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Client's CDM 2007 Duties and Procedures

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Client's CDM 2007 Duties

Client's CDM Duties

It is assumed in these duties that the 'Client' is a 'business' under the definition in the Construction (Design and Management) Regulations 2007 (CDM 2007) and that the duties will be undertaken by a 'Client Representative' (either within the business or as a consultancy appointment).

The Client Representative is referred to and must comply with the Approved Code of Practice (ACoP) for CDM 2007 (publication L144).

The key aim of CDM 2007 is to integrate health and safety into the management of the project and to encourage everyone involved to work together to:

- a) Improve the planning and management of projects from the very start;
- b) Identify hazards early on, so they can be eliminated or reduced at the design or planning stage and the remaining risks can be properly managed;
- c) Target effort where it can do the most good in terms of health and safety; and
- d) Discourage unnecessary bureaucracy.

CDM 2007 focuses attention on planning and management throughout construction projects, from design concept onwards. The aim is for health and safety considerations to be treated as an essential, but normal part of a project's development – not an afterthought or bolt-on extra.

These Client duties under CDM 2007 assume the project is 'notifiable' (i.e. the construction work lasts more than 30 days or 500 person/days) and are as follows:-

- 1. Check competence and resources of all appointees.**
- 2. Ensure there are suitable management arrangements for the project.**
- 3. Provide pre-construction information to designers and contractors.**
- 4. Appoint a CDM Co-ordinator.**
- 5. Appoint a Principal Contractor.**
- 6. Make sure that the construction phase does not start unless:-**
 - 6.1 There are suitable welfare facilities.**
 - 6.2 There is a suitable construction phase plan in place.**
- 7. Retain and provide access to the health and safety file.**

The Client Representative is responsible for ensuring that the project details are provided to the CDM Co-ordinator and the 'Client Representative's Key CDM Tasks Summary' Form is completed to ensure the above duties are carried out and each 'gateway' is signed off before progressing to the next stage of the project.

Appointment of CDM Co-ordinator

An independent CDM Co-ordinator **must** be appointed for each 'notifiable' project to comply with CDM 2007 'as soon as practicable after initial design work or other preparations for construction work have begun' (i.e. at the 'start' of the feasibility stage), to advise and assist the Client Representative with the Client's CDM duties:-

- to assess the competence and adequacy of management arrangements of designers; and
- to notify the Health and Safety Executive (HSE) and review the initial design at the start of the feasibility stage.

The Client Representative is to note that a written appointment for the CDM Co-ordinator must be in place at all times (after initial design work has begun) until the end of the construction phase of the project. The Client will be deemed to be appointed as the CDM Co-ordinator for any period where no consultant has been so appointed and the Client will be subject to the duties of the CDM Co-ordinator during any such period.

The CDM Co-ordinator is to provide the Client Representative with an initial notification to the HSE, 'as soon as practicable after he has been appointed', giving particulars of the project in accordance with CDM 2007.

The Client Representative is to sign the initial notification to confirm, on behalf of the Client, that he is aware of his duties, to enable the CDM Co-ordinator to send the notification to the HSE. The CDM Co-ordinator is to confirm to the Client Representative that the HSE has been sent the initial notification.

Pre-Construction

The CDM Co-ordinator is to advise the Client Representative on the competence/adequacy of management arrangements of the proposed Principal Contractor and any named specialist sub-contractors to carry out the project in accordance with the CDM 2007 ACoP.

During the pre-construction phase the CDM Co-ordinator must:-

1. Co-ordinate design work, planning and other preparations for construction, where relevant to health and safety;
2. Identify and collect the pre-construction information and advise the Client Representative if surveys need to be commissioned to fill significant gaps;
3. Promptly provide in a convenient form to those involved with the design of the structure and to every contractor (including the Principal Contractor) who may be or has been appointed by the Client, such parts of the pre-construction information which are relevant to each; and
4. Manage the flow of health and safety information between Clients, designers and contractors.

The Client Representative shall liaise with the CDM Co-ordinator to agree that the Client's duties have been addressed, to ensure:-

1. The project team members are clear about their roles and responsibilities;
2. There are arrangements in place for co-ordinating design work and reviewing the design to ensure that the designer's duties are being addressed;
3. There are arrangements in place for dealing with late changes to the design and for co-operating with contractors, so that problems are shared;
4. The Principal Contractor is given enough time to plan and prepare for the work and mobilise for the start of the construction phase (minimum 2 weeks for mobilisation);
5. The Principal Contractor will make arrangements for providing welfare facilities on site from the outset, and prepare a construction phase plan that addresses the main risks during the early stages of construction;
6. There are suitable arrangements for developing the plan to cover risks that arise as the work progresses;
7. The format for the health and safety file has been agreed and there are contractual arrangements in place for the Principal contractor to collect the information which it will contain, prepare the documents and forward to the CDM Co-ordinator/Client; and
8. The Principal Contractor will put in place suitable arrangements for consulting with workers on site, for carrying out site inductions and for ensuring that workers are adequately trained and supervised.

Provision of pre-construction information relevant to the Health and Safety of the project

The Client Representative must ensure relevant information is promptly provided to the CDM Co-ordinator, all designers and every contractor appointed by the Client, to include:-

1. Any information in the Client's possession about the buildings or land affecting the site or the construction work, to include:
 - 1.1 The asbestos register for the existing buildings or land, or if there is no register, copies of the asbestos survey or confirmation that to the best of his knowledge there are no asbestos or asbestos materials in the part of the buildings or land affected by the works;
 - 1.2 Details of existing services, drawings, etc;
 - 1.3 The scope of work and specification;
 - 1.4 Details of any structural surveys carried out for existing buildings;
 - 1.5 Copy of the relevant part of the fire risk assessments for existing buildings;
 - 1.6 The Client's rules and restrictions;
2. Any information concerning the proposed use of the structure as a workplace;
3. The minimum amount of time before the construction phase, which will be allowed to the contractors appointed by the Client for planning and preparation of construction work (minimum 2 weeks); and
4. Any information in any existing health and safety files.

Design Safety Review

It is essential that a review is undertaken to ensure the design does not affect the subsequent construction and safe operation of the buildings or site. The CDM Co-ordinator, on behalf of the Client Representative, is to facilitate the Design Team to review the design development and to verify that potential design related safety problems are addressed.

Particular attention should be given to the subsequent users of the buildings or site and the facilities for cleaning, maintenance and replacement strategy items and anyone else who may be affected by the project.

Appointment of Principal Contractor

The CDM Co-ordinator is to notify the HSE of any particulars that have not previously been notified, because a Principal Contractor had not been appointed, as soon as practicable after the appointment of the Principal Contractor and, in any event, before the start of construction work.

The CDM Co-ordinator is to give confirmation to the Client Representative that the HSE has been notified of the additional particulars.

The Client Representative is to obtain from the CDM Co-ordinator written confirmation on the suitability of the Principal Contractor's initial construction phase Health and Safety plan regarding compliance with planning, managing and monitoring the works and identifying and addressing risks to health and safety.

The CDM Co-ordinator is also to confirm he is satisfied the welfare facilities requirements will be complied with throughout the construction phase – to comply with Schedule 2 of CDM 2007.

Construction

Prior to the contractor taking possession of or having access to the site the Client Representative is to ensure that:

1. The contractor is appointed as Principal Contractor under CDM 2007;
2. Requirements for the Principal Contractor to collate the necessary information and prepare the Health and Safety Files for the Client in accordance with the project handover procedures are in place; and
3. Suitable arrangements are made to enable the CDM Co-ordinator to comply with his duty to continue to manage the co-ordination and co-operation in the continuing design process and the flow of health and safety information between the Client's Representative, Designers, the Principal Contractor and Contractors.

Health & Safety File (including Operating and Maintenance [O & M] Manuals - As Built Drawings)

The Client Representative is to liaise with the CDM Co-ordinator and the design team to ensure that the Health and Safety file, O&M manuals and as built drawings are progressed during the currency of the scheme to enable a final draft version to be available 4 weeks prior to practical completion. The contractor and the design team are to confirm in writing to the CDM Co-ordinator / Client Representative that the documents are accurate and complete.

The Client Representative is to make arrangements for compliance with the Client's duties under CDM 2007 to ensure:-

1. Information relating to each site or structure can be easily identified;
2. The information in the health and safety file is kept available for inspection by any person who may need it to comply with the relevant statutory provisions; and
3. The information is revised as often as may be appropriate to incorporate any relevant new information.

Future Management of Project

Prior to practical completion, the Client Representative is to discuss and ensure arrangements are in place for security, operating and maintenance of the project at handover.

The Client Representative is to ensure suitable arrangements are in place if the project involves phased or partial handover/occupation.

To minimise risks to employees and others not engaged in construction work, or of construction workers, the Client Representative must address:-

- a) The nature, scope and duration of any finishing-off works;
- b) How this work will be managed and by whom; and
- c) How the site will be split-up and access controlled to safeguard construction workers as well as occupiers' employees and/or members of the public.

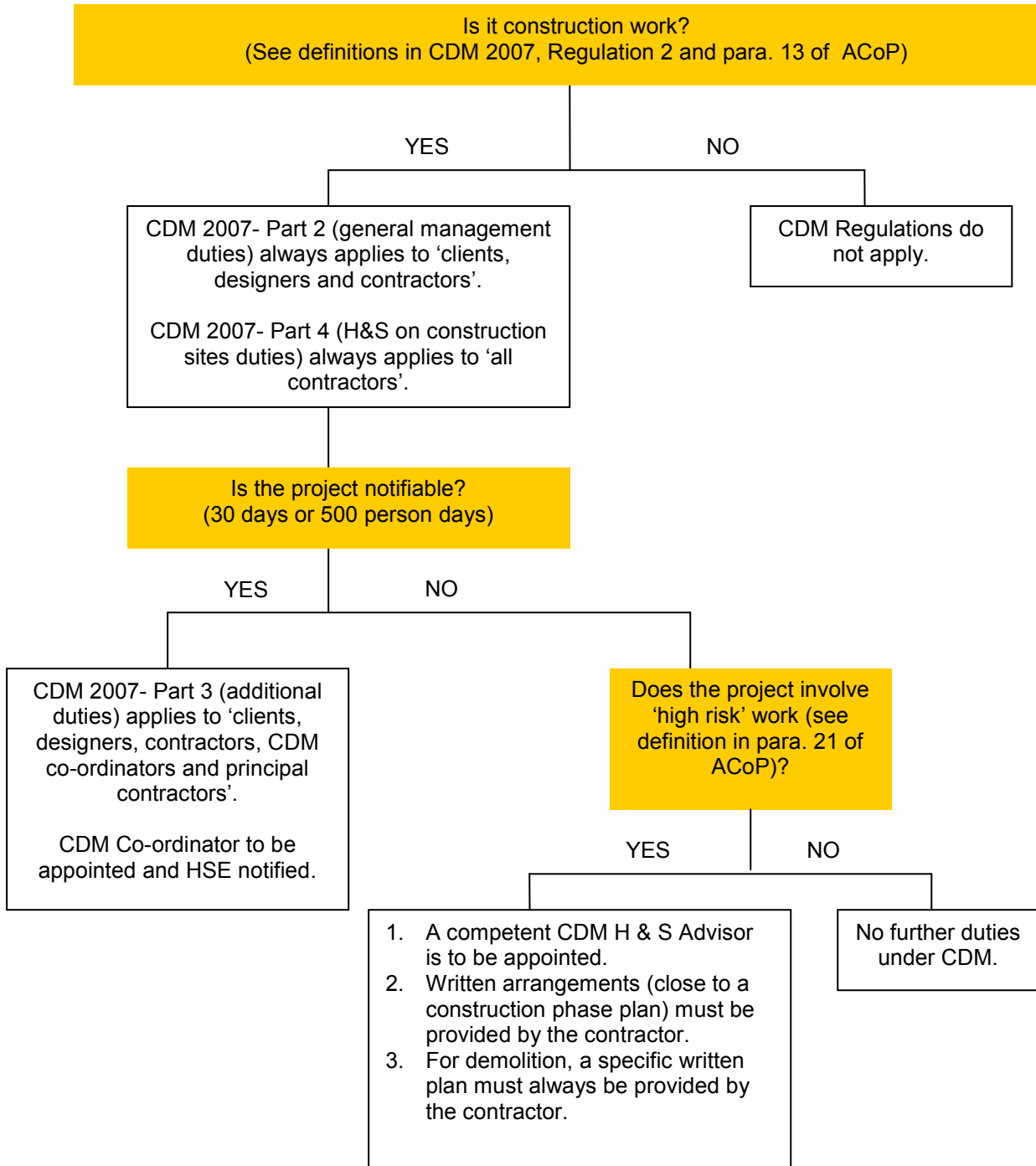
For simple projects these arrangements can be discussed and agreed between the various parties. In more complex situations, the arrangements should be recorded as part of the construction phase plan.

The Client Representative is to hand over the Health and Safety file/O&M Manuals to the Building/Centre Manager or Tenant as applicable and is to obtain written confirmation and receipt when handing over the documents.

Appendix A

CDM 2007 Applicability Flowchart

CDM 2007 – Applicability Flowchart



Appendix B

Client Representative's CDM 2007 Duties Key Checklist

Client Representative's CDM 2007 Duties Key Checklist

(Under the Construction (Design and Management) Regulations 2007)

Project	
Location	
Project Ref.	
Client Representative	

1.0 Concept and Planning (Planning Application / Approval Stage)		Date completed
1.1	Check CDM Co-ordinator and all designers have been assessed for competence and adequacy of management arrangements and formally appointed in writing on behalf of the Client.	
1.2	Sign the initial F10 notice of the project and check it has been submitted to the Health and Safety Executive.	
1.3	Check 'initial' investigations and surveys been completed and the information has been passed to the CDM Co-ordinator and the Design team.	
Gateway completion (signed off by Client Representative).....		

2.0 Detailed Planning and Design (Up to Tender Stage)		Date completed
2.1	Check 'all necessary' investigations and surveys have been completed (e.g. Type 3 Asbestos Survey, Ground Contamination, etc) and the information has been passed to the CDM Co-ordinator and the design team.	
2.2	Check the pre-construction information has been provided to every contractor (or Principal Contractor) who may be appointed by the Client.	
2.3	Check the CDM Co-ordinator has advised on the competence and adequacy of management arrangements of the proposed Principal Contractor and any named specialist sub-contractors to carry out the project.	
2.4	Check there are arrangements in place for dealing with late changes to the design, and for co-operating with contractors, so that problems are shared.	
2.5	Check the Principal Contractor has been given enough time to plan and prepare for the work, and mobilise for the start of the construction phase.	
2.6	Check the Principal Contractor has been informed in the contract documents of the format and arrangements for providing information and preparation of the Health and Safety File.	
Gateway completion (signed off by Client Representative).....		

3.0 Tender/Building Contract Award		Date completed
3.1	Check the CDM Co-ordinator has provided written confirmation on the suitability of the Principal Contractor's initial Construction Phase Plan, regarding compliance with CDM 2007 Regulations – planning, managing and monitoring the works and identifying and addressing risks to health and safety.	
3.2	Check the CDM Co-ordinator has confirmed he is satisfied the requirements for providing welfare facilities will be complied with throughout the construction phase by the Principal Contractor.	
3.3	Check the CDM Co-ordinator has confirmed he has notified the Health and Safety Executive of any particulars not previously notified because a Principal Contractor had not been appointed.	
Gateway completion (signed off by Client Representative).....		

4.0 Construction Completion/Post Hand-Over		Date completed
4.1	Check the CDM Co-ordinator has ensured that designers, including those engaged by the Principal Contractor and contractors who carry out design work themselves, co-operate with each other, and designs meet the requirements of the Regulations.	
4.2	Check the CDM Co-ordinator has taken reasonable steps to ensure co-operation between permanent and temporary works designers, in particular that arrangements are in place to ensure that designs are compatible and that the permanent works can support any loadings from temporary works.	
4.3	Check the CDM Co-ordinator has ensured a suitable Health and Safety File has been provided.	
4.4	Check an assessment has been made as to whether any post-handover snagging, repair or finishing works will constitute a separate project under the CDM Regulations.	
Gateway completion (signed off by Client Representative).....		