



EAST RIDING

OF YORKSHIRE COUNCIL

Construction
(Design and Management)
Safety Guidance Document

Lead Directorate and Service:	Corporate Resources - Human Resources, Safety Services
Effective Date:	April 2011
Contact Officer/Number	Garry Smith/ 01482 391110
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1. Background

This safety guidance document on “construction, design and management” (CDM) provides information on managing work activities where the nature and extent of such activities require the application of the Construction (Design and Management) Regulations.

The council has legal duties under the Construction (Design and Management) Regulations when undertaking any construction or building work.

This safety guidance document has been produced to assist in understanding and complying with the Construction (Design and Management) Regulations.

East Riding of Yorkshire Council will support the principles of the Construction (Design and Management) Regulations so as to provide safe places of work throughout the life of any building or structure both during construction, occupation and demolition stages.

2. Foreword

In accordance with the council’s corporate safety policy, the council is committed to pursuing continual improvements in health and safety. This safety guidance document supports this commitment and forms part of the council’s health and safety management system.

3. Implementation

Directorates are responsible for the implementation of this safety guidance document, and communication of its content as appropriate.

This safety guidance document is available on the safety services intranet page and, where employees do not have access to the council’s intranet, via their line manager/headteacher.

The council relies on the co-operation of all employees, and trades unions for the successful implementation of this safety guidance document.

A review of this safety guidance document will be undertaken two years after its implementation, and where significant changes in legislation or working practices deem this appropriate.

4. Roles and Responsibilities

4.1 Directors and Heads of Service

Directors and heads of services are ultimately responsible and accountable to the chief executive for ensuring this safety guidance document is issued to their management team.

4.2 Managers and Headteachers

Managers and headteachers are responsible for achieving the objectives of this safety guidance document where relevant to their area of service delivery and are responsible for ensuring that:

- The information contained within this safety guidance document is implemented and complied with;
- Relevant information, instruction and training is provided to staff to enable them to understand the application of CDM where necessary;
- Duty holders (see point 5) are appointed and are competent to carry out their respective tasks as outlined within the regulations;
- Coordination and cooperation between the relevant duty holders is timely and effectively managed;
- Where CDM has been applied to new buildings and refurbishments, that ongoing maintenance is undertaken in accordance with the agreed safe methods of work detailed within the 'health and safety file'.

4.3 Employees

Employees must ensure they carry out assigned tasks and duties in accordance with information, instruction, training and agreed safe systems of work. Specifically they should ensure:

- This safety guidance document is complied with;
- They cooperate to enable their manager/headteacher to formulate and implement (where necessary) the requirements of CDM;
- Their own health and safety and that of others are not put at risk by their actions.

4.4 Safety Services

The primary function of safety services is to support the council and its employees by providing professional, authoritative, impartial advice on all aspects of health, safety and wellbeing. Where managers or headteachers require further assistance, safety services will advise on achieving compliance with this safety guidance document.

5. Arrangements

5.1 Application of CDM

The purpose of the Construction (Design and Management) Regulations is to integrate health and safety with project management and encourage everyone to work together to:

- Improve planning and project management from the very start;
- Identify hazards early so they can be eliminated or reduced at the planning and design stages, also ensuring that remaining risks can be properly managed;
- Target effort where it can do most good in terms of health and safety;
- Discourage unnecessary bureaucracy.

Health and safety is an integral part of project management that must be incorporated from the planning and design concept through to commissioning, completion and handover.

Time and thought invested at the start can not only improve health and safety but also; reduce costs throughout the life of the structure, reduce delays, improve the reliability of cost projections and completion dates, create better communications and cooperation between parties and improve product quality.

CDM places legal duties on virtually **everyone** involved in construction work. The regulations impose an obligation for construction to be designed and managed safely requiring minimum site standards with consultation and co-operation between certain defined roles.

These roles, themselves, have specific obligations in respect of their contribution to good health and safety management of each project.

Everyone controlling site work has health and safety responsibilities. Checking that working conditions are healthy and safe before work begins, and ensuring that the proposed work is not going to put others at risk, requires planning and organisation. This applies whatever the size of the site.

5.2 Duty Holders

Those with legal duties are commonly known as ‘duty holders’. The council can find itself filling any of the following roles, often more than one of them in any project. These roles are divided into client, designer, CDM coordinator, principal contractor and contractor.

If a school chooses to independently undertake work and where this work falls under the requirements of CDM, the headteacher and governing body may find they are required to fulfill these roles. Should they not be competent to undertake these roles, then they will be legally required to ensure that appropriate competent persons are appointed to fulfill these duties.

Note: Where work is planned to be undertaken independently by schools, approval must first be obtained from Asset Strategy by submitting a form **SH1** Self Help Application (Appendix 1). As part of this application the schools ability to demonstrate compliance with CDM will be assessed before approval to commence work is given.

Client

The client is anyone having construction or building work carried out as part of their business.

In respect of East Riding of Yorkshire Council the client under the regulations is ‘legally’ the council; more specifically the councils’ asset strategy team. However in practice it should be recognised that it is the end user of the facility being constructed who may fulfill an element of this role as it is their responsibility to manage all the residual risks that remain post

construction phase, and have a working knowledge of the building facilities to enable safe operation.

If a school, through their delegated budgets, chose to independently undertake work and where this work falls under the requirements of CDM, the headteacher would fulfill the role of the client. The client role may however shift in respect of foundation and voluntary aided (VA) schools as the governing body as the employer has overall responsibility for health and safety matters and may choose to appoint a member of the governing body or the school management team as the client.

The client has a big influence over how the work is done. Where potential health and safety risks are low, there is little you are required to do. Where they are higher you need to do more.

CDM is not about creating unnecessary and unhelpful processes and paperwork; it is about choosing a competent team and helping them to work safely and efficiently together.

Specific client responsibilities include:

For all construction projects

- Not appoint or engage a CDM coordinator, designer, principal contractor or contractor unless they have taken reasonable steps to ensure that the persons to be appointed or engaged are competent;
- Ensure there are suitable management arrangements for the project including welfare facilities;
- Allow sufficient time and resources for all stages;
- Provide pre-construction information to designers and contractors.

Additionally for notifiable projects

- Appoint CDM coordinator*;
- Appoint principal contractor*;
- In any period that either of the above roles have not been appointed, the client is deemed to be fulfilling that or both roles;
- Make sure that the construction phase does not start unless there are suitable welfare facilities and a construction phase plan is in place;
- Provide pre-construction information and information relating to the health and safety file to the CDM coordinator;
- Retain and provide access to the health and safety file.

***The CDM coordinator and principal contractor must remain appointed until the end of the contract.**

As a client you are more likely to get what you want if you make sure that those who design and build are competent have sufficient knowledge, skills, and resources and are appointed early enough so that the work can be carried out safely. This will ensure that the design of premises incorporates necessary features to keep end users, including those maintaining the premises safe.

It is vital that adequate time is allowed to undertake a project. A rushed project is likely to be unsafe and of poor quality. As the client you need to ensure enough time is allowed for the design, planning and construction work to be undertaken. The appointment of competent persons should ensure this is achieved.

You need to pass on key information to your construction team if they are to design and construct something that is safe to build, safe to use and safe to maintain. They will need the information about what you want, how you will use it. They need to know about the site and any existing structures, and any known hazards such as asbestos. This will help when planning and budgeting.

Communication and cooperation is vitally important throughout the life of the project. It is vitally important during the design stage that the client, designers and contractors talk early on about the issues affecting buildability, useability and maintainability of the finished structure. This will assist in eliminating unexpected costs and potential future injury because issues weren't properly considered when design changes could have been easily made.

Where the client is not necessarily the 'end user' (for example the client is asset strategy and the end user is a specific directorate service area), it is also vitally important that the 'end user' sits along side the client so that their views and knowledge can be considered.

Suitable contract management arrangements are key. Construction projects can be complex and involve many high risk activities. The work is much more likely to be done safely if suitable management arrangements exist through the life of the project.

Where projects last longer than 30 days or involve more than 500 person days of construction work, these are classed as 'notifiable construction work' and have to be notified to the Health and Safety Executive on a form F10. You then have to:-

- Appoint a CDM coordinator to advise and assist with your CDM duties;
- Appoint a principal contractor to plan, manage and coordinate the project;
- Ensure a health and safety plan is in place and the principal contractor produces a 'construction phase health and safety plan' outlining the key arrangements to ensure the work is carried out safely;
- At the end of the project; keep and maintain the health and safety file.

CDM coordinator

The 'CDM coordinator' has to be appointed to advise the client on projects that last more than 30 days or involve 500 person days of construction work (notifiable projects). The CDM coordinator's role is to advise the client on health and safety issues during the design and planning phases of construction work.

Specific responsibilities include:

For notifiable projects

- Advise and assist the client with his/her duties;
- Notify the HSE;

- Co-ordinate health and safety aspects of design work and co-operate with others involved with the project;
- Facilitate good communication between the client, designers and contractors;
- Liaise with the principal contractor regarding ongoing design;
- Identify, collect and pass on pre-construction information;
- Prepare/update the health and safety file.

Designer

The term 'designer' has a broad meaning and relates to the function performed, rather than the profession or job title. Designers are those who, as part of their work, prepare design drawings, specifications, bills of quantities and the specification of articles and substances. This could include architects, engineers and quantity surveyors.

Specific responsibilities include:

For all Construction Projects

- Eliminate hazards and reduce risks during design;
- Provide information about remaining risks.

Additionally for notifiable projects

- Check client is aware of duties and a CDM co-ordinator has been appointed;
- Provide any information needed for the health and safety file.

Principal contractor

A principal contractor has to be appointed for projects which last more than 30 days or involve 500 person days of construction work. The principal contractor's role is to plan, manage and co-ordinate health and safety while construction work is being undertaken. The principal contractor is usually the main or managing contractor for the work.

Specific responsibilities include:

For notifiable projects

- Plan, manage and monitor construction phase in liaison with contractor;
- Prepare, develop and implement a written plan and site rules (an initial plan must be completed before the construction phase begins);
- Give contractors relevant parts of the plan;
- Display a copy of the most up to date information notified to the HSE (F10);
- Make sure suitable welfare facilities are provided from the start and maintained throughout the construction phase;
- Check competence of all appointees;
- Ensure all workers have site inductions and any further information and training needed for the work;
- Consult with the workers;
- Liaise with CDM co-ordinator regarding the ongoing design;

- Secure the site.

Contractor

A contractor is a business who is involved in construction, alteration, maintenance or demolition work. This could involve building, civil engineering, mechanical, electrical, demolition and maintenance companies, partnerships and the self-employed.

Specific responsibilities include:

For all construction projects

- Plan, manage and monitor own work and that of workers;
- Check the competence of all their appointees and workers (Part 4 of the regulations);
- Train their own employees;
- Provide information to their workers;
- Ensure there are adequate welfare facilities for their workers.

For notifiable projects

- Check that the client is aware of their duties and that a CDM coordinator has been appointed and the HSE have been notified before starting work;
- Cooperate with principal contractor in planning and managing work, including reasonable directions and site rules;
- Provide details to the principal contractor of any contractor whom he engages in connection with carrying out the work;
- Provide any information needed for the health and safety file;
- Inform the principal contractor of problems with the plan;
- Inform the principal contractor of any reportable accidents, diseases and dangerous occurrences.

Workers

A worker is anyone who carries out work during the construction, alteration, maintenance or demolition of a building or structure. A worker could be, for example, a plumber, electrician, scaffolder, painter, decorator, steel erector, as well as those supervising the work, such as foreman and charge hands.

Specific responsibilities include:

For all construction projects

- Check and be mindful of their own competence;
- Cooperate with others and co-ordinate work so as to ensure the health and safety of construction workers and others who may be affected by the work;
- Report obvious risks.

5.3 Workplace design

If your project is for a new workplace or alterations to an existing workplace it must meet the requirements and minimum standards of the Workplace (Health, Safety & Welfare) Regulations. Ongoing consideration of the 'end user's' needs is also paramount to ensure the finished project meets the intended requirements.

Identifying hazards early on will ensure they can be eliminated or reduced at the design or planning stage and any remaining risks are properly managed. Anyone designing such projects should confirm these requirements have been met.

5.4 The health and safety file

At the end of any project the CDM coordinator will prepare and hand to the client a health and safety file. The file is a record of the useful health and safety information and will help the client/end user manage any health and safety risks arising out of any future maintenance, repair, construction or demolition work. The file needs to be:

- Kept in a safe place;
- Made available to anyone who needs to alter or maintain the building, and updated if circumstances change.

The health and safety file should contain the information needed to allow future construction work, cleaning, maintenance, alterations, refurbishment and demolition to be carried out safely. The information should alert those concerned to the risks and help them decide how to work safely. The file should be useful to building occupiers during occupation and clients, designers, CDM coordinators, contractors and principal contractors in future development of the structure. The format of the file should be agreed between the client and CDM coordinator at the start of the project. Building regulation compliance certificates, equipment manuals/information etc can all be included, provided that the health and safety information is easily identified and not lost or obscured in a complex document. The file should be prepared, reviewed, amended or added to as the project develops with appropriate content from all the duty holders under the regulations

The following list of contents is dictated by the regulations:

- Description of the work;
- Health and safety information about residual hazards that will require managing during the occupational life of the structure;
- Key structural principles used;
- Hazardous materials used;
- Information for future removal or dismantling;
- Health and safety information relating to equipment provided for cleaning or maintaining the structure;
- The nature, location and markings of significant services including underground services and fire fighting services;

- Information and as built drawings of the structure, its plant and equipment (eg means of safe access to and from service voids, fire doors and fire resisting elements of structure).

Other content that may be useful to the client and occupier could include:

- Site clearance certificates where the structure has been built upon contaminated land;
- Completion certificates;
- Building regulation compliance certificates;
- Operational manuals, instructions or details of and for the equipment and services provided or installed in, on or attached to the structure, such as;
 - Heating and mechanical ventilation;
 - Fire alarm and detection systems and notification;
 - Automatic fire fighting equipment;
 - Primary and secondary lighting systems;
 - IT services;
 - Public address or sound systems;
 - Lifting anchorages and lifting equipment;
 - Information about the distribution of electrical services, including drawings, equipment, voltages and certificates;
 - Gas services and appliances;
 - Services isolation points, meters and initial meter readings;
 - Water supplies, tanks, pipes etc including the identification of drinking water;
 - Hot water minimum and maximum temperature settings for the control of legionella and avoidance of scalds.

However, if this information could obscure crucial information about risks, then it should not be included in the health and safety file. Nevertheless, the information omitted in these circumstances is still required to enable safe management and operation of any workplace.

5.5 Storage of the health and safety file

To be useful the health and safety file must be kept up to date and retained for the life of the structure. It may be kept electronically (with suitable back up arrangements) or any other durable medium. If the client disposes of their interests in the structure, the file should be passed over to the new owners and ensure that they are made aware of the nature and purpose of the file. The relevant parts of the file must be transferred or made available to anyone who purchases or leases part of the structure respectively.

5.6 Hand over and pre-occupation training

Once a project has been completed and any defects have been highlighted, there should be a period of training where the occupiers, managers, supervisors and staff undergo training in how to operate the premises, including the various services and equipment therein.

It may even be necessary to phase occupation of the workplace, allowing the safe systems of work and emergency procedures to be developed, practiced and tested prior to full occupation. This is particularly so for workplaces that involves the admittance of large

numbers of people. There should also be a process in place and training given on how to raise any defects during the buildings retention period.

Appendix 1

SELF HELP APPLICATION FORM (REVISED MARCH 2011)

Please complete Sections A and B below and return to:

Environment & Neighbourhood Services

Infrastructure and Facilities

FAO Paul Kilvington, Building Facilities Manager

County Hall, Beverley

HU17 9BA

A

Applicant	
School Name
Address
Contact Person Tel.
E.Mail

B

Description of Proposed Works	
Estimated Total Cost of Work £	
Please ensure all relevant details are submitted with the application. See Self Help procedure for further details.	

C

Decision	
Approval Given Yes/No	
Reason for Refusal	
Signed	Date

On behalf of Infrastructures and Facilities

D

Completion Certificate

To be signed by the Applicant and returned to Infrastructures and Facilities on completion of the work.

Signed Date

Further copies of this form can be obtained from your Technical Assistant/Building Surveyor

Self Help Procedure (Revised March 2011)

Purpose.

- The purpose of the self help procedure is to ensure any work you may be undertaking is done in a safe manner and complies with any relevant legislation and the Council's financial regulations and the Councils Constitution.
- It also ensures that the value of the Council's building assets does not diminish and that the Department for Education space guidelines are not contravened, as this could jeopardise future funding allocations and bids.

Scope of application.

- The self-help procedure applies to all maintenance type work (except reactive maintenance) and any significant improvements or alterations to school premises.
- Any scheme involving structural alteration, alteration or addition to the gas, electrical or mechanical services or the disturbance/manipulation of asbestos will require an application.
- The only exceptions are reactive and cyclical maintenance work and some small scale planned maintenance schemes of a simple nature. If you are unsure whether the work you propose to undertake requires an application you must clarify it with Building Facilities before starting.
- Schemes being undertaken by Infrastructures and Facilities on the schools behalf will not require an application, as they will be deemed to meet this procedure.

Method of Application.

- All applications must be submitted on form **SH1** prior to the commencement of any works on site.
- In order to fully appraise your application and ensure a speedy response all relevant documents must be submitted with your application. The minimum requirements are listed overleaf
- There is no longer a charge for the submission or approval of self help schemes
- Application forms are available from Building Facilities as detailed below

Assessment procedure and time scale for approval.

- Fully complete form SH1 (Section A and B) and submit to Building Facilities together with all relevant details.
- Applications will be examined to ensure they meet the criteria detailed overleaf
- A decision will normally be made within 10 working days of submission.
- In the event of incomplete submissions it may not always be possible to determine your application within this time scale in which case we will advise you upon receipt of your application.
- Section C will be completed by Building Facilities and the form will be returned to the applicant.
- On completion of the works the applicant should sign the completion certificate (section D) and return the form to Building Facilities.
- In the event of approval being withheld you will be advised of the reasons.

Additional information

If you have any queries on the self-help procedure or require any further information please contact

Paul Kilvington - Building Facilities Manager

Infrastructures and Facilities
Environment & Neighbourhood Services
County Hall
Beverley
HU17 9BA
Telephone 01482 395936.

Other contacts

John Stevens	Principal Building Surveyor	01482 395943
Steve Taylor	Principal Building Surveyor	01482 395937
Richard Warnes	Principal Electrical Engineer	01482 395966
Dave Porter	Principal Mechanical Engineer	01482 395962
Garry Smith	Safety Manager	01482 391110

Self Help Procedure – General Requirements and Guidance

Planning Consent and Building Regulation Approval

Applicants must ensure that where necessary, Planning Consent and Building Regulation Approval is obtained prior to the commencement of works on site. Please note that this can take up to 12 weeks to process and applicants are responsible for the payment of all associated fees.

In the event of the work being of a non-notifiable nature a letter confirming this should be provided from the relevant body.

Certain works may not require a formal Building Regulation Application but may still impact upon the Workplace Regulations (For example where it may impact upon a Premises Licence). In these instances we require confirmation that the relevant regulations have been complied with.

Asbestos

Asbestos has been used in many products and may be present in the building and not identified. Confirmation is required that you have taken all reasonable steps to identify the presence of asbestos prior to the commencement of the works. This may involve the undertaking of an asbestos survey or sampling of suspect materials by a suitably qualified person. Your 'management' or 'old' type 2 asbestos surveys will not suffice for the purposes of refurbishment or demolition, a Demolition or Refurbishment survey will be required.

If it is known that the works are likely to disturb, or manipulate the asbestos in any way detailed proposals on how it will be dealt with will be required along with proof of contractor competency before work commences.

Additional advice can be obtained from Mr S Taylor on 01482 395937

Construction (Design and Management) Regulations 2007 (CDM 2007)

Everyone controlling site work has health and safety responsibilities. Checking that working conditions are healthy and safe before work begins, and ensuring that the proposed work is not going to put others at risk, requires planning and organisation. This applies whatever the size of the site.

The CDM 2007 Regulations apply to most common building, civil engineering and engineering construction work. Anyone having construction or building carried out has legal duties under the Construction (Design & Management) Regulations 2007, unless they are a domestic client.

There is a legal requirement for you to notify the HSE if the construction work is expected to either:

- last longer than 30 days; or
- involve more than 500 person days of construction work;

The HSE should be notified in writing before construction work starts and should use form F10 to make this notification. Your notification should be sent to the HSE office nearest to the proposed site.

Where a project is **Notifiable**; as the client you are also legally required to appoint a competent person to act as CDM Co-ordinator and produce a construction phase plan. In these instances we require evidence that this requirement has been met or that the work is outside the scope of the regulations. This is particularly important if there are any other projects likely to be undertaken on site at the same time. The value of the works is not a criteria for the application of CDM.

For further information on CDM please refer to the East Riding of Yorkshire Councils "Construction, Design & Management Safety Guidance Document" available via the council's intranet or to "Managing Health and Safety in Construction" (ISBN 9780717662234) available along with other helpful guidance on the HSE website:

<http://www.hse.gov.uk/construction/cdm.htm>

Electrical and Mechanical Services Installations

In order to ensure the continued safety of the gas, electrical and mechanical service installation and to ensure the cyclical engineering records for your property are updated it is essential that any project involving work to these services is covered by a self-help application. In order to assess your project the following documents will be required.

- At design stage - Drawings, specification & design calculations.
- Upon completion of the work - all relevant legislative certificates must be submitted & approved by Building Facilities before the installations are made live or utilised.

Professional Indemnity Insurance

If you are appointing an external consultant to oversee the work on your behalf we require a copy of their Professional Indemnity Insurance Certificate to confirm they hold sufficient Insurance cover.

- For schemes up to £250'000 in value cover of £250'000 is required.
- For schemes over £250'000 cover equal to the value of the scheme is required.

Compliance with the Council's Financial Regulations and the Councils Constitution.

You should ensure that competitive quotations have been obtained in accordance with the procedures detailed in the council's financial constitution for all projects.

Insurance

It is essential that the insurance section is notified of the intended works to determine any impact upon the level of insurance and /or premium to be paid. You should ensure that contractors to be used are on the councils approved list and where any hot work is required that the appropriate permits are issued and used. Failure to observe these requirements may render any insurance invalid.

Project Notification to Safety Services

All projects undertaken under the "Self Help" application must be notified to the Councils Safety Services Team for the purposes of contract monitoring using the attached form. This form should be received by safety services before the project commences and can either be:

Emailed to – safety.services@eastriding.gov.uk

Or

Posted to – Safety Services, Room BG14, County Hall, Cross Street, Beverley, East Yorkshire, HU17 9BA.

Self Help Scheme – Engineering Information Check List

In order to approve a self help scheme the following information will be required. If you would like any further information please speak to the relevant Principal Engineer

Mechanical Services

To approve the scheme the following information is required:

- (A) Before the Work is undertaken
 - (i) Design calculations to be submitted for all services to be altered, upgraded or modified.
 - (ii) Proposal installation drawings showing detail of changes or adaptation consistent with the design calculations, standards and compliance with DFEE Document 87- Guidelines for environmental design in schools.
 - (iii) Confirmation that existing utilities are adequate for proposals or changes to utilities will be implemented with the scheme.
- (B) After the Work is Complete
 - (i) Confirmation that all necessary test certificates and “as fitted” installation drawings will be issued on completion of the works.
 - (ii) Confirmation that all Health and Safety information along with operational and maintenance manuals will be issued on completion of works.

Please ensure that copies of the above information are inserted into the premises manual in your possession.

Electrical Services

To approve the scheme the following information is required:

- (A) Before the Work is undertaken
 - (i) Copies of relevant drawings
 - (ii) Copies of associated specification
 - (iii) Copies of design calculations
 - (iv) A working method statement regarding health and safety issues during installation
- (B) After the Work is Complete
 - (i) Copies of amended 'as fitted' drawings
 - (ii) Copies of amended schematic wiring diagrams
 - (iii) Copies of associated 'Electrical Installation Certificates'
 - (iv) Copies of updated distribution board circuit charts

Please ensure that copies of the above information are inserted into the electrical manual in your possession.

Safety Services “Self Help Scheme” Contract Monitoring Form

School Name, Address & Telephone Number	
Head Teacher Name and Contact Telephone Number(s)	
Name and Contact details of the Client	
Name , Address and Contact Details of Principal Contractor	
Site Contact (Contractors Site Manager) and Telephone Number	
Description of Works	
Duration of the Contract	
Start & End Dates	
Is the work 'Notifiable' to the HSE under the requirements of CDM?	Yes / No
If the work is work 'Notifiable' to the HSE under the requirements of CDM, please include the name and contact details of the appointed CDM Coordinator	

*This form must be completed and either emailed to safety.services@eastriding.gov.uk or posted to Safety Services, Room BG14, County Hall, Cross Street, Beverley, HU17 9BA before work commences at the school.