

The health and safety file is a record of information which tells you (and others) about the key health and safety risks that have to be managed during any future maintenance, repair, construction work or demolition.

Domestic clients do **not** have duties.

Can I appoint someone else to carry out my duties?

You can appoint an agent to act on your behalf as client if you wish. If you do, you should ensure that they are competent to carry out your duties. If you appoint an agent, they should send a written declaration to HSE. It should:

- state that the agent is acting on your behalf;
- give the name and address of the agent;
- give the exact address of the construction site;
- be signed by or on behalf of your agent.

Can I appoint myself to carry out other duties?

You can appoint yourself as planning supervisor and/or principal contractor providing you are competent and adequately resourced to comply with their health and safety responsibilities. You need to be a contractor in order to appoint yourself as principal contractor.

Where can I obtain further information?

If you have doubts about whether CDM applies, contact HSE's Infoline
Tel: 08701 545500 Fax: 02920 859260
e-mail: hseinformationsservices@natbrit.com or
write to HSE Information Services, Caerphilly
Business Park, Caerphilly CF83 3GG.

Managing health and safety in construction. Construction (Design and Management) Regulations 1994. Approved Code of Practice and guidance HSG224 HSE Books 2001 ISBN 0 7176 2139 1 also provides further advice.

While every effort has been made to ensure the accuracy of the reference listed in this leaflet, its future availability cannot be guaranteed.

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Printed and published by the Health and Safety Executive
MISC193 Reprinted 11/04 C200



HAVING CONSTRUCTION WORK DONE?

Duties of clients under the Construction
(Design and Management) Regulations 1994

If you are a client (other than a domestic client) for a construction project, the Construction (Design and Management) Regulations 1994 - CDM for short - will probably apply. The purpose of CDM is to ensure that health and safety is co-ordinated and managed throughout all stages of a construction project in order to help reduce accidents, ill-health and costs. Where CDM applies, you will have legal duties to discharge (which are enforceable in a court of law). Your duties are the same whatever the size of project. However, how much you will actually need to do will vary from project to project. Where any potential risks are low, little will be required of clients. Where they are higher, you will need to do more. It is important that what you do is proportionate to the risks and does not create any unnecessary paperwork.

NB: A domestic client is someone who lives, or will live, in the premises where the work is carried out. The premises must not relate to any trade, business or other undertaking.

Does CDM apply?

- CDM applies to **all** demolition and structural dismantling work, except where it is undertaken for a domestic client.
- CDM applies to most construction projects. There are a number of situations where CDM does not apply. These include:
 - some small-scale projects which are exempt from some aspects of CDM;
 - construction work for domestic clients, (although there are always duties on the designer, and the contractor should notify HSE where appropriate);
 - construction work carried out inside offices and shops, or similar premises, that does not interrupt the normal activities in the premises and is not separated from those activities;
 - the maintenance or removal of insulation on pipes, boilers or other parts of heating or water systems.

What are my duties as a client?

As a client, you have to:

- Appoint a planning supervisor (either an individual or a company, eg a design team). The appointment should be made in sufficient time to allow the planning supervisor to develop a suitable pre-tender health and safety plan before arrangements are made for construction work.
- Ensure that the planning supervisor is provided with health and safety

information about the premises or site where construction work is to be carried out.

A planning supervisor has responsibility for co-ordinating the health and safety aspects of design and for ensuring a pre-tender health and safety plan is prepared. Your designer may be able to advise you on this appointment.

- Appoint a principal contractor. Do this in sufficient time to allow the principal contractor to develop a suitable construction-phase health and safety plan before construction begins.

A principal contractor has responsibility for co-ordinating health and safety aspects during the construction phase.

- Be reasonably satisfied that all those you appoint are competent and adequately resourced to carry out their health and safety responsibilities for the job in hand.
- Ensure, so far as is reasonably practicable, that a suitable construction-phase health and safety plan has been prepared by the principal contractor before construction begins.
- Take reasonable steps to ensure that the health and safety file you will be given at the end of the project is kept available for inspection by those considering future construction work.