

The University of Warwick Estates Office

Estates Construction, Design and Management

Statement of Principles

Introduction

The Construction (Design & Management) Regulations 2015 (CDM 2015) came into force on 6 April 2015. This Statement of Principles describes how the University of Warwick Estates Office (Estates) will apply the regulations to construction works.

CDM 2015 applies to all works including the carrying out of any building work, civil engineering or engineering construction work and includes alteration, commissioning, re-decoration, conversion, renovation, fitting out, on site assembly of prefabricated elements, preparatory works including clearance, exploration investigation and excavation, repair, upkeep, maintenance, and end of life demolition, dismantling or removal of a structure. The installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are normally fixed to or within a structure.

To gauge how these regulations are applied to a piece of work, there are three trigger points;

- Does the work fall under the description above? Are construction activities taking place? If so then CDM 2015 applies.
- Will the work involve the engagement of more than one contractor? If so then the specific roles¹ and requirements² called up by CDM 2015 must be appointed and enacted.
- Does the duration of the construction work exceed 30 days (with 20 persons simultaneously on site) or 500 person days? If so then the project must be notified to the Regulator, usually the Health & Safety Executive (HSE).

These principles are supported by arrangements, instructions, and guidance on Construction (Design & Management) which are available on the University's Health, Safety and Wellbeing website.

HSE Guidance on Regulations are published by the HSE: Managing health and safety in Construction (Design and Management) Regulations 2015 Guidance on Regulations L153

Core Principles

After consideration of the definition and trigger points above, the person initiating the work, or person within Estates nominated to project manage the works, must ensure that the required roles are appointed, and that these persons or organisations appointed are competent to carry out the duties identified for the role. Additionally that the required planning for safety is factored into all stages of the works, from initial survey, design, construction, maintenance and final disposal of the structure.

Evidence of compliance with these stages must be maintained through the Estates' project management tool, Concerto³.

¹ Principal Designer and Principal Contractor.

² Construction Phase H&S Plan, H&S file etc.

³ Concerto is the electronic project management tool used by the University Estates Office.

All duty holders, must understand what is required of their role, and how to execute their responsibilities in accordance with the requirements of CDM 2015. This will require that Estates staff who are involved in any element of construction works to undertake suitable training and continually develop these skills in line with changes in regulations or best practice.

When appointing external organisations, their competency to perform the roles must be assessed prior to appointment. This is equally important for design and management functions as it is for individual trades and specialisms. The appointments must be made formally and in writing (email is acceptable) with records maintained for reference.

Competence is a range of characteristics including skills, knowledge, attitude, training and experience.

Purpose and scope

The purpose and scope of this Statement of Principles is to outline the Estates' core principles regarding the interpretation and adherence to CDM 2015.

Major Projects

Estates Programme Managers will undertake the duties of the Client and must therefore appoint a Principal Designer (PD) and Principal Contractor (PC), whose selection must take into account their ability and experience to perform these roles.

If the University engages a third party to manage the project, then the University must formally appoint the representative and ensure that they understand their duties and responsibilities and are competent to perform them.

On Design & Build schemes if the PD role ceases before the construction phase is completed, then the University must appoint the PC to carry out the remaining PD duties (H&S file preparation).

Minor Projects

The default position will be for the Estates Programme/Project/Maintenance Manager to be the PD. The responsibilities of the PD will be completed by Project Managers⁴ with support from the Estates Construction Projects Safety Adviser.

For complex, unusual or high-risk schemes or where the majority of the design is outsourced then an external PD may be appointed. In these circumstances the PD function will be delivered by an appropriate existing design professional, whose services will include reviewing the construction phase plan, carrying out regular monitoring and surveillance.

For simple construction projects the Estates Programme/Project/Maintenance Manager may act as the PC, however this should be the choice of last resort, ideally a contractor will be able to take on this role.

⁴ Project manager - A project manager is the person responsible for leading a project from its inception to completion. This includes planning, execution and managing the people, resources and scope of the project. Under CDM 2015 this includes undertaking the duties of the client (Regulation 4).

Second Tier suppliers/contractors

The selection, supervision and management of second tier suppliers/contractors is the duty of the PC. The ability of the PC to perform this function must be taken into account when selecting this appointment.

Maintenance of a structure and services (including telecommunications)

On very small-scale works (one contractor), more traditionally described as maintenance tasks the contractors are required to produce suitable construction phase plans to reference their safe systems of work. The level of detail within this document must be proportionate to the complexity of the project.

These projects are to be managed with the same level of due diligence (ensuring competent contractors, inductions, monitoring etc.).

Should the works require more than one contractor then the Estates Programme/Project/Maintenance Manager will take on the role of PD and consider who is best placed to act as PC, which will preferably be one of the contractors with the competence to carry out these duties... The nominated PC must then prepare the construction phase plan prior to the works commencing and the health & safety file upon completion.

Routine maintenance of plant

It is envisaged that this works will either be conducted by Estates operational maintenance staff, or nominated contractors, in this case there is no requirement to nominate a PD or PC, the usual level of due diligence (ensuring competent contractors, inductions, monitoring etc.) will suffice. As maintenance does not involve any fundamental variations to the plant or equipment, then no H&S file will be required. However, a suitable and sufficient risk assessment of the task and a documented safe system of work, supplemented with supervision, information, instruction, and training are required.

Responsibilities

The ultimate responsibility for health and safety within the University rests with the Vice-Chancellor and President who will delegate day to day responsibility to the overseeing department.

The Director of Estates is responsible for overall implementation and compliance to this Statement of Principles by Estates staff and contractors who they engage. Responsibility is delegated to the Capital Programme Director and Chief Finance Officer who are ultimately responsible for ensuring that competent resources and funding are available to perform the required roles and duties.

The Director of Health and Safety is responsible for advising on the standards and regulations that must be achieved in order to meet legal requirements; for keeping the University's Health, Safety and Wellbeing website up to date with the related arrangements, instructions and guidance; and for ensuring that inspections and audits are carried out and reported into the University's governance structure.

The Estates procurement department must ensure that only pre-qualified contractors are appointed. For qualification, contractors must satisfy suitable competence and H&S criteria. Those organisations that are appointed to specific appointments (PD, PC etc.) must also be assessed for their capability to satisfy these appointments.

Estates programme and project managers are responsible for undertaking the client duties (as specified in CDM 2015 regulation 4), this includes the appointment of other roles. By default if other persons or organisations are not appointed to carry out the other roles, then these duties revert to the client. Estates programme managers are to review and approve all F10 applications (Regulation 6 – Notification) and Construction Phase Plans (Regulation 4 – Client Duties).

The Estates Construction Projects Safety Adviser is responsible for advising on the requirements of the regulations and for monitoring that the requirements of these principles and CDM 2015 regulations are adhered to.


All staff who are involved in construction activities are responsible for managing their specific aspects of the project in accordance and with the guidance on regulations HSE document [L153](#), Managing health & safety in construction published in 2015.

The Head of Assurance, Risk and Property is responsible for ensuring that active monitoring is carried out to provide assurance that activities are being carried out in compliance with this statement.

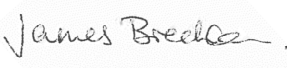
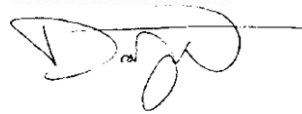

Review

This statement dated **10th March 2023** and will be reviewed at least every two years.

This statement will be available on the Estates intranet and externally on request.

Signed 

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James Breckon, Director of Estates

Document Control			
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001		Mark Evans, Estates Construction Projects Safety Adviser	Initial version
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FURTHER SUPPORT AND ADVICE

Any further information or support can be obtained from:
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