

Construction, Design and Management Regulations Guidance

The purpose of the construction design and management (CDM) guidance is to ensure that we comply with our obligations under the CDM Regulations.

The aims of the CDM Regulations are to improve health and safety in the construction industry by helping those involved to:

- Sensibly plan the work so the risks involved are managed from start to finish;
- Have the right people for the right job at the right time;
- Cooperate and coordinate their work with others;
- Have the right information about the risks and how they are being managed;
- Communicate this information effectively to those who need to know;
- Consult and engage with workers about the risks and how they are being managed.

Duty holders

There are a number of roles and duties specified in the CDM Regulations, we undertake the following duty holder roles:

CDM duty holders:	Summary of role & main duties:
Clients are organisations or individuals for whom a construction project is carried out.	 Make suitable arrangements for managing a project to ensure: Other duty holders are appointed; Sufficient time and resources are allocated; Relevant information is prepared and provided to other duty holders; The principal designer and principal contractor carry out their duties; Construction work can be carried out without risk to health and safety; Welfare facilities are provided.
Principal Designers are designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role.	 Plan, manage, monitor and coordinate health and safety in the pre- construction phase of a project to ensure: So far as is reasonably practicable the project is carried out without risk to health and safety; Designers carry out their duties; The preparation or modification of designs to eliminate, reduce or control foreseeable risks that may arise during: Construction; The maintenance and use of a building once it is built; Liaison with the principal contractor throughout the duration of the project; An estimated time to complete construction work is determined; The provision of relevant information to other duty holders in particular to the principal contractor; The preparation of the health and safety file.
Principal Contractors are contractors appointed by the client to coordinate the construction phase of a project where it involves more than one contractor.	 Plan, manage, monitor and coordinate health and safety in the construction phase of a project to ensure: So far as is reasonably practicable the construction work is carried out without risk to health and safety; Liaising with the client and principal designer throughout the duration of the project; The preparation/ production of the construction phase plan;

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	 An estimated time to complete construction work is determined; Cooperation of contractors (including self-employed) to apply the requirements of the construction phase plan and follow site rules; Co-ordination of contractors work activities; Suitable site inductions are provided; Reasonable steps are taken to prevent unauthorised access; Welfare facilities are provided; Workers are consulted and engaged in securing their health and safety. 	
Contractors are those who do the actual construction work and can be either an individual or a company.	,	

To ensure compliance with the CDM Regulations each operation business must follow the Group HS&E policies and standards.

The relevant duty holder role must be allocated to individuals from the operating businesses senior management team and it is recommended that the following directors are best placed to lead these functions:

Client – Managing Director, supported by the Land Director & Principal Designer;

Principal Designer – Technical Director;

Principal Contractor – Construction Director.

Duty holders and Building Regulations

The Building Safety Act 2022 has created new requirements and competencies for Client, Principal Designer (PD) and Principal Contractor (PC) dutyholders. These new duties relate to accountability for building regulations compliance, and they are separate appointments to the CDM duty holder roles.

However, the Act allows for the CDM Client, PD and PC to <u>also</u> be the Client, PD and PC for building regulations compliance.

Therefore, whenever the CDM duty holders are appointed for a project, as nominated in writing by virtue of completion and submission of the F10, it will be Persimmon policy that the same duty holders will be the same nominated duty holders for building regulations compliance.

F10 notification of construction project

As a commercial client we must report all construction projects to the HE using the form F10. This can be done using an online form of to the HSE's head office address. It is the responsibility of the Managing Director as the person with client duties to ensure that all relevant projects are notified to the HSE as soon as practicable before the construction phase begins.

A project is notifiable if the work on a construction site is scheduled to:

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- Last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project; or
- Exceed 500 person days.

The notice must:

- Contain the particulars specified in Schedule 1;
- Be clearly displayed in the construction site office in a comprehensible form where it can be read by any worker engaged in the construction work; and
- If necessary, be periodically updated.

For most projects the F10 will be completed as follows:

- Client Persimmon Homes Limited;
- Principal Designer Persimmon Homes Limited T/A Persimmon Homes (operating business name, e.g. Persimmon Homes Essex);
- Principal Contractor Persimmon Homes Limited T/A Persimmon Homes (operating business names, e.g. Persimmon Homes Essex);

At no time should individual names be recorded in the F10 form against these duty holder titles.

Pre-Construction information

Pre-Construction Information is defined as information about the project that is already in the client's possession or which is reasonably obtainable by or on behalf of the client. The information must;

- Be relevant to the particular project;
- Have an appropriate level of detail;
- Be proportionate to the risks involved.

The client's brief

Clients should take ownership of communicating pre-construction information to designers and contractors appointed, or being considered for appointment to the project. A client's brief must be prepared which:

- Sets out the main function and operational requirements of the finished project;
- Outlines how the project is expected to be managed including its health and safety risks;
- Sets a realistic time frame and budget; and
- Covers other relevant matters, such as establishing design direction and a single point of contact in the client's organisation.

Refer to form 28a - Client Brief

Construction phase health and safety plan

The construction phase health and safety plan must be prepared which set out the arrangements for securing health and safety during the period construction work is carried out. There arrangements to include site rules and any specific measures for higher risk activities.

Refer to form 28b - Construction Phase Health and Safety Plan

Health and safety file

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The client must ensure that the principal designer prepares a health and safety file for the project. Its purpose to ensure that, at the end of the project, the client has information that anyone carrying out subsequent construction work on the building will need to know about in order to be able to plan and carry out the work safely and without risks to health.

Refer to form 28c - Health and Safety File

Site hazard register

Duty holders must demonstrate that they have applied the general principles of prevention to identify and control the risks to health and safety on each specific project.

The principal designer must produce the initial site hazard register for inclusion in the client's brief and construction phase health and safety plan, completing all relevant pre-construction information. This must then be provided to the principal contractor.

As well as identifying site hazards, the aim of the register is to generate a project team approach that will enable individuals and organisations to better communicate, cooperate and coordinate with each other.

The site hazard register should be used in conjunction with the temporary works register and be updated as work progresses.

An up to date copy of the site hazard register should be held at the operating business office and relevant site office.

Refer to form 28d – Site Hazard Register

Pre-start meeting activity

It is essential that pre start meetings are carried out as this demonstrates that the projects are being planned correctly from the early stages.

Pre-start 1

This meeting should be held at the stage of exchange of contracts and before a planning application is submitted. The purpose of the meeting to confirm that land conditions are under construction and obtain the relevant information for the Client's Brief. Clarification of what is required from the Technical Department and information handover to the Technical Department.

The Managing Director must chair the meeting and the Land Director, Technical/ Commercial Director and all other relevant personnel must be in attendance.

Refer to form 32a – Minutes of Construction Pre-Start 1 Meeting

Pre-start 2

This meeting should be held when Planning Committee date has been established (approximately two weeks before the committee). The purpose of the meeting to confirm the Technical Department have completed their actions and ready to hand over to the Construction Department.

The Technical/ Commercial Director must chair the meeting and relevant project personnel must be in attendance.

Refer to form 32b – Minutes of Construction Pre-Start 2 Meeting

Pre Start 3

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This should be held when planning has been approved and we are looking to make a start on site. The purpose of the meeting to confirm the construction team are ready to start and the construction phase health and safety plan is ready to issue. Technical Department should have completed all their outstanding actions by this stage.

The Construction Director must chair the meeting and relevant project personnel must be in attendance.

Refer to form 32c - Minutes of Construction Pre-Start 3 Meeting

Note: The Chair of each pre start meeting must ensure that any actions that were highlighted in the previous pre start meeting has been resolved or carried forward to the next meeting. The minutes must be signed by the Chair, any issues that have not been resolved must be carried over to the next meeting. The Chair must sign the minutes of the meeting before distribution.

Designers and contractors

<u>Designers</u>

The term 'design' includes drawings, design details, specifications, bills of quantity and calculations prepared for the purpose of a design. Designers include architects, architectural technologists, consulting engineers, quantity surveyors, interior designers, temporary work engineers, chartered surveyors, technicians or anyone who specifies or alters a design. They can include others if they carry out design work, such as principal contractors, and specialist contractors, e.g. an engineering contractor providing design, procurement and construction management services. Where commercial clients become actively involved in designing in relation to their project, they may also be considered to be designers.

Contractors

Anyone who directly employs or engages construction workers or manages construction is a contractor. Contractors include sub-contractors, any individual, sole trader, self-employed worker, or business that carries out, manages or controls construction work as part of their business. This also includes companies that use their own workforce to do construction work on their own premises. The duties on contractors apply whether the workers under their control are employees, self-employed or agency workers.

Where contractors are involved in design work, including for temporary works, they also have duties as designers.

Appointment, management and monitoring of designers and contractors

When appointing external designers and contractors then they either have to be Safety Systems in Procurement (SSIP) accredited or go through our own accreditation process. They must also be suitable and sufficient arrangements for the management and monitoring of designer and contactor works.

Please refer to Contractors (Appointment, Management & Monitoring) Standards

Appointing and employing workers

When employing or contracting individuals, including self-employed and labour only subcontractors to work on our sites, it is important that checks are made to ensure they have the skills, knowledge, training and experience to carry out their work safely.

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A combination of industry certification cards (CSCS) or nationally recognised qualifications such as NVQ's and SVQs can provide assurance (and evidence) that the holder has the skills, knowledge, training and experience to carry out the task(s) for which they are appointed.

However it should be recognised that training/qualifications on their own are not enough and newly trained individuals may require supervision in order to gain positive experience of working in a range of conditions.

When appointing individuals who may be skilled but who do not have any formal qualifications we may need to assess them in the working environment. As a general rule the regulations accept that if the person being assessed demonstrates the required qualities no further training should be needed although this decision would need to be supported by a sound documented assessment process.

Provision of Site Induction and ongoing briefings

When carrying out the duties Principal Contractor we must ensure every site worker is given suitable site specific induction and ongoing briefings (tool box talks) to highlight particular risks and control measures they need to be aware of.

Site Inductions are very often the most important pre-start meeting an Operating Business can have with the self employed and labour only worker therefore it is imperative that these are conducted in a timely and informative manner. Site inductions should also be provided to those who do not regularly work on the site, but who visit it on an occasional basis such as; designers, commercial team members etc. The inductions should be proportionate to the nature of the visit and should include information on the following.

- senior management commitment to health and safety;
- outline of the project including both general and site specific rules etc.
- management of the project
- first-aid arrangements
- accident and incident reporting arrangements
- arrangements for briefing workers on an ongoing basis, e.g. toolbox talks
- arrangements for consulting with the workforce on health and safety matters
- worker's responsibility for health and safety

Records of all site inductions must be maintained as well as documented attendance sheets for all tool box talks that are delivered.

The table below shows specific CDM duty holder requirements for Clients, Principal Designers and Principal Contractors and provides guidance to Senior Management who "Lead" the relevant duty holder functions on the Group Management Systems and Operating Business Internal Controls.

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A GUIDE FOR PERSIMMON GROUP SENIOR MANAGEMENT DUTY HOLDERS

Duty holder	Responsibility	Achieved by
Client	Assembling a project team including the principal designer and contractor with the required skills, knowledge and (if an organisation) the organisational capability to manage health and safety risks.	 For internal roles recruiting people with the appropriate experience and qualifications required for the position and ensuring they receive the necessary information, instruction and training; For external roles only appointing organisations and individuals who have a Safety Systems in Procurement (SSIP) accreditation or complete our designer/ contractor pre appointment procedure.
Client	Ensuring the roles, functions and responsibilities of the project team are clear.	 Completion of a client's brief, allocating individuals and organisations to roles; Completion of a Directors Responsibility Chart allocating responsibilities; Specific health and safety roles and responsibilities being included in job descriptions; Supply chain contracts having relevant health and safety terms and conditions; Relevant personnel receiving the necessary information, instruction and training.
Client	Ensuring sufficient resources and time are allocated for each stage of the project, from conception to completion. Ensuring effective mechanisms for communication and cooperation between the project team.	 Project meetings; Written updates and review; Pre start meetings; Pre-let meetings for contractors; Health and safety committee meetings; Construction review meetings; Consortium agreements and meetings; Health and safety / progress site meetings.

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Client	Take reasonable steps to ensure the principal designer and principal contractor comply with their separate duties.	 Project meetings; Written updates and review; Pre-start meetings; Health and safety committee meetings. 	
Client	Ensuring that workers are provided with suitable welfare facilities for the duration of the construction work.	 Welfare assessments. 	
Client	Ensure that a Construction Phase Plan is prepared before the construction phase begins.	 Completion of a Directors Responsibility Chart allocatin this responsibility; Confirming completed via pre-start meetings. 	
Client	Ensure that a health and safety file is prepared for the project.	 Completion of a Directors Responsibility Chart allocating this responsibility; Confirming completed via pre-start meetings. 	
Client	Notify the HSE of relevant construction projects.	 Completion of a Directors Responsibility Chart allocating this responsibility; Confirming completed via pre-start meetings. 	
Principal Designer	Make the client aware of their duties under CDM.	 Project meetings. 	
Principal Designer	Assist the client bring together the pre-construction information.	Review pre-site acquisition information for hazard identification and assess the adequacy of the information to identify and fill any gaps in the information which it is necessary.	
Principal Designer	Plan, manage, monitor, coordinate the pre-construction phase taking into account the general principles of prevention and, where relevant, the content of pre- construction information, any construction phase plan and any existing health and safety file.	 Review pre-site acquisition information for hazard identification. Project meetings; Written updates and review; 	

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		 Production of the client's brief in conjunction with the client; Production of the site hazard and risk register; Preparation of the construction phase plan in conjunction with the principal contractor. Production or revision of the health and safety file. Pre start meetings.
Principal Designer	 Work with other designers involved with the project to identify, eliminate and control foreseeable risks through design, taking into account pre- construction information. This includes temporary and permanent works designers. The risks that should be identified are the significant ones that are likely to arise: a) while carrying out construction work; or b) During maintenance, cleaning or using the building as a workplace once built. 	 Review of pre-construction information; Project meetings; Design risk assessment; Temporary works register.
Principal Designer	 Ensure coordination and cooperation to ensure that everyone working on the pre-construction phase cooperates with each other, effectively communicates and that information is shared within the project team. Including: Designers, making sure they are complying with their duties and highlighting unusual and complex risks that are more likely to be missed or misunderstood by contractors or others. Principal contractors, making sure they are provided with the information to affect the planning, management, monitoring and coordination of the construction phase. 	 Project meetings; Written updates and review; Pre start meetings; Temporary works register Client's brief; Site hazard and risk register; Construction phase plan; Health and safety file.

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Principal contractor	Liaise with the principal designer for the duration of the project, from the earliest stages of designing and planning a project. Also, throughout construction phase on matters such as changes to designs and the implications these changes may have for managing health and safety risks.	AAAAAAAA	Project meetings; Written updates and review; Pre start meetings; Temporary works register Client's brief; Site hazard and risk register; Construction phase plan; Health and safety file.
Principal contractor	 Planning the construction phase, taking into account the risks to all those affected (workers, members of the public and the client employees). It must cover: The risks likely to arise during construction work; Arrangements for maintaining the right plant and equipment; The necessary information, instruction and training is provided to workers; Right level of supervision is provided to workers; and The resources (including time) needed to organise and deliver the work, including the management, monitoring and coordination. 	AAAAAAAAAAA	Project meetings; Written updates and review; Pre start meetings; Temporary works register Client's brief; Site hazard and risk register; Construction phase plan; Health and safety file; Work equipment maintenance programmes; Statutory inspections of relevant work equipment; Minimum safety training requirements; Minimum levels of supervision requirements;
Principal contractor	 Managing the construction phase, taking into account the risks to all those affected. It must be ensured: Those engaged to carry out the work are capable to do so; Effective, preventative and protective measures are put in place to control the risks; and The right plant, equipment and tools are provided to carry out the work involved. 	A A AA	For internal roles recruiting people with the appropriate experience and qualifications required for the position and ensuring they receive the necessary information, instruction and training; For external roles only appointing organisations and individuals who have a Safety Systems in Procurement (SSIP) accreditation or complete our contractor pre appointment procedure; Minimum safety training requirements; Site inductions;

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		AAAAAAA	Passport to safety for pant operatives; Toolbox Talks; Site hazard and risk register; Site specific risk assessments; Contractor RAMS approval procedure; Permit to work; Permit to dig.
Principal contractor	 Monitoring the construction phase, taking into account the risks to all those affected. Standards must be checked regularly given the rapidly changing nature of a construction site. Effective monitoring includes: Sufficient time and effort being allocated; Treating health and safety in the same way as other important aspects of the business; Taking prompt action where necessary; and Using a mix of performance measures (active and reactive) 	AAAAAAAA AAAA	Inspection regime by the HS&E Department; Directors/ Heads of Department visits; Contract Manager visits; Site management inspections; Health and safety committee meetings; Construction review meetings; Consortium agreements; Health and safety/ progress site meetings; HS&E bi-monthly management reports to board, divisional t and operating business management; Accident/ incident/ near miss led investigations; Monitoring cases of ill-health; Where appropriate health surveillance; Operative health and safety notices.
Principal contractor	Coordinating the construction phase, taking into account the risks to all those affected. Ensure that the contractors under their control cooperate with each other so the risk to themselves and others affected by the work are managed effectively. This includes ensuring contractors who start work at different stages of the construction phase cooperate with each other so any information and instruction relevant for a new contractor to carry out their work safely is provided to them.	AAAAA	Pre-let meetings; Health and safety / progress site meetings; Consortium agreements/ site meetings; Site inductions; Toolbox Talks.

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Principal contractor	 Ensure every site worker is given a suitable site induction which is site specific and highlights any particular risks and control measures that those working on the project need to know about. Provide a proportionate induction to occasional or once only basis visits. Escorted visitors made aware of the main hazards they may be exposed to and the control measures. 	 Site induction process for all site workers; HBF visitors card requirement for occasional site workers; Hazard awareness for escorted visitors.
Principal contractor	Ensure reasonable steps are taken to prevent unauthorised access to site. Ensuring that the boundary is physically defined using suitable barriers which take account of the nature of the site and its surrounding environment. Take steps to ensure that only those authorised to access the site do so.	 Site security and public protection assessment; Traffic management assessment. Site inductions; Site sign in procedure.
Principal contractor	Ensure that suitable and sufficient welfare facilities are provided and maintained throughout the construction phase.	 Welfare assessment.
Principal contractor	Consult and engage with the workforce to ensure that measures for their health, safety and welfare are developed, promoted and checked for effectiveness. Consultation must be carried out in a timely manner.	 Health and safety committee meetings; Health and safety/ progress site meetings; Site inductions; Tool box talks; Operative comments sheets.

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VERSION ISSUED	Date
Version 2 Dutyholders and building regulations section added	12.3.24

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