HEALTH AND SAFETY AUTHORITY

Summary of Key Duties under the Procurement, Design and Site Management Requirements of the Safety Health and Welfare at Work (Construction) Regulations, 2006

This leaflet sets out the key duties of clients, designers, project supervisors and contractors under the Design and Manage-ment sections of the Construction Regulations. It is not a legal interpretation, the regulations set out the specific legal requirements.

The Safety Health and Welfare at Work (Construction) Regulations, 2006 apply to you if you are a client having construction work done, a designer preparing plans and specifications or you are a contractor or employer whose employees carry out or manage construction work.

The definition of construction work is wide and includes building work and any associated preparation, cleaning and maintenance or the commissioning, maintenance and repair of energy and communications systems.

Good Planning

The construction sector includes a wide range of activities and hazards and good management of construction projects is essential to prevent workplace accidents.

The hazards most associated with fatalities in construction include: falls from a height, site vehicles, falling or collapsing material (including trench accidents) and contact with overhead electricity lines. Young people and new entrants into the Irish construction industry are at higher risk.

Workers in the construction sector suffer from a high rate of injury; the types of injury include manual handling, slip and trips, falling or collapsing material and falls from a height.

Investigation of Construction sector fatalities has shown that head office factors such as procurement, design, management commitment and resources were associated with a quarter of fatalities. Site management failures were associated with half of fatalities and workers taking risks were associated with a further quarter.

You will prevent death and injury on your project and comply with the law by requiring that the construction process, from procurement to design and construction is planned, managed and co-ordinated to prevent injury.

Client Duties

The Authority's experience is that where clients take a pro-active approach to safety the overall standard of safety on site increases greatly.

You are a client if you are a person (including a company) for whom construction work is being carried out for the purpose of a trade or business or other undertaking.

As a client you must, for every project:

- Appoint, in writing before design work starts, a project supervisor for the design process (PSDP) who has adequate training, knowledge, experience and resources
- Appoint, in writing before construction begins, a project supervisor for the construction stage (PSCS) who has adequate training, knowledge, experience and resources
- Be satisfied that each designer and contractor appointed has adequate training, knowledge, experience and resources for the work to be performed
- Co-operate with the project supervisor and supply necessary information
- Retain and make available the Safety File for the completed structure. The Safety File contains information on the completed structure that will be required for future maintenance or renovation
- Provide a copy of the safety and health plan prepared by the PSDP to every person tendering for the project. The Safety Plan documents how health and safety on the project will be managed up to project completion
- Notify the Authority of the appointment of the PSDP where construction is likely to take more than 500 person days or 30 working days

These duties do not apply to you if

- you commission or procure a project in relation to your domestic dwelling and
- The project is not for the purpose of a trade business or other undertaking.

Project supervisors do not have to be appointed for routine maintenance work such as cleaning, decorating and repair, so long as the work does not involve a particular risk, there is only one contractor and the work will not last more than 30 days or 500 person days

Designer Duties

You are a designer if you are engaged in preparing drawings, particulars, specifications, calculations and bills of quantities in relation to a project.

As a designer you must:

- Identify any hazards that your design may present during construction and subsequent maintenance
- Where possible, eliminate the hazards or reduce the risk e.g. can roof-mounted equipment be placed at ground level or can guard-rails be provided to protect workers from falling?
- Communicate necessary control measures, design assumptions or remaining risks to the PSDP so they can be dealt with in the Safety and Health Plan
- Co-operate with other designers and the PSDP or PSCS

  Take account of any existing safety and health plan or safety file
- Comply with directions issued by the PSDP or PSCS
- Where no PSDP has been appointed, inform the client that a PSDP must be appointed

The Safety Health and Welfare at Work Act 2005 requires designers to ensure that the project is capable of being constructed to be safe, can be maintained safely and complies with all relevant health and safety legislation.

Project Supervisor for the Design Process (PSDP) Duties

A competent PSDP must be appointed, in writing, by the client for each project. In many cases the PSDP is a designer who has the necessary competence to fulfil the role of PSDP

As the PSDP your key role is to ensure co-ordination of the work of designers throughout the project.

As a PSDP you must:

- Identify hazards arising from the design or from the technical, organisational, planning or time related aspects of the project
- Where possible, eliminate the hazards or reduce the risk
- Communicate necessary control measure, design assumptions or remaining risks to the PSCS so they can be dealt with in the Safety and Health Plan
- Ensure that the work of designers is coordinated to ensure safety
- Organise co-operation between designers
- Prepare a written safety and health plan for any project where construction will take more than 500 person days or 30 working days or there is a Particular Risk and deliver it to the client prior to tender.
- Prepare a safety file for the completed structure and give it to the client
- Notify the Authority and client of non-compliance with any written directions issued

The PSDP may issue directions to designers or contractors or others.

Project Supervisor Construction Stage (PSCS) Duties

A competent PSCS must be appointed, in writing, by the client for each project. In many cases the PSCS is a contractor who has the necessary competence to fulfil the role of PSCS

As the PSCS your key role is the coordination of the construction of the project.

As a PSCS you must:

- Co-ordinate the identification of hazards, the elimination of the hazards or the reduction of risks during construction

- Develop the Safety and Health Plan initially prepared by the PSDP before construction commences
- Co-ordinate the implementation of the construction regulations by contractors
- Organise cooperation between contractors and the provision of information
- Co-ordinate the reporting of accidents to the Authority
- Notify the Authority before construction commences where construction is likely to take more than 500 person days or 30 working days
- Provide information to the site safety representative
- Co-ordinate the checking of safe working procedures
- Coordinate measures to restrict entry on to the site
- Co-ordinate the provision and maintenance of welfare facilities
- Co-ordinate arrangements to ensure that craft, general construction workers and security workers have a Safety Awareness card, e.g. Safe Pass and a Construction Skills card where required
- Co-ordinate the appointment of a site safety representative where there are more than 20 persons on site
- Appoint a safety adviser where there are more than 100 on site
- Provide all necessary safety file information to the PSDP
- Monitor the compliance of contractors and others and take corrective action where necessary.
- Notify the Authority and the client of non-compliance with any written directions issued

The PSCS may issue directions to designers or contractors.

Duties of Contractors

You are a contractor if you are an employer whose employees carry out or manage construction work. Local Authorities, manufacturers and self employed persons may also be "contractors" under these regulations.

The contractor has significant duties relating to a wide range of issues. Some of these duties are summarised below.

As a contractor you must:

- Co-operate with the PSCS
  Provide a copy of your safety statement and relevant information to the PSCS
- Promptly provide the PSCS with information required for the safety file
- Comply with directions of Project Supervisors
- Report accidents to the Authority and to the PSCS where an employee can not perform their normal work for more than 3 days
- Comply with site rules and the safety and health plan and ensure that your employees comply
- Identify hazards, eliminate the hazards or reduce risks during construction
- Facilitate the Site Safety Representative
- Ensure that relevant workers have a safety awareness card and a construction skills card where required
- Provide workers with site specific induction
- Appoint a safety officer where there are more than 20 on site or 30 employed
- Consult workers and Safety Representatives
- Monitor compliance and take corrective action

The construction regulations impose a substantial number of other contractor duties, including a number of new duties:

- Safety at road works
- Explosives

Transitional arrangements of between six and eighteen months apply to the following new duties

- New construction skills card requirements for road workers, mobile erection of mobile tower scaffold, mini-digger operation , self erecting tower crane operation and shot firing
- Reversing aids and rear visibility for construction plant.

Further Information

Authority publications and the Regulations are available at www.hsa.ie

The *"Guidelines on the Procurement, Design and Management Requirements of the Safety Health and Welfare at Work (Construction) Regulations 2006"* provides more detailed guidance on each of the topics dealt with above.

The Authority's "*Safe System of Work Plan*" publications provide detailed information on construction hazards in a simple to use format.

Legislation

Relevant legislation includes:

- Safety Health and Welfare at Work Act 2005
- Safety Health and Welfare at Work (General Application) Regulations
- Safety Health and Welfare at Work (Construction) Regulations 2006
- Safety Health and Welfare at Work (Work at Height) Regulations 2006

There are other Regulations, including those dealing with asbestos, noise, vibration and chemical agents. Details on these is available at www.hsa.ie

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