



## Construction (Design and Management) Regulations 1994: The role of the planning supervisor

### Construction Sheet No 40

#### Introduction

This information sheet gives guidance on the duties of the planning supervisor under the Construction (Design and Management) Regulations 1994 (CDM Regulations). If you are a planning supervisor, you have responsibilities for co-ordinating the health and safety aspects of design and for ensuring the pre-tender stage health and safety plan is prepared. You are also responsible for ensuring the health and safety file is prepared.

The degree of detail as well as the time and effort required to comply with your legal duties need only be in proportion to the nature, size and level of health and safety risks involved in the project. Therefore for small projects with minimal health and safety risks, you will only be required to take simple, straightforward steps and few, if any, specialist skills will be needed.

For most projects the planning supervisor will be an organisation (eg, architectural practice, consulting engineers, project managers, contractors, etc) with design and construction experience and, with relevant knowledge of health and safety. In some cases, particular expertise may need to be brought in. Except for the smallest projects it is unlikely the planning supervisor will be an individual.

#### What are the planning supervisor's duties under the CDM Regulations?

You have the following duties under the CDM Regulations:

- Ensure HSE is notified of the project.
- Ensure co-operation between designers.
- Ensure designers comply with their duties.
- Ensure a pre-tender stage health and safety plan is prepared.
- Advise the client when requested to do so.
- Ensure a health and safety file is prepared.

#### Notification of project to HSE

You have to make sure that the HSE office local to where the construction work is to take place is notified of the project if the construction work in it will last for 30 days or more or involve more than 500 person days. HSE Form 10 (rev), which can be obtained free from any local HSE office, can be used when making the notification. The

notification has to be sent as soon as possible after you have been appointed by the client.

#### Ensuring co-operation between designers

You have to take reasonable steps to ensure co-operation between designers. This is so that the health and safety aspects of design are properly considered and co-ordinated, particularly where the work of different designers overlaps. To achieve this it may involve you in:

- ensuring relevant information (eg, drawings) flows freely between the different designers - this includes temporary works designers;
- ensuring designers take proper account of health and safety in their design;
- ensuring designers co-ordinate their work to see how the different aspects of design interact with each other and affect health and safety.

You will probably need to contact designers to make sure this happens. Any conflict which could affect health and safety will need to be resolved.

#### Ensuring designers comply with their duties

You have to ensure so far as reasonably practicable that designers comply with their duties. For information on designers' duties see Construction Information Sheet No 41, *The role of the designer*.

Depending on the nature and extent of the design work you may need to carry out some form of review of designers' procedures to see how they have analysed and assessed health and safety risks and tried to eliminate them. You will also need to check whether adequate information about aspects of their design that might affect the health and safety is included. This will probably mean looking at documented procedures on larger projects. On small projects a simple face to face questioning may be sufficient.

#### Preparing the pre-tender stage health and safety plan

Before arrangements are made for a principal contractor to be appointed to carry out or manage the construction work, you have to ensure that a pre-tender stage health and safety plan is prepared. This will need to be available for the tendering process which selects a principal contractor for the construction work.

The pre-tender stage health and safety plan serves two main purposes:

- it passes information on health and safety to prospective principal contractors so that they can prepare an outline submission to it during tendering;
- it allows the client (taking the advice of the planning supervisor or other advisers where appropriate) to assess the tender submissions of prospective principal contractors.

For these reasons it is important to include the pre-tender stage health and safety plan in tender documents so that it requires specific answers to questions. There is little to be gained from merely outlining hazards or risks; what is wanted is detail on how the contractor will deal with them.

The degree of detail in the pre-tender stage health and safety plan should be in proportion to the nature, size, and level of the health and safety risks involved in the project. Projects involving minimal risks will call for simple, straightforward plans. Large projects or those involving significant risks will need more detail. Further information on the pre-tender stage health and safety plan can be found in Construction Information Sheet **No 42, The pre-tender stage health and safety plan.**

#### Advise the client

If the client requests, you have to give adequate advice on:

- the competence of any designer who the client is arranging to prepare a design and whether they are adequately resourced to carry out their health and safety responsibilities;
- the competence of any contractor (including the principal contractor) who the client arranges to carry out or manage construction work and whether they are adequately resourced to carry out their health and safety responsibilities;
- whether the health and safety plan prepared by the principal contractor for the construction phase is suitable.

The Approved Code of Practice *Managing construction for health and safety* and the HSC publication *A guide to managing health and safety in construction* provide detailed guidance on the issues of competence and adequate resources for health and safety.

#### Prepare the health and safety file

The health and safety file is a record of information for the client (and others who might be responsible for the structure in the future) of the key health and safety risks that have to be managed during any subsequent maintenance, repair, or construction work.

You have to ensure the health and safety file is prepared and handed over to the client at the end of a construction project. Further information on the health and safety file is given in Construction Information Sheet *No 44, The health and safety file.*

#### References and further information

*Construction (Design and Management) Regulations* 7994 SI 1994 No 3140 HMSO 1995 ISBN 0 11 043845 0, available from HMSO

*HSC Managing construction for health and safety* Construction (Design and Management) Regulations 1994 Approved Code of Practice L54 HSE Books 1995 ISBN 0 7176 0792 5

*HSC A guide to managing health and safety in construction* HSE Books 1995 ISBN 0 7176 0755 0

If you need further information or advice please contact your local HSE office. The phone number is listed in directories under Health and Safety Executive.

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#### Construction Information Sheets:

- No 39 The role of the client
- No 41 The role of the designer
- No 42** The pre-tender stage health and safety plan
- No 43** The health and safety plan during the construction phase
- No 44** The health and safety file

This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory and you are free to take other action. But if you follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to ensure compliance with the law and may refer to this guidance as illustrating good practice.

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