

# Health and Construction Phase Plan

In construction sector approximately every week one person is killed on site, and more are injured or made ill by work. Furthermore, almost every week a building services company is fined for the safety failings, often also in cases where there are no casualties.

From Health and Safety Executive (HSE) statement in November this year a building contractor from Manchester has its excavation works stopped by an HSE Inspector following a concern made of the lack of support for ground works. The contractor was fined and pleaded guilty to a breach of Regulation 31(1) of the Construction (Design and Management) Regulations 2007. Same month another contractor was fined after pleaded guilty to an offence under Regulation 4(1) of the Personal Protective Equipment at Work Regulations 1992 after an employee suffered permanent injury to his eye from lack of proper protection. Contractors must take into account that all risks associated with particular work on site are accurately assessed and measures are in place to protect every party that might be involved.

Complying with health and safety legislation does not have to be difficult and expensive as long as the reasonable steps are taken to prevent accidents or harm to employees. In cases where there are safety failings building contractors might face costly fines. New sentencing guidelines for courts have been introduced to allow for consistency in sentences for health and safety offences, and the level of offender's

turnover will help to identify the penalty. The companies with turnover over £50m can be fined up to £20m for corporate manslaughter offences and up to £10m for the most serious health & safety breaches. The Health and Safety Executive (HSE) is Britain national regulator for workplace health and safety and will be responsible for remedial action with offenders.

The employer is required to run the necessary risk assessments and put measures to control hazards. First of all, there should be a health and safety policy in place and for companies with more than five employees it has to be in written format. It should consist of the statement specifying hazards and risks in workplace, arrangements of how to control them and responsibilities section. It is essential to review the risk assessments on site as the project progresses. Monitoring of the site safety and proper reporting is necessary. Some businesses decide to establish the management team or appoint the skilled person to supervise the health and safety on site. Before the Construction (Design & Management) Regulations 2015 (CDM) came into force on some construction projects clients were advised to appoint the CDM co-ordinator, who was the principal advisor in respect of

the health and safety matters. Since October 2015, the CDM co-ordinator has been replaced by the designer and that regulation applies to all projects, including small and domestic ones. In the case where a client has not appointed the principal designer, he takes on the responsibilities for the planning, managing and pre-construction phase, liaising with the contractor and coordinating health and safety procedures. Nevertheless, the contractor or employer has to provide all workers with the information and training to ensure everyone is aware of the rules on site and first-aid procedures. The Construction Industry Training Board (CITB) supports the health and safety training and skills in construction. Moreover, every construction business should have the employers' liability insurance, which helps to reduce the risk of financial cost connected with any health and safety failures.

To summarise under the Construction (Design and Management) Regulations 2015 (CDM 2015), a construction phase plan is required for every construction project. If the job lasts longer than 30 working days (with more than 20 people working at the same time) it has to be notified to HSE and more complex plan need to be prepared.

# Safety

HSE presents an example of the **Health and Safety simple construction phase plan**, which is typically enough to express that the contractor has considered the health and safety issues on the construction site.

You can find it on [www.hse.gov.uk](http://www.hse.gov.uk).

PLAN	Your name/company		
	Name and address of client		
	Contact details of architect or principal designer		
	What is the job?		
WORKING TOGETHER	Is there anything the client has made you aware of?		
	Key dates: Start Finish Other		
	Where are your toilet, washing and rest facilities?		
	Who else is on site – and their contact details?		
ORGANISE	Who will be the principal contractor?		
	How will you keep everyone on site updated during the job?		
	What are the main dangers on site, eg:		
	Falls from height		
	Collapse of excavations		
	Collapse of structures		
	Exposure to building dusts		
	Exposure to asbestos		
	Activities or workers requiring supervision		
	Electricity		
Risks to members of the public, the client and others			
Other dangers on site			
Hazard is present			
What controls do you have?			

This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance.  
© Crown copyright. If you wish to reuse this information visit [www.hse.gov.uk/copyright.htm](http://www.hse.gov.uk/copyright.htm) for details.  
Published by the Health and Safety Executive C0880 04/15

## CONTRACTOR'S OBLIGATIONS:

- Have a health and safety policy and construction phase plan
- Ensure all employees know the rules and first-aid procedures
- Identify hazards, monitor risks and report any failings during the project lifespan
- Be protected by the employer's liability insurance