

# Corporate control of contractors policy

2021

# DRAFT

# Document history

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<b>Name of policy</b>	Corporate Control of Contractors Policy
<b>Purpose of policy</b>	Sets out clear roles and responsibilities in order for the Council to meet its legal obligation under The Construction, Design and Management (CDM) Regulations 2015, The Health and Safety at Work etc Act 1974 and all other associated legislation.
<b>Policy applies to</b>	The policy and subsequent arrangements apply to all Council services using external contractors to undertake works on behalf of New Forest District Council.
<b>First issued</b>	February 2006
<b>Latest update</b>	August 2021
<b>Update overview</b>	<ul style="list-style-type: none"><li>• August 2021, updates to structure of service arrangements, roles and responsibilities and guidance notes, updated into new policy template.</li></ul>

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# 1. Policy

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## 1.1 Introduction

New Forest District Council ('the Council') has a duty to ensure compliance with the Construction, Design and Management Regulations (CDM) 2015, The Health and Safety at Work etc. Act 1974 and other associated legislation for all construction projects it undertakes. The Council also has a duty to ensure so far as is reasonably practicable, the health, safety and welfare of its staff, members of the public and any contractors working on their behalf, this also includes non-construction related contractors. This policy sets out clear roles and responsibilities to ensure all construction projects involving one or more external contractors, and the management of non-construction related contractors.

## 1.2 Scope

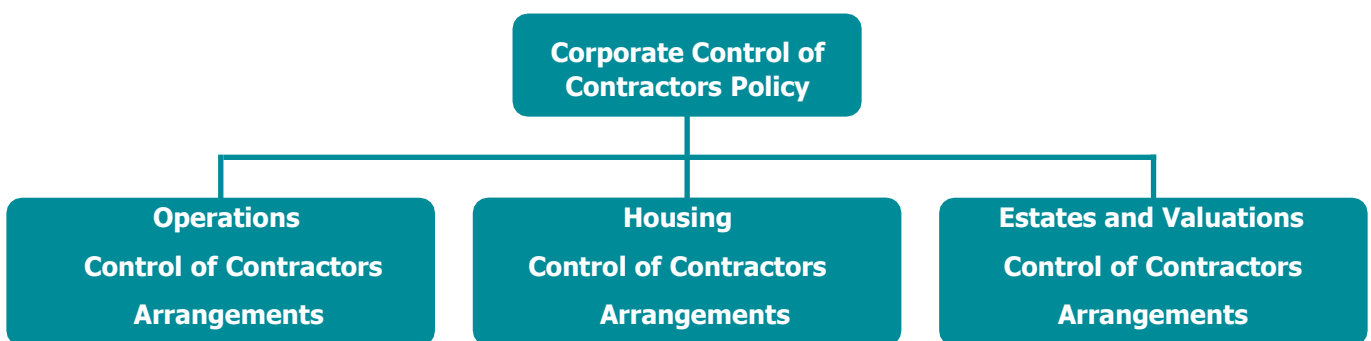
This policy applies to:

- All managers who are responsible for engaging contractors and service providers.
- All employees of New Forest District Council.
- All contractors and service providers working on behalf of the Council.

## 1.3 The Standard Operating Procedures for CDM

In order for the Council to meet its legal duties as identified under The Construction, Design and Management (CDM) Regulations 2015. All services who undertake construction projects with one or more external contractors must produce service specific arrangements, these arrangements must set out specific procedures that must be followed and detail clear roles and responsibilities.

All arrangements must as a minimum meet the requirements set out in this policy and take the form of standard operating procedures, including guidance for responsible managers and employees working in each service. The below hierarchy sets out those specific service arrangements and Management System.



## 2. Legislative and regulatory context

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### 2.1 The Construction (Design and Management) Regulations 2015

New Forest District Council acknowledges and accepts its responsibilities under this current construction related legislation and will proceed with due diligence to address these by the provision of suitable, sufficient and risk appropriate controls to reduce the risks presented by construction activities to as low a level as is reasonably practicable.

### 2.2 The Health and Safety at Work etc. Act 1974

The Health and Safety at Work Act 1974 is the primary piece of legislation covering occupational health and safety in Great Britain. This piece of legislation sets out the general duties which employers have towards employees and members of the public, employees have to themselves and to each other. New Forest District Council acknowledges and accepts its responsibilities under The Health and Safety at Work Act 1974 and will ensure to control all risks to its employees, contractors and those who may be affected by the work they undertake are controlled so far as is reasonably practicable.

# 3. Definitions

Term	Definition
Asbestos register	The Council's online asbestos management database.
Client (construction)	A client is anyone for whom a construction project is carried out.
Client (non-construction)	The member of staff who is held responsible, on behalf of the client service, for a contract, services, or goods.
Client representative	The member of staff who has been delegated the Client responsibilities under CDM 2015 by the relevant Service Manager or Executive Head.
Competent	Someone who has sufficient training and experience or knowledge.
Construction	<p>The carrying out of any building, civil engineering or engineering construction work and includes:</p> <ul style="list-style-type: none"> <li>(a) the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure, or the use of corrosivetoxic substances), de-commissioning, demolition or dismantling of a structure;</li> <li>(b) the preparation for an intended structure, including site clearance, exploration, investigation (but not site survey) and excavation (but nor pre-construction archaeological investigations), and clearance or preparation of the site or structure for use or occupation at its conclusion;</li> <li>(c) the assembly on site of prefabricated elements to form a structure or the suchdisassembly, formed a structure;</li> <li>(d) the removal of a structure, or of any product or waste resulting from demolition ordismantling of a structure, or from disassembly formed such a structure;</li> <li>(e) the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas compressed air, hydraulic, telecommunication, computer or similarservices which are normally fixed within or to a structure.</li> </ul>
Contractor	Anyone who is commissioned by written or verbal contract or instruction to supply goods, services or undertake work for the Council, but is not a Council employee.
Contractor Incident Notification Protocol	<p>Breaches in health and safety legislation and safety standards must not be ignored. The contractor incident notification protocol will be implemented should breaches in legislation or poor health and safety practices be observed during a site inspection. Contractor Incident Notification Protocol (CINP) must be followed.</p> <p>Abbreviated to CINP</p>
Design	Includes drawings, design details, specifications and bills of quantities (including specification of articles or substances) relating to a structure, and calculations prepared for the purpose of design.
Designer	<p>Means any person (including a client, contractor or other person referred to in this policy) who is in the course or furtherance of a business.</p> <ul style="list-style-type: none"> <li>(a) prepares or modifies a design; or</li> <li>(b) arranges for, or instructs, any person under their control to do so.</li> </ul>
Suitable and sufficient	Suitable for the level and complexities of the project.

# 4. Roles and responsibilities

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## 4.1 Executive Management Team (EMT) must:

- Ensure suitable resources and time is available to all staff involved with the management of construction projects;
- Ensure all employees under their control have sufficient training, experience, knowledge and skill to undertake their role competently;
- Commission all contracts in accordance with the Council's Procurement procedures and protocols;
- When appropriate assist Service Managers in following the CINP;
- Lead by example on all health and safety matters and encourage a positive safety culture ensuring good communication channels throughout the workforce.

## 4.2 Service Managers must:

- Ensure all employees under their control have sufficient training, experience, knowledge and skill to undertake their role competently;
- Commission all contracts in accordance with the Council's Procurement procedures and protocols;
- Ensure all construction works are carried out in compliance with the CDM Regulations, and other Regulation as applicable;
- Ensure robust control of contractor arrangements are in place and communicated to all their employees;
- Ensure suitable resources and time is available to all staff involved with the management of construction projects;
- Regularly monitor the health and safety performance of staff under their control;
- When appropriate, ensure the CINP is followed;
- Attend the CDM Working Group where identified or requested to;
- Ensure their service has adequate professional advice to enable them to comply with the legal expected standards applicable to the project;
- Ensure all contractor incident and accidents are reported and investigated when appropriate.

## 4. Roles and responsibilities (cont'd)

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### 4.3 Client representative must:

- Ensure all Services who may be affected by a project are consulted when creating a project specification;
- Commission all contracts in accordance with the Council's Procurement procedures and protocols;
- Ensure all designers and contractors have the appropriate skills, knowledge, and experience to undertake their role competently;
- Make suitable arrangements for managing a project and ensure those arrangements are maintained and reviewed throughout the project;
- Ensure a principal designer and principal contractor have been appointed and confirmed in writing where there is more than one contractor, or it is reasonably foreseeable that more than one contractor will be working on the project at any time;
- Cooperate with any other person working on or in relation to a project;
- Ensure that all construction work can be carried out, so far as is reasonably practicable, without risks to health or safety of any person effected by the project;
- Provide pre-construction information to all designers and contractors appointed or being considered for appointment;
- Ensure a suitable and sufficient construction phase plan is drawn up by the principal contractor or by the contractor where there is only one contractor;
- Ensure the principal designer prepares a health and safety file when appropriate;
- Ensure all duty holders comply with their duties under The Construction, Design and Management Regulations 2015;
- Take on the duties of the Client under The Construction, Design and Management Regulations 2015;
- Ensure suitable welfare facilities are available throughout the construction phase;
- Ensure an F10 notification of construction project notice is completed for all notifiable projects;
- Ensure that an up to date F10 notice is displayed in the construction site office;
- Ensure all contractor incidents and accidents are reported to a member of the Corporate Health and Safety Team;
- Attend the CDM Working Group when requested to;
- When appropriate, ensure the CINP is followed.

### 4.4 Principal designer must:

- Plan, manage and monitor the pre-construction phase and coordinate matters relating to health and safety during the pre-construction phase;
- Ensure all designers comply with their duties under The Construction, Design and Management Regulations 2015;
- Assist the client in preparing the pre-construction information during the pre-construction phase;
- Liaise with the principal contractor for the duration of the project;
- Ensure that the principal contractor has prepared a suitable and sufficient construction phase plan prior to the construction phase beginning;
- Prepare the health and safety file;
- Take into account the general principles of prevention and pre-construction information when preparing or modifying designs.

## 4. Roles and responsibilities (cont'd)

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### 4.5 Designer must:

- Take into account the general principles of prevention and pre-construction information when preparing or modifying designs;
- Eliminate, so far as is reasonably practicable, foreseeable risks to health and safety of any person when preparing or modifying designs;
- Take all reasonable steps to provide with the design, sufficient information about the design, construction or maintenance of the structure, to adequately assist the client, other designers and contractors to comply with their duties under The Construction, Design, Management Regulations 2015.

### 4.6 Principal contractor must:

- Plan, manage and monitor the construction phase;
- Take into account the general principles of prevention;
- Ensure that, as far as is reasonably practicable, construction work is carried out without risks to health and safety;
- Organise and cooperate with contractors and sub-contractors for the duration of the project;
- During the pre-construction phase, ensure a suitable and sufficient Construction Phase plan is drawn up and shared with the relevant persons;
- Ensure all contractors and sub-contractors follow the Construction Phase Plan;
- Ensure a suitable and sufficient site induction is provided;
- Ensure suitable and sufficient welfare facilities are provided for the duration of the project;
- Provide the principal Designer with any information in their possession relevant to the project;
- Ensure the health and safety file is appropriately reviewed, updated and revised from time to time to take account of the work and any changes that have occurred, when the health and safety file is passed to the Principal Contractor;
- Ensure that all contractors and sub-contractors are competent to undertake their work.

### 4.7 Contractor must:

- Ensure all construction work is carried out in line with the relevant risk assessments and method statements;
- Familiarise themselves with the Construction Phase Plan;
- Follow the site rules at all times;
- Report all accidents and incidents to the site manager;
- Ensure that, so far as is reasonably practicable, construction work is carried out without risk to health and safety.

### 4.8 Line Managers must:

- Ensure suitable and sufficient health and safety arrangements are in place for all works and services being carried out on behalf of the Council;
- Ensure suitable and sufficient risk assessments and method statements are submitted by contractors at the earliest opportunity;
- Where appropriate, provide contractors with information on potential hazards;
- Undertake regular monitoring of contractor health and safety performance.

## 4. Roles and responsibilities (cont'd)

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### 4.9 Procurement must:

- Provide competent advice and guidance to all employees in relation to the procurement of contractors and services.

### 4.10 Corporate Health and Safety must:

- Provide competent advice and guidance to relevant Council Services;
- Carry out investigations into accidents and near misses as necessary, record findings and root causes and provide recommendations for consideration by management;
- Attend the CDM Working Group;
- Present a quarterly accident/incident report at the CDM Working Group.

### 4.11 Housing Maintenance Health and Safety Officer must:

- Provide competent advice and guidance to Housing Maintenance employees and Client Representatives;
- Carry out investigations into accidents and near misses as necessary, record findings and root causes and provide recommendations for consideration by management for all Housing Maintenance projects.

### 4.12 Asbestos Management Officer must:

- Provide competent advice and guidance to all services in relation to asbestos containing materials;
- Provide suitable and sufficient information on asbestos containing materials within Council properties including its location, type and condition when requested to;
- Ensure refurbishment and demolition surveys are undertaken when appropriate and findings are reported to the relevant services;
- When works have been completed, ensure that relevant services provide action returns for the repair, encapsulation or removal of an ACM, which must be retained on the asbestos database;
- When appropriate, ensure notifiable works are notified to the HSE;
- Carry out investigations into all asbestos related accidents and near misses, record findings, root causes and provide recommendations for consideration by management.

### 4.13 Legal Services must:

- Provide appropriate advice and guidance in accordance with the CINP.

# 5. Procurement of contractors

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Service Managers are responsible for ensuring all contractors and sub-contractors working on behalf of the Council are competent to undertake their work.

In order to ensure contractors are competent to undertake their work, Service Managers must ensure contractors have been appropriately vetted at the earliest opportunity. Vetting requirements must be in proportion to the level of risk of the contract.

As a minimum all contractors must submit method of work statements and site-specific risk assessments, employer's liability insurance and public liability insurance verification, relevant training certification and a copy of their health and safety policy (if appropriate).

For all contracts with a value of over £25k, Service Managers must follow the relevant procurement procedures. For contracts valued over £25k contractors will be asked to provide further information, this includes appropriate third-party accreditation. The Council offers a flexible approach and recognises organisations registered under the SSIP Safety Schemes.

Service Managers completing the Gateway documents must also provide appropriate information on the risk relating to the contract, specific information on health and safety arrangements and details on how contractors performance will be monitored throughout its duration, including information on the established KPIs.

# 6. Pre-construction phase

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## 6.1 The Client's Brief

The Client Representative must make suitable arrangements to ensure that health, safety and welfare matters are appropriately managed throughout the project.

At the earliest opportunity the Client Representative should undertake a Client's Brief with all relevant parties. The Client's Brief may take the form of a verbal discussion however for more complex projects it should be recorded. The Client's Brief should include the following:

- The main function and operational requirements of the finished project;
- Outline the motivation for beginning the project;
- Establish points of contact and key stakeholders;
- Set a realistic timeframe and budget;
- Give expectations of the project, including how health and safety risks should be managed.

## 6.2 Project Arrangements

The Client Representative is responsible for making suitable arrangements to ensure that, throughout the planning, design and construction of a project, adequate consideration is given to health, safety and welfare of all those affected and involved in the construction work.

The project arrangements must be in proportion to the complexity and level of risk of the project. They must also enable all duty holders to carry out their work without risk to themselves or anyone affected by their work. All project arrangements must be recorded and should include:

- Requirements on how the project is to be run, taking into account any risks to the public and other members of staff who may be affected by the works;
- Explain the necessary capabilities of designers and contractors for the work they are required to do;
- Allocate sufficient time and resources to the project;
- Ensure suitable and sufficient welfare facilities are available prior to the construction phase

beginning. For more complex and high-risk projects, the project arrangements should also include:

- What is expected of the design team to ensure health, safety and welfare matters during the construction phase and when maintaining and using the building once built;
- The process for ensuring all designers and contractors are adequately trained and have the right skills and experience in managing health and safety effectively;
- The arrangements for monitoring the performance of all contractors;
- The arrangements for progress meetings to ensuring the project runs in line with expectations and all legal requirements are met;
- The format for the health and safety file and any additional building manuals for occupants.

## 6.3 Selecting Duty Holders

If more than one contractor will be working on a project, the Client has a legal requirement to appoint a Principal Designer and Principal Contractor in writing. Therefore, the Client Representative must appoint, in writing, a Principal Designer and Principal Contractor to all projects where one or more contractors will be working on the project at any time. Appointment letter templates are set out in Appendix 1.

The procurement procedures outlined under Section 3 must be followed to ensure contractors have the appropriate competencies to undertake their duties.

# 6. Pre-construction phase (cont'd)

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## 6.4 Notifiable projects

Projects that are expected to last longer than 30 working days and have more than 20 workers working on the project at any time, or where the project exceeds 500 person days, the Client Representative must notify the HSE of the project.

This must be done by completing the F10 notification form on the HSE website.

## 6.5 Pre-Construction Information

As soon as is reasonably practicable the Client Representative must provide designers and contractors with the appropriate Pre-construction information, this information should include:

- Details of the project including key dates of construction;
- Information in any existing health and safety file;
- Information on all asbestos containing materials;
- Health and safety hazards from the design and construction work.
- Operational health and safety hazards such as the collection of household waste, fire evacuation and access for disabled employees and members of the public.

The Principal Designer must assist the Client Representative in obtaining and communicating the pre-construction information to all designers and contractors.

The pre-construction information should be detailed and recorded in proportion to the complexity and level of risk associated with the project.

## 6.6 Communication and co-operation

Communication and co-operation between all duty holders is a key aspect in ensuring projects are undertaken safely. Under the CDM Regulations, all duty holders have a responsibility to co-operate and coordinate with each other, this means working with each other to ensure health and safety for those concerned is effectively managed.

For low risk and less complex projects involving one or more contractors this may be regular informal meetings. However, for higher risk and more complex projects more formal arrangements must be agreed and implemented during the pre-construction phase. Minutes of formal project meetings should be recorded and save in the relevant project folders.

Effective communication and co-operation between different organisations and members of the public, where the work is in close proximity or on the same site is a key part of effective health and safety management. Duty holders must ensure regular updates are provided to members of the public or organisations in close proximity or who may be affected by the work.

# 6. Pre-construction phase (cont'd)

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## 6.7 Health and Safety File

For projects involving more than one contractor it is the responsibility of the Principal Designer to prepare, review and update the health and safety file as the project progresses. If the Principal Designer's appointment finishes prior to the completion of the project the file must be passed to the Principal Contractor to maintain.

The health and safety file must contain relevant information about the project which should be taken into account when the construction work is carried out on the building after the current project has finished.

The health and safety file should include the following:

- A brief description of the work carried out;
- Information on any hazard that has not been eliminated through the design or construction process;
- Key structural principles, for example the safe working loads of floors and roofs;
- Any hazardous materials used;
- Information regarding the removal or dismantling of installed plant and equipment;
- Health and safety information about equipment provided for cleaning or maintaining the structure;
- The nature, location and marking of significant services including, gas supplies, firefighting services and underground cables;
- Information and as-built drawings of the building, its plant and equipment, the means of safe access to and from service voids, the position of fire doors etc;
- The health and safety file must be passed to the Client Representative when the project finishes.

# 7. Construction phase

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For projects with more than one contractor, the Principal Contractor is responsible for planning, managing and monitoring the construction phase of the project. The Client Representative must ensure a competent Principal Contractor is appointed in writing during the pre-construction phase.

## 7.1 Construction Phase Plan

Prior to the start of the construction phase the Client Representative must ensure a suitable and sufficient construction phase plan is drawn up. For projects involving just one contractor it is the contractor's responsibility to draw up the construction phase plan. For projects involving more than one contractor it is the responsibility of the Principal Contractor.

The construction phase plan must set out the arrangements for the management of health and safety throughout the construction phase. The construction phase plan must also include the site rules and where relevant, specific measures concerning work that falls within one or more of the categories listed in schedule three of The Construction (Design, Management) Regulations 2015.

The specific detail outlined within the construction phase plan should be in proportion to the level of risk and complexity of the project.

The following topics should be included within the construction phase plan:-

- A description of the project such as key dates and details of key members of the project team;
- The health and safety aims for the project;
- Arrangements to ensure cooperation between the project team and coordination of their work;
- Information on site inductions;
- Information on welfare facilities;
- Fire and emergency procedures;
- The control of any specific site risks listed in schedule 3, where they are relevant to the work.

## 7.2 Monitoring the Construction Phase

The Client Representative is responsible for ensuring all duty holders comply with duties under the CDM Regulations 2015. To ensure health and safety is being appropriately managed on site, the Client Representative must make suitable arrangements for monitoring contractors during the construction phase. Arrangements for monitoring should be established at the earliest opportunity. When significant health and safety concerns or breaches are identified, the Client Representative must follow the Contractor Incident Notification Protocol (CINP) and ensure appropriate action is taken.

## 7.3 Accident and Incident Reporting

The Principal Contractor and Contractors must ensure all accidents and incidents are reported to the Client Representative as soon as possible. The Client Representative must ensure all incidents and accidents are reported to the relevant Corporate Health and Safety Advisor / Housing Maintenance Health and Safety Officer.

It is the responsibility of the Principal Contractor to ensure appropriate action is taken as a result of any incidents/accidents. However, when appropriate the relevant health and safety advisor/ officer must undertake a full accident investigation. Accident investigation reports and findings must be passed to the relevant Service Manager and Client Representative.

The Corporate Health and Safety Team must present a quarterly accident/incident report and any findings from accident investigations at the CDM Working Group.

# 7. Construction phase (cont'd)

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## 7.4 Securing the Site

The Principal Contractor must take reasonable steps to prevent unauthorised access to the site. Duty holders must ensure operational requirements are also allowed to continue, such as household waste collection, without placing members of the public at harm.

Site boundaries must be clearly marked out using means depending on the risk, such as signage and fencing. Site plans and boundary plans must be communicated to surrounding residents and organisations which may be affected by the work.

## 7.5 Risks identified under Schedule 3

Under schedule 3 of The Construction (Design and Management) Regulations 2015, the following risks are identified:

1. Work which puts workers at risk of burial under earthfall, engulfment or falling from height, where the risk is particularly aggravated by the nature of the work or process use or by environment at the place of work or site;
2. Work which puts workers at risk from chemical or biological substances consisting at particular danger to the health or safety of workers or involving a legal requirement for health monitoring;
3. Work with ionizing radiation requiring the designation of controlled or supervised areas under regulation 16 of the Ionising Radiation Regulation 1999;
4. Work near high voltage power lines;
5. Work exposing workers to the risk of drowning;
6. Work on wells, underground earthworks and tunnels;
7. Work carried out by divers having a system of air supply;
8. Work carried out by workers in caissons with a compressed air atmosphere;
9. Work involving the use of explosives;
10. Work involving the assembly or dismantling of heavy prefabricated components

# 8. Handover

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The arrangements for the handover of the project should be agreed at the earliest opportunity. During the handover the Client Representative should be provided with the following, where appropriate:

- The Health and Safety file;
- The building operational and maintenance manuals;
- As built drawings;
- Building user guides and manuals;
- Compliance certificates and documents;
- Guarantees and warranties;
- Keys, fobs, security codes etc.

Before the formal handover of the project, the Client Representative or appointed person should undertake an inspection of the site to ensure the project specification has been met. This inspection should be formally recorded and include any snagging.

# 9. Non-construction works

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The Council has a legal and moral duty to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees, other people at work on their site and members of the public who may be effected by the work. This duty also extends to contractors who are undertaking work on behalf of the council.

## 9.1 Management of Contractors

No matter how small the job, or how fast it needs to be completed, health and safety must be considered. In order to effectively manage contractors and hazards the following must be considered:

1. Planning: Define the job;  
Identify the hazards; Assess the risks;  
Eliminate and reduce the risks identified; Contractor monitoring arrangements; Contractor risk assessments and method statements.
2. Working on Site:  
Are contractors required to sign in and out of site? Name of contractors who will be attending site?  
Has the appropriate access been provided?
3. Monitoring:  
Ensure contractors are following all control measures outlined within risk assessments and method statements;  
Check the work has been completed to the agreed standard.

## 9.2 Risk Assessments and Method Statements

Under The Management of Health and Safety at Work Regulations 1999, contractors have a responsibility to undertake a suitable and sufficient risk assessment of the work they undertake. Their risk assessment and method statements should fit in with your own, when appropriate.

In order for contractors to prepare a suitable and sufficient risk assessment, the relevant Line Manager must provide contractors with information about the job, hazards, persons effective etc.

Under the Management Regulations, employers with 5 or more employees must record the significant findings of any risk assessment. In order to ensure all hazards are controlled as far as is reasonably practicable, all contractors undertaking work for, or on behalf of the Council must provide a written record of their risk assessment for the work.

When appropriate the relevant Line Manager should provide support to smaller contractors (those with less than 5 employees). All contractor risk assessments and method statements must be reviewed by the relevant Line Manager. Line Managers should contact a member of the Corporate Health and Safety Team for further advice and guidance if required.

# 10. Contractor incident notification protocol

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The Council has a legal duty to ensure that the Principal Contractor complies with their legal duties under the CDM Regulations. Therefore, it is the responsibility of the Client Representative managing the project to make suitable arrangements to regularly monitor contractor's health and safety practices onsite.

Breaches in health and safety legislation and safety standards must not be ignored. If breaches in legislation or poor health and safety practices are observed during a site inspection, the Contractor Incident Notification Protocol (CINP) must be followed.

If the Client Representative becomes aware of any incident raised during a site visit, the flowchart set out in Appendix 2 must be followed.

All action/potential action taken by a Client Representative under the CINP must be reported to the CDM Working Group for further consultation.

# 11. CDM Working Group

The CDM Working Group will fulfil the requirements of consultation on health, safety and welfare as laid down in the relevant legislation and regulation. It will also act as a group to help those responsible managers to effectively manage construction projects and contractors in relation to health and safety policies, procedures, and practises.

The CDM Working Group will convene quarterly and provide the relevant managers and employees with:-

- A facility to ensure all services are following their legal requirements as outlined under The Construction, Design and Management Regulations (CDM) 2015 and all relevant Council policies, arrangements and procedures;
- A culture of co-operation and trust through listening, gaining a better understanding and collective problem solving;
- A facility to consult on ongoing health and safety concerns and issues with contractors;
- A facility to identify potential risks within current on-going projects and future

projects. The principle functions of the Working Group are to:-

- Consider and comment on the introduction of any measures, initiatives, equipment or process which may substantially affect the health, safety or welfare of employees, public or contractors;
- Develop measures, procedures and information to eliminate reduce, isolate and control risk;
- Plan and organise health and safety training;
- Monitor service compliance with health and safety legislation and industry standards;
- Monitor and provide statistical analysis of contractor incidents;
- Present accident investigation reports and findings;
- Consider all safety issues raised by both employee and employer side and take action as appropriate;
- Provide regular updates to project sponsors.

## 11.1 Membership

Role	Job title
Working Group Sponsors	<ul style="list-style-type: none"> <li>• Executive Head of Operations</li> <li>• Executive Head of Governance &amp; Housing</li> <li>• Executive Head of Finance and Corporate Services</li> </ul>
Working Group Champions	<ul style="list-style-type: none"> <li>• Service Manager - Housing Maintenance (Operations)</li> <li>• Service Manager - Housing Maintenance (Asset and Compliance)</li> <li>• Service Manager - Coastal</li> <li>• Service Manager - Estates and Valuations</li> <li>• Service Manager - Waste and Transport</li> </ul>
Key Working Group Officers	<ul style="list-style-type: none"> <li>• Corporate Health and Safety Manager</li> <li>• Corporate Health and Safety Advisor</li> <li>• Asbestos Management Officer</li> <li>• Housing Maintenance Health and Safety Officer</li> <li>• Asset Maintenance Manager</li> <li>• Civic Buildings and Facilities Manager</li> <li>• Estates and Valuation Manager</li> </ul>
Supporting Officers	<ul style="list-style-type: none"> <li>• Contract Relationship Officer - Procurement</li> </ul>

# 12.Training

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The Executive Management Team are responsible for ensuring all staff under their control have sufficient training, experience, knowledge, and skill to undertake their roles competently.

As a minimum, all employees who have responsibilities under this policy must attend a toolbox talk outlining their responsibilities in this policy and any associated arrangements.

Employees with greater responsibilities such as Service Managers, Line Managers and Client Representatives should attend additional CDM specific training to ensure they are competent to undertake their role.

Training should include:-

- Overview of the CDM Regulations;
- Client responsibilities under CDM 2015;
- Principal Designer responsibilities under CDM 2015;
- Risk assessments and method statements.

All training records, including toolbox talks must be recorded.

# 13. Legislation

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- The Construction (Design and Management) Regulations 2015
- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulation 2013
- The Control of Substances Hazardous to Health Regulation 2002
- The Provision and Use of Work Equipment Regulations 1998
- The Control of Asbestos Regulation 2012
- The Manual Handling Operations Regulations 1992
- The Work at Height Regulations 2005

# 14. Guidance

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- L153 – Managing Health and Safety in Construction
- 1NDG411 – A short guide for clients on the CDM regulation 2015
- Citb - webpages
- HSE CDM webpages
- HSG159 – Managing Contractors

# 15.Appendices

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## Appendix 1 - Duty holder appointment letter templates

### Appointment of Principal Contractor Under the CDM Regulation 2015

Dear xxx

In accordance with the requirements of Regulation 5(1) of The Construction, Design and Management Regulation 2015, in my role of Client, on behalf of New Forest District Council, I hereby appoint **name of organisation** as Principal Contractor for the **name of project and site location**.

Would you please acknowledge receipt of this Letter of Appointment?

Signed

Client Representative

### Appointment of Principal Designer Under the CDM Regulation 2015

Dear xxx

In accordance with the requirements of Regulation 5(1) of The Construction, Design and Management Regulation 2015, in my role of Client, on behalf of New Forest District Council, I hereby appoint **name of organisation** as Principal Designer for the **name of project and site location**.

Would you please acknowledge receipt of this Letter of Appointment?

Signed

Client Representative

# 15. Appendices (cont'd)

## Appendix 2 - CINP flowchart

The Council has a legal duty to ensure that the Principal Contractor complies with their legal duties under the CDM regulations. Therefore, it is the responsibility of the Client Representative managing the project to make arrangements to regular monitor contractor's health and safety practices onsite.

Breaches in health and safety legislation and safety standards must not be ignored. If breaches in legislation or poor health and safety practices are observed during a site inspection the Contractor Incident Protocol must be followed.

If the Client Representative becomes aware of any incident raised during a site visit the following process must be followed.



### Actions arising from formal meetings

- Increase health and safety monitoring visits
- Improvement plan to improve health and safety performance of contractor
- Increase site management (contractor)
- Increasing the frequency in meetings with the contractor and client
- Termination of Contract

Decisions to terminate a contract will be made in consultation with the relevant Service Manager/s, Procurement and the Service Manager for Legal Services.

# 15. Appendices (cont'd)

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## Appendix 3 - CDM Working Group terms of reference

### Introduction

The CDM Working Group will assist the Council in ensuring the safe and effective management of construction work activities. The CDM Working Group will act as a group to help those responsible managers effectively manage the risks related to construction work activities.

### Context

The CDM Working Group will convene quarterly and provide relevant managers and employees with:

- A facility to ensure all services are following their legal requirements as outlined under The Construction, Design and Management Regulations 2015, Health and Safety at Work Act 1974 and all relevant Council policies, arrangements and procedures;
- A culture of co-operation and trust through listening, gaining a better understanding and collective problem solving;
- A facility to identify potential risks within current on-going projects and future projects.

### Timing and process

It is understood that health and safety matters can require immediate action. It is expected that management will undertake such local and timely consultation with the relevant Health and Safety Advisor, Asbestos Management Officer and Housing Maintenance Health and Safety Officer. Subsequently, it is expected that matters with implications and impact for the Service as a whole are brought to the Working Group at the earliest practicable opportunity.

Matters of wider impact discussed at the Working Group will be disseminated as early as practicable, identified as actions in the notes of Working Group meetings.

### Functions

The principal function of the CDM Working Group will be to:

- Report and be accountable to the Executive Management Team.
- Discuss all construction project related accident/incidents, including the action taken to prevent reoccurrence.
- Ensure consistency of approach to any notifiable and non-notifiable construction project related incidents and that they are investigated and managed appropriately.
- Ensure appropriate procedures are followed and those effected by any incidents are communicated to consistently and informatively, such as:
  - a) members of staff
  - b) tenants
  - c) contractors
  - d) members of the public

# 15. Appendices (cont'd)

## Membership

Role	Job title
Working Group Sponsors	<ul style="list-style-type: none"> <li>• Executive Head of Operations</li> <li>• Executive Head of Governance &amp; Housing</li> <li>• Executive Head of Finance and Corporate Services</li> </ul>
Working Group Champions	<ul style="list-style-type: none"> <li>• Service Manager - Housing Maintenance (Operations)</li> <li>• Service Manager - Housing Maintenance (Asset and Compliance)</li> <li>• Service Manager - Coastal</li> <li>• Service Manager - Estates and Valuation</li> <li>• Service Manager - Waste and Transport</li> </ul>
Key Working Group Officers	<ul style="list-style-type: none"> <li>• Corporate Health and Safety Manager</li> <li>• Corporate Health and Safety Advisor</li> <li>• Asbestos Management Officer</li> <li>• Housing Maintenance Health and Safety Officer</li> <li>• Asset Maintenance Manager</li> <li>• Civic Buildings and Facilities Manager</li> <li>• Estates and Valuation Manager</li> </ul>
Supporting Officers	<ul style="list-style-type: none"> <li>• Contract Relationship Officer - Procurement</li> </ul>

## Operation of the Working Group

The chairman of each Working Group will be one of the relevant Working Group Champions as identified above.

For the meeting to be held, at least one responsible employee from each service identified must attend, additionally at least one competent Health and Safety Advisor/Officer must attend.

In the unlikely event one or more employees from responsible services are unable to attend the Working Group, all Working Group Champions must decide whether the CDM Working Group should be postponed until all relevant persons can attend.

## Documents

- Minutes must be recorded and made available as soon as possible after their completion.
- Accident statistics will be circulated by a member of the Corporate Health and Safety Team 1 week prior to the meeting.
- The agenda and any specific papers for the CDM Working Group must be communicated 1 week before the meeting.
- All members of the Working Group are expected to read any specific papers prior to the meeting.

# Agenda

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Distribution	
Present	
Minutes	
Apologies	
Chairperson	

1. Introduction and welcome	Action
2. Previous minutes review	
All comments listed under updates	
3. Health and Safety Monitoring	
3.1. Accident/Incident Report observations	
3.2. Accident Investigations	
4. Procedures	
5. Site inspections	
6. On-going projects	
7. Training	
8. AOB	