

# Construction (Design and Management) Regulations 2007

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The Construction (Design and Management) Regulations 2007 ('the 2007 regulations') came into force on 6<sup>th</sup> April 2007. They bring together the Construction (Design and Management) Regulations 1994 and the Construction (Health Safety and Welfare) Regulations 1996 into a single regulatory package.

## In a nutshell

The 2007 regulations are designed to oblige everyone involved in a construction project to take an active part in the management of health and safety issues, making sure each party is competent and that they coordinate and cooperate with each other.

## What types of construction project do the 2007 regulations apply to?

The 2007 regulations apply to all construction works. Construction work is defined very widely and can mean anything from full scale building to site investigation or even cleaning using water under high pressure.

There are general duties which are applicable to all construction works and additional duties that apply to notifiable projects (where the construction phase is likely to last more than 30 days or 500 man days).

## Who do the 2007 regulations apply to?

The 2007 regulations place duties upon virtually everyone involved in construction work. Any person or business could have duties under one or more of the following categories:

### Clients

A client is somebody who is having construction work carried out by somebody else or who is carrying out construction work themselves as part of a business. If the work is purely domestic, i.e. for a building the client

lives in (or will live in), the client is not subject to duties under the 2007 regulations. Other parties will still have duties.



### Designers

Designers are those who, as part of their work, prepare or modify designs relating to a structure or to a product or mechanical or electrical system intended for a particular structure. A person is deemed to prepare a design where a design is prepared by a person under his control.

### Contractors

A contractor is a business involved in construction, alteration, maintenance or demolition work.

### Principle contractors

A principle contractor's role is to plan, manage and co-ordinate health and safety during the construction work. A principle contractor must be appointed if the project is notifiable.

### Workers

A worker is someone who carries out work during construction work.

### CDM Co-ordinators

A CDM co-ordinator must be appointed by the client on notifiable projects. The CDM co-ordinator is to advise the client on health and safety issues during the design and planning phases of construction work.

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## What are the duties?

|                                     | all construction work   | additional for notifiable projects   |
|-------------------------------------|---|--|
| <b>everyone (including workers)</b> | <ul style="list-style-type: none"> <li>ensure competent to do the work</li> <li>co-operate and co-ordinate work with other parties to avoid health and safety risks</li> <li>report obvious risks</li> </ul>  |  |
| <b>clients</b>                      | <ul style="list-style-type: none"> <li>check competence of all appointees, such as contractors, cdm co-ordinator etc.</li> <li>ensure the project has suitable management arrangements, including allowing sufficient time and resources for each phase of construction</li> <li>provide designers and contractors with 'pre-construction information'</li> </ul> | <ul style="list-style-type: none"> <li>appoint a cdm co-ordinator</li> <li>appoint a principle contractor and provide them with health &amp; safety information</li> <li>ensure the construction phase does not start until a welfare facilities and construction phase plan is in place</li> <li>retain and provide access to the health and safety file</li> </ul>   |
| <b>designers</b>                    | <ul style="list-style-type: none"> <li>avoid foreseeable risks to health and safety in the design</li> <li>provide information about risks to other parties so they can comply with their duties</li> </ul>   | <ul style="list-style-type: none"> <li>ensure client is aware of his duties under the 2007 regulations and that a cdm co-ordinator has been appointed</li> <li>provide information needed for the health and safety file</li> </ul>  |
| <b>contractors</b>                  | <ul style="list-style-type: none"> <li>plan, manage and monitor own work</li> <li>check competence of own workers and their appointees</li> <li>train own workers</li> <li>provide information to workers</li> <li>ensure adequate welfare facilities for own workers</li> </ul>  | <ul style="list-style-type: none"> <li>ensure client is aware of his duties and that a cdm co-ordinator has been appointed and HSE notified</li> <li>co-operate with principle contractor</li> <li>inform principle contractor of problems with the plan, reportable accidents diseases and dangerous occurrences</li> <li>provide principle contractor with details of any sub contractor</li> <li>provide information for the health and safety file</li> </ul>  |
| <b>principle contractors</b>        |   | <ul style="list-style-type: none"> <li>plan, manage and monitor construction phase</li> <li>prepare, develop and implement a written plan and site rules</li> <li>provide contractors with relevant parts of the plan</li> <li>consult with workers</li> <li>ensure suitable welfare facilities are provided and maintained and that the site is secure</li> <li>check competence of appointees</li> <li>ensure all workers have necessary site induction, information and training</li> <li>liaise with cdm co-ordinator</li> </ul> |
| <b>cdm co-ordinators</b>            |   | <ul style="list-style-type: none"> <li>notify HSE of notifiable project</li> <li>advise and assist the client with their duties</li> <li>co-operate with other parties and facilitate good communication between all parties</li> <li>co-ordinate health and safety aspects of design work</li> <li>prepare and update the health and safety file</li> <li>liaise with principle contractor concerning ongoing design aspects</li> </ul>   |

This is just a very brief summary of the regulations. If you feel you have any issues arising out



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of the 2007 regulations you should seek further, more detailed advice at [www.gardandco.com](http://www.gardandco.com).

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