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Inspectors detect improvements in designer CDM performance

Health and Safety Executive (HSE) inspectors have found encouraging signs that designers in the construction industry are becoming aware of their responsibilities to design out health and safety risks as required by legislation.

During April 2004 HSE construction inspectors met designers and planning supervisors at 122 sites across Scotland and the North of England, focusing on falls from height. Designers had the opportunity to explain what they have done, during the design stage, to reduce the risks from work at height for workers on site during construction and those carrying out future maintenance as required by Regulation 13 of the Construction (Design & Management) Regulations 1994 (CDM).

1. Regulation 13 of CDM states:
".....(2) Every designer shall-

(a) ensure that any design he prepares and which he is aware will be used for the purposes of construction work includes among the design considerations adequate regard to the need-

(i) to avoid foreseeable risks to the health and safety of any person at work carrying out construction work or cleaning work in or on the structure at any time, or of any person who may be affected by the work of such a person at work,

(ii) to combat at source risks to the health and safety of any person at work carrying out construction work or cleaning work in or on the structure at any time, or of any person who may be affected by the work of such a person at work, and

(iii) to give priority to measures which will protect all persons at work who may carry out construction work or cleaning work at any time and all persons who may be affected by the work of such persons at work over measures which only protect each person carrying out such work;....."

Work at height continues to be the most significant cause of fatal accidents on construction sites in the UK, responsible for around 40% of all deaths.

Kevin Myers, HSE's Chief Inspector of Construction, said:
"The results of this latest initiative are a welcome sign that the awareness and good practice we know exists among some is beginning to percolate out into the wider design community. "Analysis of designer performance suggests a marked improvement in comparison with a similar initiative conducted in March 2003.

In particular, positive progress appears to have been made in relation to designers' knowledge of the law, training, and the practical steps that should be taken to reduce risks on site. "In the 2004 initiative HSE inspectors found that:

- 60% of those visited were judged to have adequate or good knowledge of their legal duties under CDM and other relevant legislation. This compares with 33% reported in 2003; and

Nearly 62% of designers had effectively succeeded in minimising the risks associated with work at height during construction and maintenance. This compares with 34% (construction) and 33% (maintenance) reported in 2003.

These figures, although representing significant progress since 2003, indicate that many designers are still falling short of the required standard. In particular the value and the quality of paperwork such as design risk assessments was found to be generally poor. During the 2004 initiative inspectors issued written advice to over 20 designers. A number of the problems highlighted in the 2003 initiative were again encountered by inspectors, some typical examples of poor practice being:

- The apparent reluctance to accept design responsibility for risk reduction; e.g. one designer identified 'work at height' as a hazard, and suggested 'Principal Contractor to provide suitable towers and access equipment' as a remedy.
- One architect assumed that safety netting could be used to prevent falls, but did not know whether their structure would be suitable for attaching the nets to.
- Poorly designed forms for recording design risk assessments; e.g. several inspectors commented on the use of generic assessments which failed to consider project-specific detail, and therefore did little to improve the safety of those on site.

The 2004 initiative also revealed that many designers feel constrained by the requirements of other agencies, such as planning authorities and conservation bodies. The report 'Designer Initiative 2004, HSE (Construction Division) Scotland, North West and Newcastle Offices' can be viewed on HSE's website at:

www.hse.gov.uk/construction/designers/report.pdf