July 2000

Successful CDM – the effective process

The Annual Seminar, held on 13th June at the National Motorcycle Museum, was opened by Sir Neville Purvis KCB, Director General, British Safety Council. It was aimed at a wide spectrum of professionals, not only safety specialists but also Clients, Designers, Contractors and self-employed persons in the Construction process.

In his opening remarks Sir /Neville described how the unsatisfactory safety record in the Construction Industry made it imperative to make urgent improvements in the way that work is carried out. These remarks were echoed by the next speaker, Ray Cooke, Principal Inspector (Construction), HSE West Midlands, who said that there had been:-

- A general downward trend of fatalities
- A general increase in major injuries
- A somewhat steady level of >3 day injuries

So, though improving, it is still a high risk industry, with no room for complacency. Indeed, figures for 1999/2000 likely to show increase in fatalities

Ray went on to say that the HSE experience of duty holders coping with CDM showed that there were problems when CDM first introduced. For example, there was:-

- general lack of understanding of who had what duties and what they needed to do to comply
- some definitions were unclear
- too much paperwork produced

Amongst other shortcomings, however, it is sometimes the interpretation of new regulations that causes problems. This is where HSE guidance or ACoPs have a place to play. A new CDM ACoP has been drafted to try to resolve such problems with CDM. The problems have been identified by:

- the outcome of an informal review of the Regulations
- general feedback from industry since CDM introduced
- series of CDM Focus group meetings in 1998

In particular, the Focus group meetings found that there was:

- a general commitment to H&S, but some duty holders were reluctant to shoulder all their responsibilities (possibly because they did not fully understand them)

- an overwhelming need for information on practical ways to meet legal duties

The draft of the new CDM ACoP looks quite different in that it is laid out on a topic basis, rather than in order of Regulations. .This should make it much easier to find your way around and locate what applies to specific duty holders. It also includes practical examples in each section.

For example, in the section on designers:

> a client refurbishing the internal walls of a cathedral insisted old-fashioned lime wash was used for the brickwork, despite being told there were safer materials available that would give the same finish.. By specifying lime wash the client was acting as a designer.

One area HSE has also tried to address is that of the creation of excessive amounts of paperwork. For example they have looked at the designer's duty to provide information on H&S hazards for the pre-tender H&S plan or for the H&S file. What the ACoP now suggest is that only significant hazards need be mentioned.

So we introduce a new ACoP, but what about a review of the Regulations? The paper going to the HSC recognises that HSE should have reviewed the Regulations by now. However, the general feeling is that when the new ACoP is introduced it should have a chance to 'bed down' It is therefore likely that a review of the Regulations will not take place for 2-3 years.

Last year John Prescott initiated a consultation called 'revitalising health and safety'. The outcome of that exercise was launched last week here in Birmingham at the National Working Well Together Conference by Lord Whitty, the Minister responsible for H&S. One of the outcomes HSE is looking at is whether the general principles behind CDM might be applied in other industries which use sub-contractors.

So what enforcement has HSE taken under CDM? Unfortunately there is no definitive answer, but there have been prosecutions against designers, planning supervisors and principal contractors and this week, one has been approved locally. against clients

As far as HSE priorities for the year are concerned, Inspectors are actively being encouraged to 'track back' when they find problems on site, to establish whether the faults are due to clients or designers not complying with their duties. Such tracking back is reflected in much of our Priority work for this year particularly **with heavy blocks, HAVS and scaffolding.**

Ray concluded his presentation with a plea for your help and involvement in the Working Well Together campaign. Andy Chappell and BHSA have kindly agreed to

be the **local ambassadors for WWT** in setting up a focus group and he am asked all delegates to join the group and give any help they could.

The need for this local initiative has been identified at national level because:-

- CONIAC believe there is still a lack of commitment to improving H&S
- Levels of occupational ill-health and accident rates are still unacceptably high

The objective is to get companies, organisations, clients, designers, suppliers, contractors, trade unions and individuals to work well together by producing an action plan setting out how they will:

- improve co-operation with others
- communicate planned improvements to their workforce and others
- encourage others to adopt good H&S practice
- identify bad practice and help others avoid it
- tell others about their involvement in the campaign
- improve their own H&S competence and that of others
- publicise H & S action plans.

The next speaker was **Steve Perkins, Director Health, Safety and Environmental Services, Engineering Employers Federation.** Steve's presentation was based on the principles described in the EEF booklet "Safety and Contractor/Client Relationships – The Good Practice Guide for Manufacturing".

Steve firstly laid out the basis for his presentation by defining a **'Contractor'** and contrasted them with **'Agency Workers'** whose activities were controlled closely by the **Client** who also provided their materials. He then went on to describe a range of typical contracting work and the role of niche contractors.

Steve went on to describe the important stages of any project, i.e.:-

- establishing the scope
- pre-qualification
- managing the tender
- awarding the contract
- managing the contract
- reviewing the contract

One of the most critical elements in the early stages is the assessment of safety competence of contractors before awarding the contract. It is crucial to prevent an avalanche of paper in response to this and the essential factors are:-

- Do they Have a policy?
- Will they use sub-contractors?
- Training levels of Managers, supervisors and operatives.

- Have Risk Assessments been carried out?
- What hazardous substances will be used and have they been assessed?
- What plant and equipment will be used and has it been maintained and examined?
- Are method statements available and permit systems if necessary?
- How is their safety performance measured?
- Do they have adequately trained first-aiders?
- Will they be sharing your welfare facilities?

It is also important to give significant information to contractors so that they can manage risks and co-operate with others on site. Some common topics are:-

- Hazards in the Company operation
- Company Rules and procedures
- PPE to wear
- About special equipment they may need to use
- What to do in an emergency
- Sound of the site alarm and how and when to raise it.

Finally, in order to manage the project safely, it is necessary to:-

- Familiarise yourself with the plan of works
- Establish a contract to reflect the H&S requirements
- Monitor performance against agreed methods
- Hold regular safety review meetings
- Review accidents and near misses

In the second half, **Peter Bowers, International Construction, Design and Management**, kicked off with some sound advice from the standpoint of the Planning Supervisor. He reminded us that the objective was to protect life by a variety of ways and to consider the impact of work on third parties (directly and indirectly) and the environment. It is important to take effective action to appoint competent assistance and obtain reliable information about methods and hazards. Equally important is the need to communicate effectively to control risks.

Fundamental to all risk control measures is the identification of hazards and the evaluation of the risk they pose, together with the knowledge of the **'break-even'** point to balance control cost and risk. He then went on to describe the importance of good monitoring of safety performance with:-

- Correct management
- Clear lines of communication and points of contact
- Roles, responsibilities, contact names and numbers
- The authority and time to make and issue decisions
- Record, modify and communicate instructions
- Frequency, route and type of records (reports), meetings etc.

Central to successful project management is the establishment of a good safety plan comprising:-

- Project brief and programme
- Designer's project risk assessment
- Historical records (Utilities, ground water, drainage, reports)
- Emergency access and evacuation procedures
- Legal title, approvals, wayleaves, etc.,
- Building regulation constraints
- Client's working practices, shifts, deliveries
- Site deliveries, crane access, storage, assembly areas
- Project designed temporary works
- Health and Safety File documentation, post contract obligations.

Peter went on to outline the contents of the safety file which was an essential part of the most radical aspect of **CDM** – the lifetime safe operation of the structure. Typically, this would include:-

- Control documents
- Contact name and numbers for key parties
- Legal and statutory approvals
- Relevant **'as built'** documentation
- Surveys, construction drawings, calculations, specifications etc.,
- Operational training / competence re-training
- Specialist testing, maintenance and access requirements
- Client maintained access, frequency and procedures
- Project modifications
- Dismantling/Demolition data

In concluding, Peter said that the important criteria were:

- Controlling liability is a saving (profit) – not a loss!
- Be proactive and positive – this is value added
- Avoid the benefit of hindsight.

To conclude the background workshop briefings, we invited **Paul Greaves, Wates Construction** to present views of the CDM process, as seen through the eyes of a Principal Contractor. Paul started by painting the horrifying picture of Aaron Aardvark – incompetent builder – drains cracked, carpets ruined, prices included bags of hardened concrete left by your front door! Their watchword is 'Not very good – but first in the book'!

In reality, of course, what is needed is a contractor whose reputation is built on **'Getting it Right First Time'!** The main key to this objective is the Construction Phase Plan containing the Principal Contractor's to:-

- Develop and implement the pre-tender plan
- Employ competent contractors
- Obtain and check method statements
- Ensure coordination and co-operation of contractors
- Ensure appropriate training
- Arrange communication between contractors
- Discuss H&S issues
- Prevent unauthorised access
- Monitor and review safety performance
- Pass information on to the Planning Supervisor

In the early stages of the project the plan is developed by the site management and SHE teams to set up safe systems like safety nets and segregation of traffic and pedestrians. The site SHE plan has twenty sections including:-

- Site organisation with responsibilities and accountabilities
- Approving method statements
- Site risk assessments
- Fire/emergency plan
- Site safe committee
- Site rules
- Noise assessments
- Manual handling
- Training registers
- PPE register
- Plant operators' competence register
- Traffic management arrangements
- Complaints accident potential register

Training and communication arrangements take account of the views of contractors and is very much a two-way process. Monitoring is also taken very seriously, the elements of the plan are all considered to be measurable, with the SHE team carrying out monthly inspections and performance reviews. The results are also feedback monthly to the Managing Director and reinforced with an annual audit carried out by the SHE team from the Business Unit.

Paul's presentation clearly demonstrated how the principles described by the other speakers could be achieved and put into practice. The following syndicate work reinforced that message in an even more forceful way by giving the delegates hands-on experience with a typical construction project. The tasks were focused on six critical work activities:-

- Demolition
- High Level Brick/Block Work
- Roof Truss Erection
- Roofing Refurbishment
- External Decoration
- Excavations

Each syndicate were given project plans and scope of works and had to prepare a risk assessment schedule of hazards as a Principal Contractor for an individual work activity. They then had to prepare a method statement on a second work activity, this time as a specialist Sub-contractor. This method statement was then submitted to a neighbouring syndicate who had previously identified the hazards for that work activity. At the end of the exercise the syndicates reported back in a review session.

The workshop was attended by 80 delegates and the interest was so huge that many applicants were turned away – with the promise that their names would be kept for a probable repeat event if the demand was high enough. So anyone who is interested in attending this important workshop should contact Andy Chappell to reserve a place.