Consulting with Workers.....	Page 17
10.0 The Health and Safety File.....	Page 18
11.0 Why do I need Health and Safety Assistance/Advice?.....	Page 19
12.0 How can Marpal Help?.....	Page 20

Contact Us:

Marpal House,
Wyvern Court Stanier Way,
Wyvern Business Park,
Derby, DE21 6BF

Phone: 01332 668877
Email: info@marpal.co.uk

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1.0 Introduction

Small to medium sized Contractors are those at most risk of injury and ill health on construction sites and suffer the majority of construction related fatalities each year. Most deaths are associated with falls from height, including from ladders, scaffolds, working platforms, roof edges, and falls through fragile roofs or rooflights.

With 30 fatalities within the construction sector last year and around 3000 major injuries, construction remains the most dangerous industry to operate in within the UK. The planning and management of your project is essential to ensuring that you don't add to these statistics.

For those acting as a Principal Contractor under the CDM Regulations, it can be quite concerning knowing whether you have completely fulfilled your health and safety obligations. The regulations themselves are very woolly and don't actually explain in a comprehensible manner what you actually need to do. This can often lead to misinterpretation, resulting in either too much or too little being done.

As a small to medium sized business operating as a Principal Contractor, there are often countless factors to consider when planning and managing building work; health and safety is just one of them. When meeting the requirements of the CDM Regulations, lacking a clear understanding of what is expected of you - especially in the early stages of planning - could start you off on the back-foot.

Many Building Contractors do not have access to the type of resources that larger national Contractors have; quite often their health and safety protocols are robust. Such resources may include specific internal CDM Policies and Procedures, health and safety guidance notes, or the provision of a Health and Safety Manager or Advisor who is on hand to provide the ongoing assistance and support that's required - a luxury many smaller Contractors cannot afford!

This CDM Guide aims to assist small to medium sized businesses who act as Principal Contractors, by highlighting the fundamental health and safety duties imposed upon them, and to outline what needs to be done during the various stages of your project to ensure, most importantly, that you keep your employees and workers safe and remain compliant with the CDM Regulations.

A simple, comprehensible CDM Guide for Principal Contractors to ensure that your workers are safe and you remain compliant!

Contact Us:

Marpal House,
Wyvern Court Stanier Way,
Wyvern Business Park,
Derby, DE21 6BF

Phone: 01332 668877
Email: info@marpal.co.uk

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2.0 What are the CDM Regulations 2015?

The Construction (Design & Management) Regulations 2015 came into force on the 6th April 2015 and are the main set of regulations for the management of health, safety and welfare on construction projects.

The aim of the CDM Regulations is to ensure that health and safety is an integral part of the planning and management of a project, with the overall objective being to protect the health and safety of those involved in construction work and others who may be affected by these activities, including those who may clean and maintain the structure once it's complete.

The CDM Regulations 2015 apply to all construction work; the definition of construction work is quite varied and includes new build, extensions, refurbishment, renovation, conversions, repairs and maintenance.

The Regulations place specific duties on all those involved in construction work.



Contact Us:

Marpal House,
Wyvern Court Stanier Way,
Wyvern Business Park,
Derby, DE21 6BF

Phone: 01332 668877
Email: info@marpal.co.uk

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3.0 Duty Holders Under the CDM Regulations

Nobody is exempt from their duties under the CDM Regulations. Regardless of your role on a project, everyone has specific responsibilities. Duty holders under the CDM Regulations are summarised below:

Clients – These are organisations or individuals for whom a construction project is carried out.

Domestic Clients – These are people who have construction work undertaken on their own home, or the home of a family member.

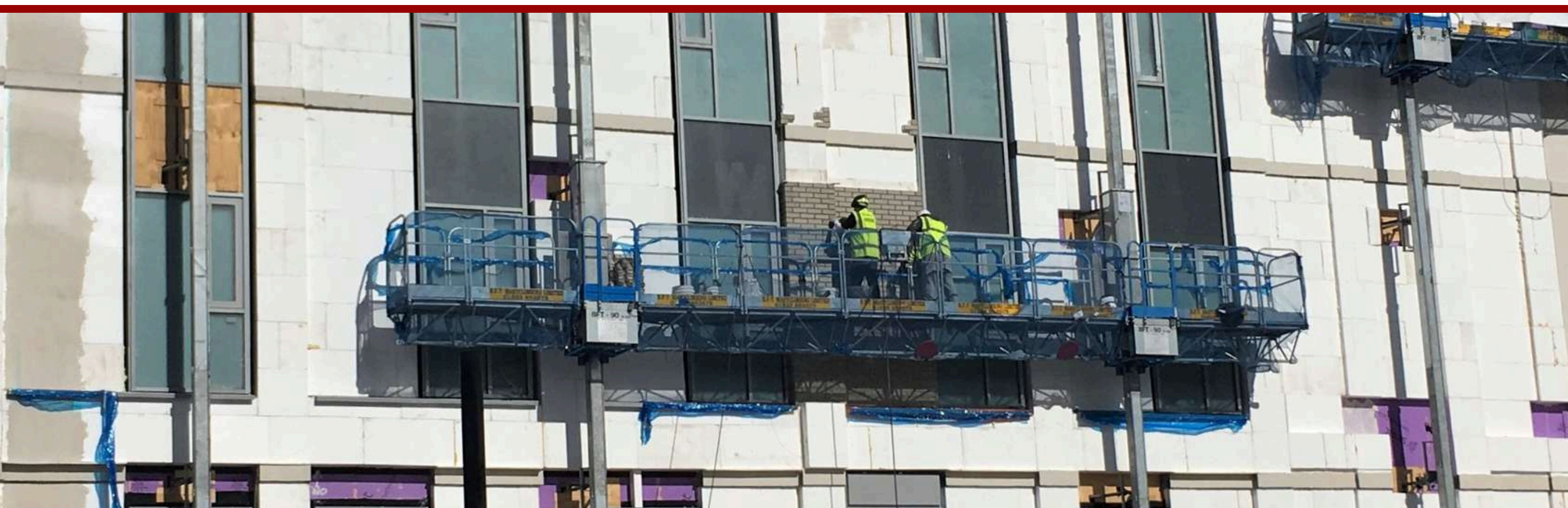
Designers - Are those, who as part of a business, prepare or modify designs for a building or system relating to construction work.

Principal Designers – Are those appointed by the Client, to plan, manage, monitor and coordinate the health and safety aspects of the Pre-Construction Phase of a project; this role only applies where there is more than one contractor involved in the project.

Principal Contractors – Are Contractors appointed by the Client, to plan, manage, monitor and coordinate the health and safety aspects of the Construction Phase of a project; this role only applies where there is more than one contractor involved in the project.

Contractors – Can be an organisation or individual who carries out actual construction work.

Workers – Are the people who work for or under the control of Contractors on a construction site.



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Marpal House,
Wyvern Court Stanier Way,
Wyvern Business Park,
Derby, DE21 6BF

Phone: 01332 668877
Email: info@marpal.co.uk

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4.0 Planning for the Construction Phase

There is no doubt that planning for construction work is an essential part of any project. The time and effort that goes into this often dictates how health and safety is ultimately implemented on site. A well thought out, considered approach can have many positive impacts, but fundamentally it helps to keep your workforce safe and keep you compliant.

As a Principal Contractor, when planning for construction work it is essential that you allow sufficient time and resources to ensure that health and safety aspects are considered, and suitable arrangements are put in place.

You must also take into account the Pre-Construction Information provided and any key design information available, identify the risks that will need to be managed during the construction phase and include these within your Construction Phase Plan.

When preparing and planning for the Construction Phase you must also consider:

- Pre-Construction Information
- The Construction Phase Plan
- Method Statements & Risk Assessments
- Appointing Competent Contractors
- F10 Notification
- Welfare Provision



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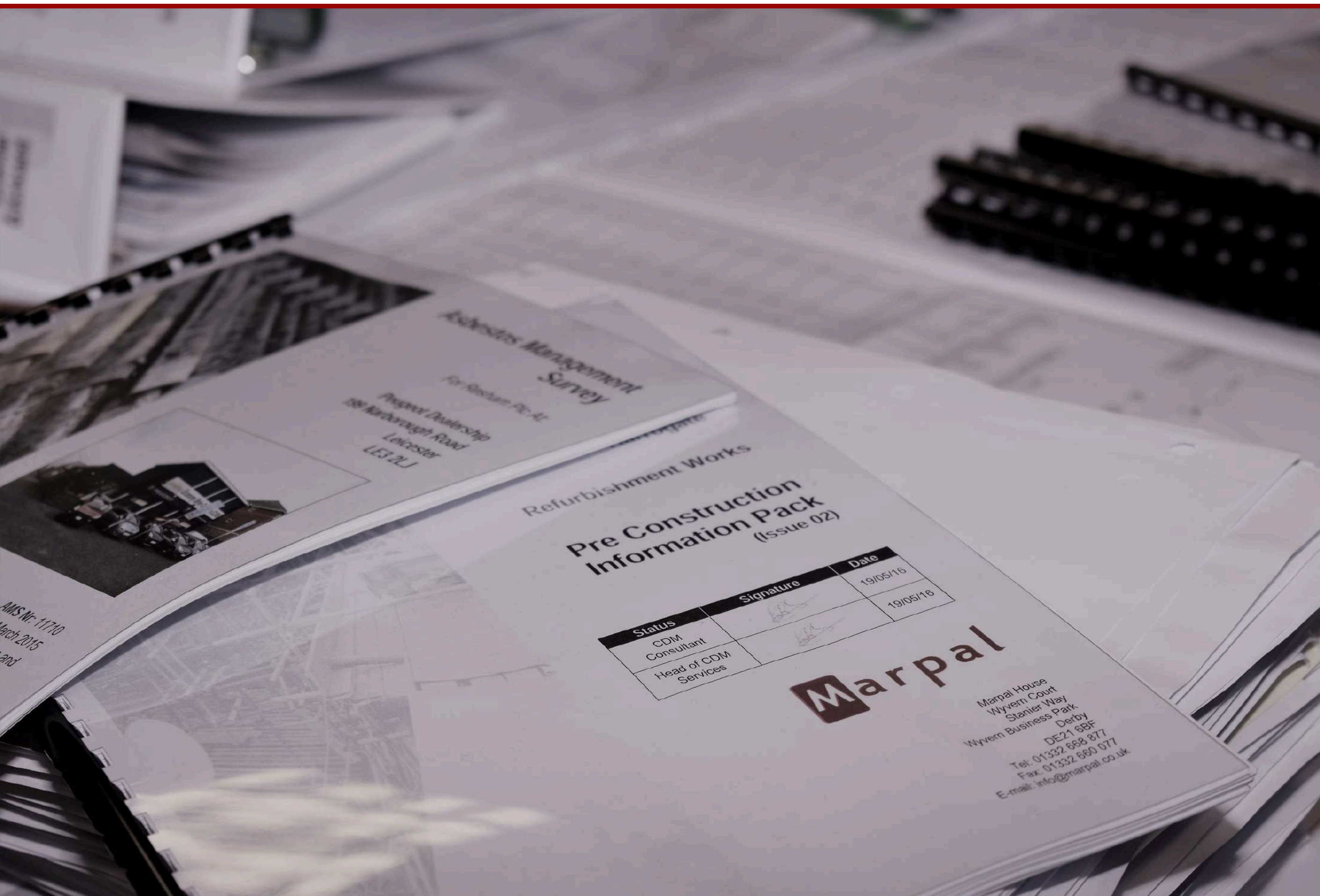
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4.1 Pre-Construction Information

Pre-Construction Information is the information held in the Client's possession regarding a site or structure. This is collated and distributed to those who need it by the Principal Designer - sometimes referred to as the Pre-Construction Information Pack. The information provided should include any relevant surveys, reports and details on the health and safety restrictions and constraints, and any Client specific arrangements - particularly where works are being undertaken on Client premises which remain operational.

The Principal Contractor must evaluate and consider the information provided when developing their Construction Phase Plan.



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Marpal House,
Wyvern Court Stanier Way,
Wyvern Business Park,
Derby, DE21 6BF

Phone: 01332 668877
Email: info@marpal.co.uk

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4.2 The Construction Phase Plan

The Principal Contractor has a specific duty under the CDM Regulations to ensure that a Construction Phase Plan is drawn up for each project. This must be issued to the Client, who must review it and be satisfied that the Plan has been suitably developed prior to authorising the commencement of construction work. Please note, as there is no requirement for Domestic Clients to carry out this review on domestic projects, it is therefore down to the Contractor - or the Principal Contractor, if there is more than one Contractor.

The Plan must set out the health and safety management arrangements for the project, including specific measures to manage the significant risks associated with the project, taking into consideration the Pre-Construction Information provided by the Principal Designer.

After the Plan has been drawn up, your duties don't stop there. Once you are on site, as the Principal Contractor you have a duty to ensure that the Plan is reviewed on a regular basis and kept up to date to reflect the ever-changing conditions of the site. Relevant parts of the Plan must be issued to Contractors working on the project and the Plan must always be made available on site, so that it can be reviewed by anyone who may want to see it.

The development of a suitable and well-developed Construction Phase Plan is instrumental to ensuring and maintaining a healthy and safe working environment. The time and effort spent doing this can have a positive impact on health and safety and the overall delivery of your project.



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Marpal House,
Wyvern Court Stanier Way,
Wyvern Business Park,
Derby, DE21 6BF

Phone: 01332 668877
Email: info@marpal.co.uk

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4.2.1 Methods Statement & Risk Assessments

It is important that relevant parts of the Construction Phase Plan are issued to the appointed Sub-Contractors working on the project. This will allow Contractors to consider the management arrangements, and the associated risks, when developing safe systems of work for their own work activities; in other words, when developing their Method Statements and Risk Assessments.

As well as developing Method Statements and Risk Assessments (RAMS) for your own on-site activities, you must also review and approve those prepared by all your Sub-Contractors; after all, as a Principal Contractor, you are ultimately responsible for the health and safety on site. When reviewing your Sub-Contractors' RAMS, you must make sure that they don't just tell you what they're going to do, but more importantly, how they are going to do it safely. The detail required within any set of RAMS will depend on the nature of the activities and the hazards and risks involved.



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Marpal House,
Wyvern Court Stanier Way,
Wyvern Business Park,
Derby, DE21 6BF

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Email: info@marpal.co.uk

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4.3 Appointing Competent Contractors

When the CDM Regulations refer to the appointment of a competent Contractor, they're specifically referring to whether they have the skills, qualifications, knowledge and experience to fulfil their CDM and health and safety responsibilities; all duty holders who make appointments under the CDM have similar duties. Doing your due diligence and appointing competent Contractors will go a long way in contributing to the overall health and safety culture on site.

If you fail to do your due diligence, and you appoint a Contractor without checking their health and safety credentials, then if there is an accident or incident on site, you will be opening yourself up for criticism by the HSE and possible prosecution.

In order to streamline the process, you could consider looking at a third-party Accreditation Scheme such as CHAS, SafeContractor or Constructionline, where Contractors have to demonstrate their competence in order to be registered. You may even consider joining such a scheme yourself, as many Clients also look to these schemes when appointing Principal Contractors.



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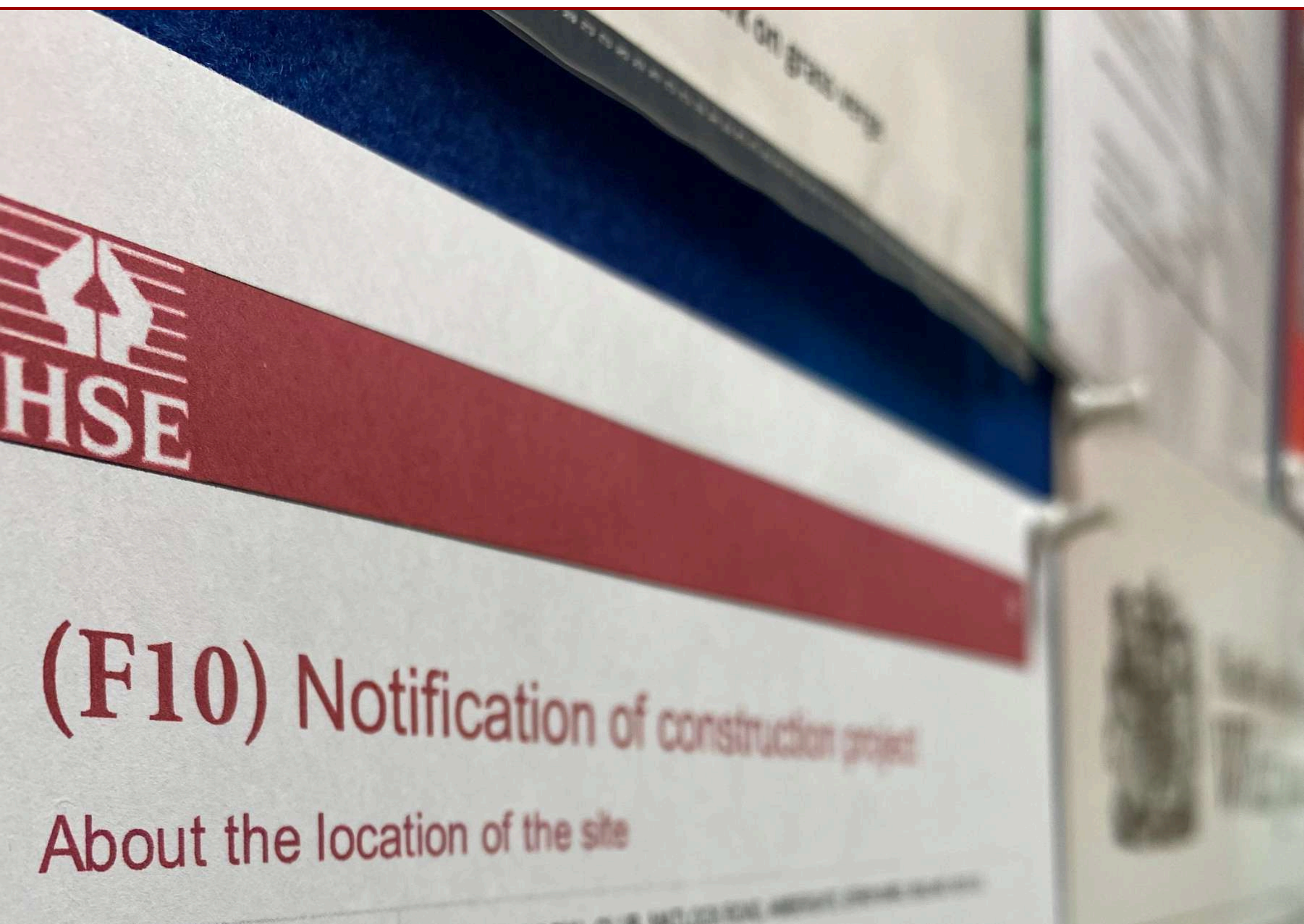


4.4 F10 Notification

The Health and Safety Executive (or other relevant Enforcing Authority), must be notified by the Client of a project (on a standard F10 Form) before construction work begins if the following criteria is met:

- The construction phase is likely to last longer than 500 person days, or
- Last longer than 30 days of construction work and involve more than 20 workers working simultaneously at any point in the project.

If an F10 is required, it must be displayed on site. There are no responsibilities on the Principal Contractor to submit the F10 notification unless the work is being undertaken for a Domestic Client, in which case the responsibility automatically passes to the Principal Contractor.



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4.5 Welfare Provisions

Why shouldn't construction workers have access to the same levels of welfare provisions as office workers? This is the HSE's view - and who can disagree? Far too often, below-standard welfare provisions are provided to keep the project costs to a minimum. The CDM Regulations place duties on both Clients and Principal Contractors to meet the minimum requirements, including:

- Adequately lit and ventilated sanitary conveniences
- Suitable and sufficient washing facilities including a supply of clean hot and cold water, soap, and towels contained in an adequately lit and ventilated room.
- An adequate supply of drinking water and drinking vessels.
- Where required, suitable and sufficient changing rooms
- Suitable and sufficient rest rooms or rest areas equipped with an adequate number of tables and chairs, with suitable arrangements for allowing meals to be prepared and eaten, means of boiling water and means of maintaining an appropriate temperature

The first activity on any project is to ensure that suitable welfare facilities are provided for the number of people on site; under CDM, no construction work should commence until this is done.



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5.0 Managing, Coordinating and Monitoring the Construction Phase

As a Principal Contractor, you must ensure that - from the start and throughout your project - you manage, coordinate and monitor the Construction Phase.

Managing

In managing the construction phase, Principal Contractors must ensure that those they engage with to carry out the work are capable of doing so (ie, competent). They must also ensure that effective preventative and protective measures are put in place to control the site risk and that the right plant, equipment and tools are provided to carry out the work safely.

Coordinating

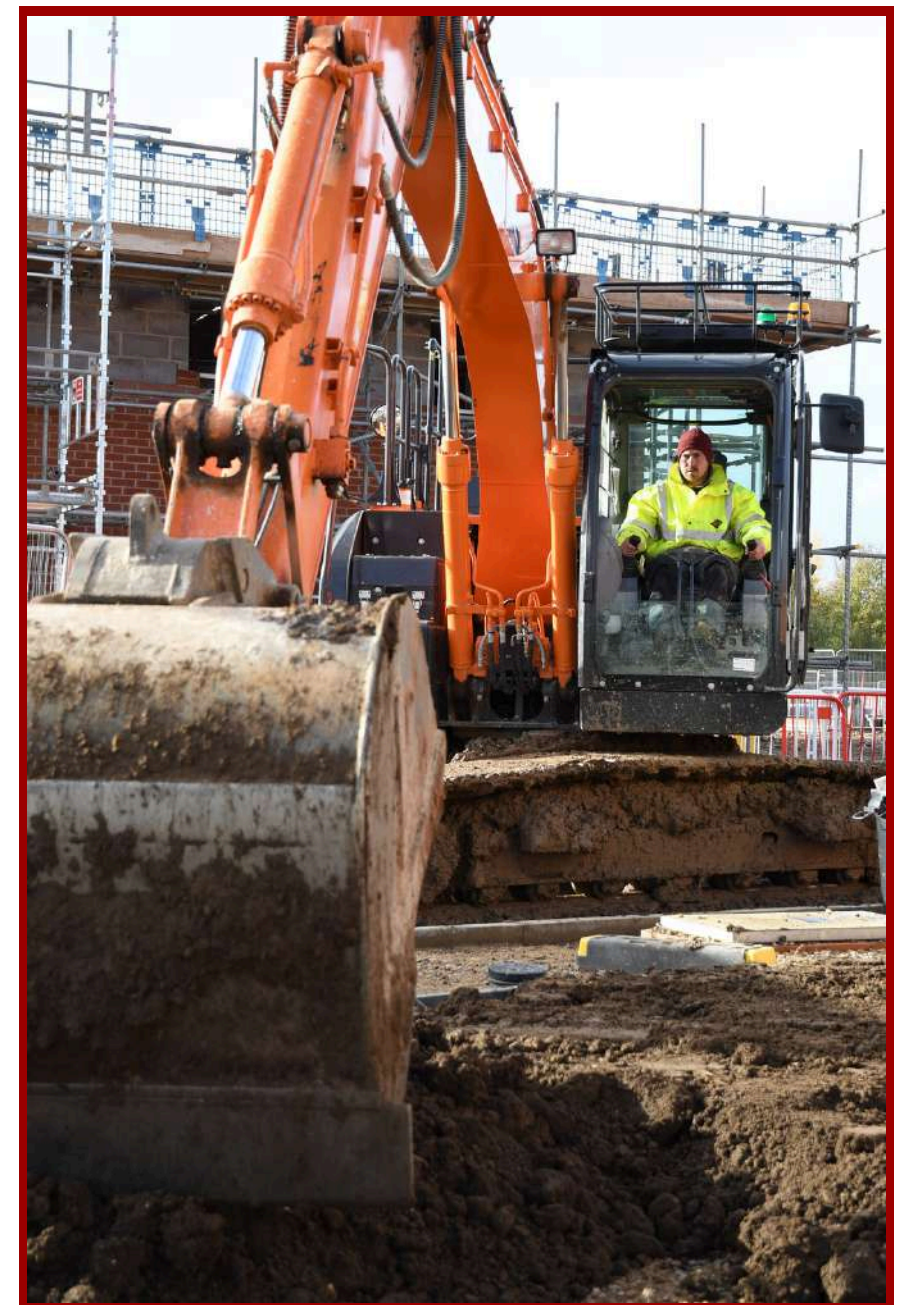
A Principal Contractor has a specific duty to ensure that Contractors under their control cooperate with each other so the risks to themselves and others affected by the work are managed effectively.

Monitoring – Site Safety Inspections

Health and safety standards should be checked regularly given the rapidly changing nature of a construction site. As a Principal Contractor, having an effective Site Safety Inspection regime in place is a proactive way of ensuring that potential problems are dealt with before they arise. Effective monitoring involves the allocation of sufficient resources, providing routine checks and taking prompt action where necessary.

On a daily basis, as a bare minimum, the Site Management Team should be undertaking statutory inspections for scaffolding, site plant, excavations etc. as well as monitoring compliance with the Construction Phase Plan, Site Rules and agreed Method Statements and Risk Assessments. Each week, a more formal health and safety inspection should then be undertaken by the Site Team utilising site safety checklists, which help to act as a memoir and assist with making sure you cover all the various health and safety requirements.

The monitoring arrangements adopted will always depend on the nature of the work and the associated risks. On projects where there are high risks such as demolition, deep excavations, working at height etc. a comprehensive Site Safety Inspection should be undertaken by a Competent Person (i.e. Health and Safety Professional). Your arrangements for monitoring on site activities should be included within your Construction Phase Plan.



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6.0 Inductions

Under the CDM Regulations, the Principal Contractor must give every site worker a suitable site induction. The induction must be site specific and highlight the significant risks and the associated control measures to be adopted by those working on the project. The extent of the induction should be in proportion to the nature of the work and the site risks, but should include as a minimum:

- Overview of the project
- Management arrangements
- Fire and emergency arrangements
- First aid arrangements
- Welfare arrangements
- Accident and incident reporting
- Site rules
- Arrangements for briefing workers on an ongoing basis
- Arrangements for consulting workers on health and safety matters

Site inductions should also be given to those who may visit the site on an occasional basis such as Clients, Designers etc. If visitors are escorted on site, then the extent of the induction should be in proportion to the nature of the visit.

It is useful to have a well-structured written induction form held on site which can be updated as required; this will help when delivering the induction itself, you should also create a register for inductees to sign to confirm that they've received and understand the induction given.

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7.0 Preventing Unauthorised Access

As a Principal Contractor, you are not only responsible for the health and safety of those working on site, but also for those who may trespass. Principal Contractors must take reasonable steps to prevent unauthorised access to their sites. If, for example, it becomes apparent that unlawful access is being gained, then it is your responsibility to review the security measures in place and, if necessary, enhance them to make them more robust.

When defining the site boundaries, suitable barriers should be adopted, which should take the nature of the site and the environmental surroundings into consideration. Special consideration should also be given to construction sites that are located by residential homes, schools, care homes, shopping centers etc; basically, anywhere where there may be close proximity to vulnerable people.



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Marpal House,
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Phone: 01332 668877
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8.0 General Requirements for all Construction Sites

Part 4 of the CDM Regulations sets out the minimum requirements relating to work being carried out on construction sites and therefore applies only to Contractors carrying out construction work. This section contains 24 specific regulations covering a wide variety of site issues including the stability of structures, demolition or dismantling, excavations and cofferdams, reports of inspections, traffic routes, emergency procedures, fire detection and firefighting etc.

As a Principal Contractor, you are responsible for construction work. Therefore, it is essential that you are familiar with the requirements laid down in Part 4 - the HSE do prosecute and take action against breaches. It is vital that you have suitable arrangements in place to manage, coordinate and monitor the construction phase to ensure that you are keeping people safe and complying with these specific obligations.



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9.0 Consulting with Workers

The purpose of the CDM Regulations is to provide worker protection. However, with all the health and safety loopholes to be jumped through, this objective can sometimes be forgotten. It's important that Principal Contractors consult with construction workers - after all, they're the ones who actually confront the risks associated with working on site each day. Consulting with workers can help to identify risks, introduce control measures and help to develop safe systems of work.



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Marpal House,
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Wyvern Business Park,
Derby, DE21 6BF

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10.0 The Health and Safety File

The Health and Safety File is a document which contains useful information on the health and safety aspects of a building, structure or site. The file will assist those who will carry out any future construction, demolition, refurbishment, renovation, repair or cleaning operations in the future, to develop safe designs, or safe systems of work.

Normally, it is the Principal Designer who is responsible for coordinating the development of the Health and Safety File, with input from all other duty holders, including the Principal Contractor. Where the Principal Designer's appointment concludes prior to the completion of the project, then it becomes the responsibility of the Principal Contractor to complete the File and issue it to the Client at the end of the construction phase.

Depending on the contractual arrangements, quite often the Principal Contractor is tasked with putting together/coordinating the production of the Health and Safety File. The File should not be confused with an Operation & Maintenance Manual or Building Manual; these documents are different and serve different purposes.



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11.0 Do I need Health and Safety Assistance or Advice?

Managing or working for your own Construction business can be problematic. Each development brings with it various issues and pressures associated with the overall aim of completing your project within the specified timescales, agreed budgets, and to the Clients' expectations. With the many challenges that are faced, it is inevitable that you become a Jack of all trades in the quest to get the job done.

Whether you need health and safety assistance or advice to guide you through the CDM process and deliver a project without compromising health and safety, will depend on a number of factors. You'll have specific health and safety responsibilities and duties to undertake - however, you'll need to make an assessment as to whether you can carry out either some or all of these tasks. Some of these considerations may include:

- Whether you actually have the time to do it, amongst all the other tasks that need doing
- Whether you possess either the competence or inhouse capabilities (i.e. person or persons who have the skills, knowledge and experience to discharge the health and safety obligations)
- The type of work you are undertaking and the likely hazards you'll encounter

A Principal Contractor has specific responsibilities under the CDM Regulations; failure to discharge these may result in putting your workforce at risk. Any accident or incident has the potential to lead to a criminal prosecution by the Health & Safety Executive (HSE) and have a negative impact on your business reputation.

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Marpal House,
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Derby, DE21 6BF

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12.0 How Marpal Can Help?

Marpal are a Health and Safety Consultancy, who specialise in CDM and Construction Health and Safety. Over the last 21 years we have been assisting Principal Contractors in complying with their health and safety obligations and providing the ongoing support needed to deliver successful projects.

We take a common-sense, practical approach to CDM. Our friendly and approachable CDM Consultants possess the necessary skills and experience to help you deliver a project which meets the statutory requirements. We do not compromise on health and safety. However, we do not over-specify what's required, either; we only recommend what's needed based on the level of risk associated with a project.

Contact Marpal to discuss exactly how we can ensure that you meet the health and safety requirements of every job. We've got the knowledge and insight of the construction industry needed to deliver projects that are incident- and injury-free.

Save time, allocate your resources where you best need them, and allow Marpal to take away the burden. We provide everything you need to succeed, both in protecting your employees and in working with bigger and better clients. Contact us today!

Company Address

**Marpal House,
Wyvern Court, Stanier Way,
Wyvern Business Park,
Derby,
DE21 6BF**

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 @MarpalLtd

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Wyvern Business Park,
Derby, DE21 6BF

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