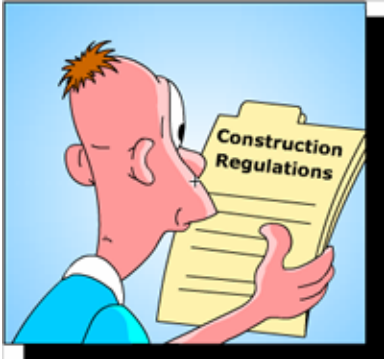


Early Decisions Save Lives

Investigation of Construction sector fatalities by the Health and Safety Authority has shown that head office factors such as design, management commitment and resources were associated with a quarter of fatalities. Site Management failures were associated with half of fatalities and workers themselves taking risk were



associated with a further quarter. The objective of the new Regulations is to create high standards in the planning and management of construction projects in order to improve overall safety standards in the industry. When we talk about construction works what do we mean? Construction works covers all construction projects (including the alteration, decoration, maintenance and repair of buildings). It also includes the installation, maintenance and removal of mechanical and other systems fixed within or to structures.

Good management of construction projects is essential to prevent workplace accidents on site. The new construction Regulations were published in November 6th 2006. They replace the Construction Regulations 2001. The new regulations have put significantly more duties on Clients, Designers and the Project supervisors design process. The duties of the project supervisor's construction stage, contractors and employees have also increased. For existing projects (i.e. those that have started before November 6th) the new construction regulations have a phase-in period of 18 months. This article aims to give you an overview of the new duties imposed on all those engaged in construction activity.

Client Duties

The client is the person/company who commissions or procures a construction project. The client must appoint a project supervisor for both the design (PSDP) and the construction (PSCS) of a project. The persons appointed must:

1. Be competent
2. Be appointed in writing
3. Confirm acceptance of their appointments in writing

The PSDS must be appointed at or before the beginning of the design process. The PSCS must be appointed before construction work commences. The clients must "reasonably" satisfy themselves that those appointed as PSDP, PSCS, designers and contractors have or will allocate adequate resources to perform their duties.

Note: The need to make these appointments does not arise where the work involves routine maintenance or cleaning or decoration work. However if the work involves particular risk, more than one contractor is involved or Regulation 10 applies, the client must then make the above appointments.



Regulation 10 states that if construction work is planned to last longer than 30 working days or is scheduled to exceed 500 person days the clients are required to notify the HSA with details of what is known about those appointed as project supervisors.

There is also no requirement for a PSDP or a PSCS on private domestic dwellings. However, if an employer were to commission the work on the home of an employee working at home (e.g. a tele-worker), it could apply.

The Client must keep safety files available and when disposing of a structure deliver the safety file to the person acquiring it (as per the old regulations). They must also co-operate with the PSDP and PSCS in relation to the time required for completion of the project. Clients are required to provide a copy of the safety and health plan to every person being considered or tendering for the role of PSCS.

The PSDP & Designer Duties

You may be familiar with the term PSDS (Project Supervisor Design Stage) from the Construction Regulations 2001. This term has now been replaced by the PSDP (Project Supervisor Design Process). The role is regarded as a development of the role of the project supervisor design stage.

The PSDP is now required to “organise co-operation” amongst designers. This is stronger than the old duty to “co-ordinate”. The PSDP can appoint a competent person as health and safety coordinator to assist in taking account of the general principles of prevention and the estimation of time in relation to completing a project.

The PSDP must prepare a Safety and Health Plan at the design stage of a project. This plan must take account of the location of electricity, water and sewage connections and to facilitate adequate welfare facilities is specified. The plan must be prepared in time to provide it to every person being considered or tendering for the role of PSCS. The PSDP must keep a copy of the safety and health plan for a period of five years after its preparation. The PSDP are now also responsible for the preparation of the safety file, containing relevant health and safety information, to be taken into account during construction work and on completion of the project deliver it to the client.



The PSDP may issue directions to designers, contractors and others, which will enable the PSDP to comply with the duties imposed by the regulations. They may also notify the HSA if he/she concludes the directions are not being carried out.

If the designer is not aware of the appointment of a PSDS, the designer is required to inform the client of his/her duties under regulation 6: in particular to appoint a PSDP.

The PSCS Duties

The PSCS is responsible for monitoring co-ordination and co-operation on site during the construction of a project. They too are required to keep records and documents for five years from the date of their preparation. In relation to vehicles the PSCS should; ensure safe and suitable access and that traffic and pedestrian routes are organised

They can also appoint a competent person as health and safety coordinator to assist in relation to the health and safety plan, welfare facilities and monitoring the implementation of arrangements. If normally there are more than 100 people engaged in construction work on a construction site at any one time the PSCS must appoint in writing a full-time competent safety adviser. The role of the Safety Advisor is:

- To advise as to compliance with statutory requirements
- Exercise general supervision of the requirements
- Promote safe conduct of work and to communicate with the Employees and Safety Representative

The PSCS may issue directions to designers, contractors and others, which will enable the PSCS to comply with the duties imposed by the regulations. They too may notify the HSA if he/she concludes the directions are not being carried.



Contractors Duties

In general terms contractors are required to provide copies of reports of accidents or dangerous occurrences to the PSCS. **They** must promptly provide the PSCS, in writing, with all relevant information necessary to prepare the safety file, comply with directions given by either the PSDP or the PSCS **and also** comply with any rules in the safety and health plan.

With regard to the contractors employees the contractors must bring to their employees' attention any rules applicable to them in the safety and health plan. It is their duty to ensure that its employees comply with the site rules.

Site Employee Duties

Site employees must comply with these new regulations as well as all site rules e.g. to make proper use of any safety helmet, harness or any other PPE provided. They must co-operate with site management and report without unreasonable delay any defects on site.

All site employees must show relevant registration cards, e.g. Safe Pass, CSCS when requested by the person's employer or the PSCS.

They shall not, in applying for a registration card or certificate, make a statement which the person applying knows to be false, or forge or alter a registration card/training certificate.

New Construction Skills Cards + Safe Pass Requirements

Construction Skills Certification cards will be required 18 months after Nov 6th for 5 new tasks:

- Mobile Tower scaffold
- Mini-digger operation
- Signing, lighting and guarding on public roads
- Locating under-ground services
- Shot-firing



General construction workers, craft workers and security personnel are required to hold a Safe Pass Card. Other cards must be FAS approved e.g. UK cards.

Summary

Designers must inform clients of the requirement for a PSDP Clients and Project Supervisors must co-operate on the provision of information. Safety Advisers must be appointed where there are more 100 people on site. Contractors must ensure that the work on site is properly coordinated and carried out in a safe manner. Good Management of Construction projects is essential to prevent workplace accidents on site as early decisions will save lives.