

Q. What are the Clients responsibilities/duties under CDM 2007?

A. What clients must do for all projects

Clients must make sure that:

- Designers, contractors and other team members that they propose to engage are competent (or work under the supervision of a competent person), are adequately resourced and appointed early enough for the work they have to do.
- They allow sufficient time for each stage of the project, from concept onwards;
- They co-operate with others concerned in the project as is necessary to allow other duty holders to comply with their duties under the Regulations;
- They co-ordinate their own work with others involved with the project in order to ensure the safety of those carrying out the construction work, and others who may be affected by it;
- There are reasonable management arrangements in place throughout the project to ensure that the construction work can be carried out, so far as is reasonably practicable, safely and without risk to health. (This does not mean managing the work themselves, as few clients have the expertise and resources needed and it can cause confusion);
- Contractors have made arrangements for suitable welfare facilities to be provided from the start and throughout the construction phase;
- Any fixed workplaces (for example offices, shops, factories, schools) which are to be constructed will comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992;3
- Relevant information likely to be needed by designers, contractors or others to plan and manage their work is passed to them in order to comply with regulation 10.

Additional things clients must do for notifiable projects

For notifiable projects, in addition to the duties set out above, clients must:

- Appoint a CDM co-ordinator to advise and assist with their duties and to coordinate the arrangements for health and safety during the planning phase;
- Appoint a principal contractor to plan and manage the construction work - preferably early enough for them to work with the designer on issues relating to buildability, usability and maintainability;
- Ensure that the construction phase does not start until the principal contractor has prepared a suitable construction phase plan and made arrangements for suitable welfare facilities to be present from the start of the work;
- Make sure the health and safety file is prepared, reviewed, or updated ready for handover at the end of the construction work. This must then be kept available for any future construction work or to pass on to a new owner.

Getting the right people for these roles and making early appointments is particularly important for clients with little construction or health and safety expertise, as they will need to rely on the advice given by the CDM co-ordinator on matters relating to the competence of those who they intend to appoint, and the adequacy of the management arrangements made by appointees.

For notifiable projects, if a client does not make these appointments they become legally liable for the work that the CDM co-ordinator and principal contractor should do, as well as for not making the appointments.

What clients don't have to do

Clients are not required or expected to:

- Plan or manage construction projects themselves; or
- Specify how work must be done, for example requiring a structure to be demolished by hand. Indeed they should not do so unless they have the expertise to assess the various options and risks involved. (They should, of course, point out particular risks that would inform this decision.)
- Provide welfare facilities for those carrying out construction work (though they should co-operate with the contractor to assist with his arrangements);
- Check designs to make sure that regulation 11 has been complied with;
- Visit the site (to supervise or check construction work standards);
- Employ third party assurance advisors to monitor health and safety standards on site (though there may be benefits to the client in doing so);
- Subscribe to third party competence assessment schemes (though there may be benefits from doing so).