

The Construction (Design and Management) Regulations 2015



CDM2015
PRINCIPLES IN PRACTICE

Industry guidance for **Contractors**

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Contents

1 Introduction.....	3
1.1 General introduction.....	3
1.2 Who is a contractor?	3
1.3 What is the contractor's role?.....	3
2 What do you have to do?	5
2.1 Manage your work.....	5
2.2 Co-operate with other duty holders	5
2.3 Consult with employees	5
2.4 Prepare the construction phase plan	6
2.5 Ensure welfare facilities are provided	6
2.6 Ensure a site induction is provided	7
2.7 Ensure the site is secure.....	7
2.8 Appoint contractors and workers.....	7
2.9 Provide the right supervision.....	8
3 What information do you need?.....	9
4 What information must you provide?	10
5 What could it look like in practice?	11
5.1 Before you start on site	11
5.2 While working on site	11
6 Advice for contractors working for domestic clients	13
Annex A: CDM duty holders and their roles summarised	14
Annex B: Pre-construction information	16
Annex C: Construction phase plan.....	17
Annex D: The health and safety file.....	18

1 Introduction

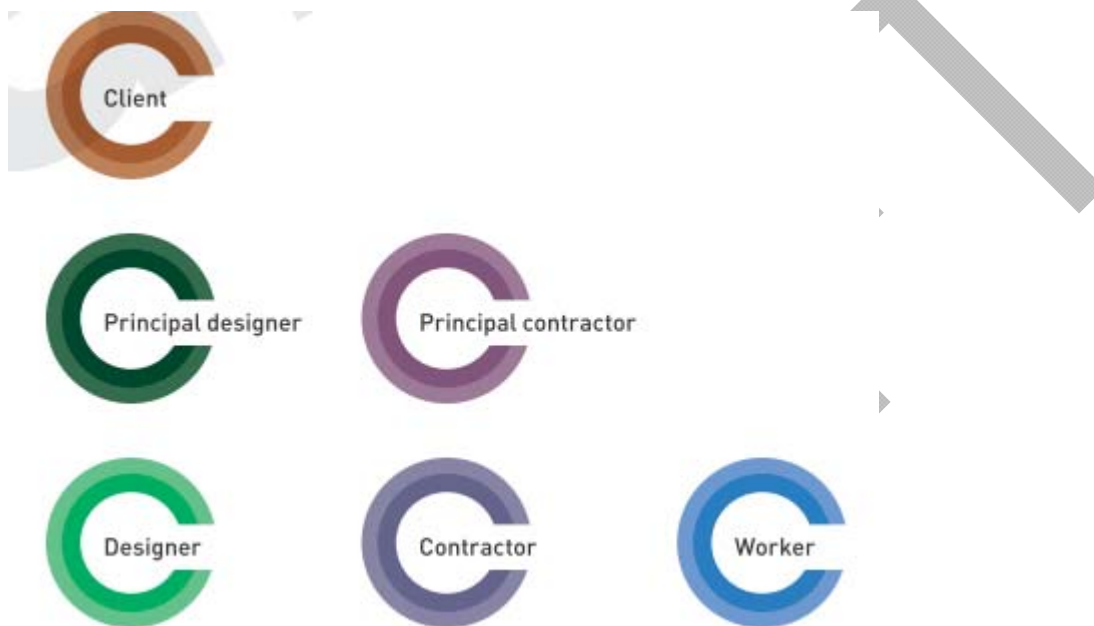
1.1 General introduction

The Construction (Design & Management) Regulations (CDM) are the main set of regulations for managing the health, safety and welfare of construction projects.

CDM applies to all building and construction work and includes new build, demolition, refurbishment, extensions, conversions, repair and maintenance.

This guide is based on sound industry practice and will help small businesses and organisations deliver building and construction projects in a way that prevents injury and ill-health.

There are six guides: one for each of the five duty holders under CDM and an additional one for workers. The six guides are:



These guides should help you better understand your role, and that of other duty holders, especially if you have more than one role under CDM.

The Health and Safety Executive (HSE) has produced the CDM L-series to offer further guidance. It is downloadable from the HSE website: www.hse.gov.uk

1.2 Who is a contractor?

A contractor may be an individual, a sole trader, a self-employed worker or a business who carries out, manages or controls construction work in connection with a business.

Anyone who directly engages construction workers or manages construction work is a contractor. This includes companies that use their own workforce to do construction work on their own premises.

The duties on contractors apply whether their workers are employees, self-employed or agency workers.

1.3 What is the contractor's role?

The main duty of a contractor is to plan and manage construction work under their control so that it is carried out in a way that controls risks to health and safety.

They have a range of other duties that depend on whether more than one contractor is involved in the project. If so, their duties entail co-ordinating their activities with others involved in the project team – in particular, complying with directions given to them by the principal designer or principal contractor.

If there is only one contractor for the work, they have responsibilities to prepare a construction phase plan and prevent unauthorised access to the site.

Where contractors are involved in design work, including for temporary works, they will have duties as designers.

A summary of all duty holders and their roles can be found in Annex A.

Pre-construction phase: the term used to describe the design and planning stage of a project (before construction or building work starts), although it is acknowledged design and planning can continue through and into the construction phase.

Construction phase: the term used to describe the project once construction or building work has started.

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2 What do you have to do?

You are required to manage health and safety of work under your control.

Those who actually do the construction work (that is, your employees and you) are most at risk of injury and ill health. You have a key role to play, in co-operating with the principal contractor and other contractors, and in planning and managing the work.

The term **manage** means you must plan, manage, monitor and co-ordinate your work so that health and safety risks are controlled.

The effort you devote to carrying out your duties should be in proportion to the size and complexity of the project and the range and nature of the health and safety risks involved.

2.1 Manage your work

You have a responsibility to ensure your workers and any contractors (including self-employed sub-contractors) you employ manage and control health and safety risks. To do this you will need to:

- address the client's requirements, any preconstruction information provided by the principal designer and relevant parts of the construction phase plan and any other requirements provided by the principal contractor when planning your work, for example this may be information about buried services.

Annex B pre-construction information and Annex C construction phase plan explains what this information could be, and will help you when planning the construction phase.)

- ensure those carrying out your work have the right skills, knowledge, training, experience and supervision
- ensure those carrying out your work have the right plant, tools, equipment, materials and personal protective equipment
- pass on relevant information and instructions to workers. This could be done by briefing workers and, for higher risk tasks, using a safety method statement which outlines the planned method, sequence and control measures
- ensure that your workers comply with the site rules
- if required, co-ordinate your work with those of other contractors and the principal contractor
- agree with the principal contractor the arrangements for exchanging information to allow you both and other contractors to manage health and safety
- ensure your workers receive a site induction
- allow workers sufficient time to prepare and carry out the work
- inform the principal contractor of any intention to sub-contract elements of your work.

2.2 Co-operate with the other duty holders

You have a key role to play in co-operating with the principal contractor and other contractors. Your work, or that of another contractor, could affect the health and safety of your workers and others so, to ensure that the risks are properly managed and controlled, you will need to co-operate with others.

All contractors (including utilities, specialist contractors, contractors nominated by the client and the self-employed) have a part to play in ensuring that the site is a safe place to work. The key to this is proper co-ordination of the work, underpinned by good communication and co-operation between all those involved.

2.3 Consult with employees

Workplaces where workers are involved in helping to make decisions about health and safety are safer and healthier. Collaboration with your workers helps you to manage health and safety in a practical way by:

- helping you to spot workplace risks
- making sure health and safety controls are practical
- increasing the level of commitment to working in a safe and healthy way.

You must consult all your employees, in good time, on health and safety matters. In workplaces where a trade union is recognised, this will be through union health and safety representatives. In non-unionised workplaces, you can consult either directly or through other elected representatives.

Consultation involves employers not only giving information to workers but also listening to them and taking account of what they say before making decisions affecting health and safety.

Issues you should consult workers on include:

- risks arising from their work
- risks arising from others work or the environment they are working in
- proposals to manage and/or control these risks
- the best ways of providing information and training.

For further information on your legal duties see the HSE leaflet *Consulting employees on health and safety: A brief guide to the law* (INDG232), which can be downloaded from www.hse.gov.uk/pubns/indg232.htm.

For further information and practical advice for contractors about worker involvement refer to the HSE's leadership and worker involvement toolkit (LWIT) at www.hse.gov.uk/construction/lwit

2.4 Prepare the construction phase plan

On a project with more than one contractor, developing the construction phase plan will be the responsibility of the principal contractor, and they should provide you with information within it that is relevant to your work.

However, if you are the only contractor on the project then you are responsible for drawing up a plan which describes how health and safety will be managed during the construction work.

The plan should be:

- proportionate to the size and nature of the work, and the risks involved
- workable and realistic
- sufficiently developed to allow work to start on site
- regularly reviewed and added to as new trades start.

It must be developed as soon as practical before setting up the construction site and starting the work. It should address early issues such as mobilisation, welfare, demolition and ground works. The client also has to ensure a construction phase plan is sufficiently drawn up before work starts.

The plan should not be cluttered with documents (such as generic risk assessments, records of how decisions were reached or detailed method statements) that get in the way of a clear understanding of what is needed to manage the construction phase.

Refer to Annex D for more information and suggested contents of the construction phase plan.

HSE has created a construction phase plan template for those working on domestic client projects and can be found in the 'Busy builder' section of the HSE construction website: www.hse.gov.uk/construction

2.5 Ensure welfare facilities are provided

If you are working on a project where you will be the only contractor you are responsible for ensuring welfare facilities are provided and that they are suitable and sufficient for the size and nature of the project. They must be available as soon as the work starts on site and remain until the end of the project.

On projects with more than one contractor welfare facilities will be the responsibility of the principal contractor.

You may be able to use existing facilities. If not, a mixture of both existing and new will need to be provided.

Welfare facilities include:

- lit and ventilated toilets (suitable for men and women)
- lit and ventilated washing facilities next to the toilets, including hot, cold or warm running water, soap or hand cleaner, towels or means of drying hands
- supply of drinking water and cups
- facilities for rest (tables and chairs)
- where required, changing rooms and lockers.

The facilities must be regularly cleaned and cater for the expected number of workers on site.

You should expect support from the client, who has a duty to provide sufficient resources to ensure the minimum welfare facilities requirements are met.

Further information on welfare facilities for fixed sites and transient sites can be found on HSE's website at <http://www.hse.gov.uk/construction/safetytopics/welfare.htm>.

2.6 Ensure a site induction is provided

If you are working on a project where you will be the only contractor then you will need to ensure a suitable site induction is provided to every site worker.

The induction should be site specific and cover the health and safety risks associated with the site and the controls required. The detail provided in the induction should be relevant to the size and scope of the project, and the level of risk involved.

The following induction topics should be considered:

- Senior management's commitment to health and safety.
- An outline of the project.
- Management of the site, for example who the site manager is.
- Site-specific health and safety risks, for example any requirement to work near overhead cables.
- Control measures on site, for example site rules, vehicle and pedestrian segregation, PPE, temporary electrics, and site restrictions such as delivery arrangements.
- First aid arrangements.
- Accident and incident reporting arrangements.
- Training details, for example provision of toolbox talks and task briefings.
- Arrangements for consulting the workforce on health and safety.
- Individual workers' responsibility for health and safety.

2.7 Ensure the site is secure

If you are working on a project where you will be the only contractor then you will need to take reasonable and proportionate steps to prevent unauthorised access to the site or work area and that your work will not put the public or others at risk.

For example, you will want to leave the site in a safe condition at the end of the day and ensure that any occupiers are not put at risk while your work is in progress. The occupier will need to know of, and co-operate with, your plans.

The site boundaries should be clearly marked out using suitable means. These will depend upon the size and nature of the project.

On a project with more than one contractor, securing the site will be the responsibility of the principal contractor. Close co-operation between the client, principal contractor and other contractors when working in occupied or shared premises will help achieve this objective.

2.8 Appoint contractors and workers

You must also ensure all contractors and workers on your site have the necessary skills, knowledge, training and experience for the work they are carrying out. Additional information, instruction, training and supervision will be needed to support those who are still developing their experience in order to become self-sufficient in safe and healthy construction practices.

Employing workers

When you employ or control people doing work for you, you must make sure that:

- they have the necessary skills, knowledge, training and experience to do the job safely and without putting their own or others' health and safety at risk
- they are properly supervised and given clear instructions
- they have the right tools, equipment, plant, materials and protective clothing
- you talk with them (or their representatives) about health and safety issues
- you make arrangements for employees' health surveillance where required.

If a person working under your control and direction is treated as self-employed for tax and national insurance purposes, they may nevertheless be your employee for health and safety purposes. Whether they are employed or self-employed, you need to take action to protect all people under your control.

Appointing contractors

When you appointing contractors or sub-contractors:

- check the health and safety capabilities of the people you plan to use
- give them the health and safety information they need for the work
- talk about the work with them before they start
- make sure that you have provided everything you agreed (for example safe scaffolds, the right plant, access to welfare facilities and so on)
- monitor their performance and remedy any shortcomings.

You can make specific enquires about basic health and safety capabilities in a number of ways.

- For **smaller jobs**, you could look for straightforward evidence that potential contractors are capable of carrying out the work, for example by requiring references from previous construction work, checking qualifications or training records or by asking them how they plan to carry out the work safely without risk to the health and safety of themselves or others.
- For more **complicated or higher risk jobs**, further enquiries will be needed. For example, the Public Available Specification PAS 91 provides a set of health and safety questions that can be asked by construction clients and those who appoint designers and contractors as part of the pre-qualification process for construction projects. The PAS is freely available through this link (once a simple registration has been completed):

<http://shop.bsigroup.com/forms/PASs/PAS-91-2013>

Only make enquiries for information that will address the anticipated risks and capability of the supplier – excessive or duplicated pre-qualification and other paperwork should be avoided because it can distract attention from the practical management of risks.

2.9 Provide the right supervision

You must ensure that those managing and supervising the work have the right blend of skills, knowledge, training and experience and that there is an adequate number of supervisors.

Whilst the supervision provided will need to reflect the level of risk associated with the work, the supervisor on the ground will need to be familiar with the type of work planned.

You should assess the degree of supervision you will need, taking account of the skills, knowledge, training, experience and likely behaviour of the workers.

3 What information do you need?

As the contractor, you should receive relevant information during your time on the project.

You should expect from the **principal contractor**:

- details of unusual or significant risks and sequence constraints
- specific risk controls and arrangements relating to relevant parts of the construction phase plan
- details of preparation and lead-in time
- appropriate site rules and a suitable site induction
- arrangements for reporting unsafe behaviours or conditions
- the procedures to be followed in the event of serious and imminent danger
- details of the use of shared welfare facilities
- adequate safety management and planning for the project.

You should expect from **workers**:

- compliance with risk controls and site rules
- constructive feedback on site practice
- evidence of training and experience relevant to the risks of the project
- the ability to stop work and report anything which might endanger themselves or others.

4 What information must you provide?

You should provide relevant information during your time on the project.

On projects with more than one contractor you must provide to the **principal contractor**:

- evidence of skills, training and experience relevant to the risks that the project exposes your workers to
- details of arrangements to ensure safe completion of own works
- requests to sub-contract elements of the work
- relevant information for the health and safety file
- evidence that you will provide appropriate supervision which takes into account the level of skills, knowledge, training and experience as well as the likely behaviour of the workers.

Where no principal contractor is appointed then you must also provide to **workers** and **sub-contractors** with:

- information, instruction and training as necessary
- opportunities for them to have an input into how the work should be carried out
- suitable and sufficient welfare facilities
- clear instructions in the event of serious and imminent danger.

On projects where you will be the only contractor then you must provide to your **workers**:

- details of unusual or significant risks and sequence constraints
- specific risk controls and arrangements relating to relevant parts of the construction phase plan
- appropriate site rules and a suitable site induction
- arrangements for reporting unsafe behaviours or conditions
- the procedures to be followed in the event of serious and imminent danger
- details on the use of welfare facilities
- adequate safety management and planning for the project.

5 What could it look like in practice?

The contractor must carry out defined duties to fulfil their role. Here are some suggestions of ways to adequately do this.

5.1 Before you start on site

Manage the risks to the safety or health of your workers and others nearby who could be affected by your work. You could do this in several ways.

- If you will be the only contractor on the project, check that the client is aware of their duties and whether they have any particular site rules or standards.
- Visit the site, check the access arrangements and consider the safest methods for your workers to carry out the work.
- Speak with the principal contractor to find out whether other work will take place at the same time as your work and agree how any interfaces with the other contractors will be managed.
- Ask the principal contractor whether there is any asbestos or other hazardous material on the part of the site you will be working on. If there is, or if there has been previously, then, in addition to any control measures concerning known asbestos, take steps to prevent unexpected exposure by arranging for your workforce to have asbestos awareness training prior to starting any intrusive work.
- Think about how long it will take you to organise your workers, and any plant and materials they will need, so you can estimate when you will be ready to start.
- Check your proposed workers' skills, knowledge, training and experience and arrange any retraining or refresher training where necessary.
- Assess the degree of information, instruction and supervision required, taking into account the training, experience, nature of the work and likely behaviour of your workers.
- Make arrangements to provide adequate supervision by those with appropriate training, experience and leadership qualities for the risks which the project is likely to involve.
- Check what welfare facilities the principal contractor is providing in case you need to organise anything else.
- Check whether any first aid provided by the principal contractor is available to you and whether it will be sufficient for the work you are undertaking, the workers you are using and the location in which you are working. If not, you must make additional arrangements.
- Inform the principal contractor if any of your workers have known health issues
- Communicate the method of work that the workers need to follow, particularly if the control measures are unusual or not obvious. Focus on the work activities where there is most risk of injury or ill-health.
- You may need to share your method of work with the principal contractor or other contractors so they can take it into account when planning and organising their work. One way of doing this is to record it in a method statement, risk assessment or task sheet.
- Arrange for your workers, plant and materials to arrive on site at the allocated time.

5.2 While working on site

Manage the risks to the safety and health of your workers and others who could be affected by your work. You can do this by:

- setting a personal example by always wearing the necessary PPE and by challenging any unsafe behaviour or practice and not ignoring it
- ensuring you and your workers receive site induction from the principal contractor. If there is no principal contractor then it is your responsibility to carry out the site induction
- providing instructions to your workers on what needs to be done and, importantly, how you intend the work to be done, in which order and with what equipment, especially when it involves working at height
- providing supervisors with the necessary skills, technical knowledge, training, experience and leadership qualities for the work
- briefing your workers on what is expected of them, and consider any suggestions from them on better ways of working
- ensuring your workers know what to do in the event of any likely emergency
- ensuring your workers are complying with the site rules and working in accordance with how you intend the work to be done

- liaising with the principal contractor and keeping them informed of any changes to your planned working method in case it has an impact on other plans
- liaising with other contractors and the principal contractor and co-operate over reasonable suggestions for reducing risks to health and safety on the site. These suggestions could arise as a result of engaging with the workers
- checking your plant and equipment and, when necessary, maintaining, repairing or replacing it
- providing information to the principal contractor about how to safely maintain, isolate, replace or dismantle what you've installed at the end of your time on site.

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6 Advice for contractors working for domestic clients

Domestic clients are people who have construction work carried out on their own home, or the home of a family member.

When working for a domestic client the duties of the contractor are the same as those whilst working for a commercial client.

Although CDM2015 applies to domestic clients, their duties as a client are normally transferred to either:

- the contractor on a single contractor project
- or
- the contractor they choose to appoint as the principal contractor on a projects with more than one contractor.

Where the domestic client does not appoint a principal contractor, the contractor in control of the work will be taken to be the principal contractor and take on the client duties.

The domestic client may, however, choose to appoint a principal designer and enter into a written agreement for the principal designer to carry out the client duties.

The duties of the client will depend on the scale and complexity of the project and the nature and severity of the risks to health and safety involved. These duties will include ensuring suitable arrangements are in place to manage risk, sufficient time is allowed and adequate welfare is provided. Where more than one contractor is involved, there is a requirement to co-operate with others involved to enable safe working.

As part of the HSE Busy Builder series of information sheets the HSE have produced a CDM 2105 Busy Builder sheet called 'What you need to know as a busy builder working for a domestic client'. It includes essential information to help to plan and organise the job, and work together with others involved to make sure that the work is carried out without risks to health and safety. It also contains a blank template to record the plan. It can be downloaded from <http://www.hse.gov.uk/construction/areyou/builder.htm>

Further details of the client's responsibilities are detailed in the *Industry guidance for clients* (CDM15/1).

Annex A

CDM duty holders and their roles summarised

CDM duty holders* – who are they?	Summary of role/main duties
Clients	
Organisations or individuals for whom a construction project is carried out.	<p>Make suitable arrangements for managing a project. This includes making sure that:</p> <ul style="list-style-type: none"> • other duty holders are appointed • sufficient time and resources are allocated. <p>Clients must also make sure that:</p> <ul style="list-style-type: none"> • relevant information is prepared and provided to other duty holders • the principal designer and principal contractor carry out their duties • welfare facilities are provided.
Domestic clients	
People who have construction work carried out on their own home, or the home of a family member, that is not done in furtherance of a business, whether for profit or not.	<p>Domestic clients are in scope of CDM 2015, but their duties as a client are normally transferred to:</p> <ul style="list-style-type: none"> • the contractor, on a single contractor project, or • the principal contractor, on a project involving more than one contractor. <p>However, the domestic client can choose to have a written agreement the principal designer to carry out the client duties.</p>
Principal designers**	
Designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role.	<p>Plan, manage, monitor and co-ordinate health and safety in the pre-construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • identifying, eliminating or controlling foreseeable risks • ensuring designers carry out their duties. <p>Prepare and provide relevant information to other duty holders.</p> <p>Liaise with the principal contractor to help in the planning, management, monitoring and co-ordination of the construction phase.</p>
Designers	
Those who, as part of a business, prepare or modify designs for a building, product or prepare or modify designs to system relating to construction work.	<p>When preparing or modifying designs, eliminate, reduce or control foreseeable risks that may arise during:</p> <ul style="list-style-type: none"> • construction • the maintenance and use of a building once it is built. <p>Provide information to other members of the project team to help them fulfil their duties.</p>
Principal contractors	
Contractors appointed by the client to co-ordinate the construction phase of a project where it involves more than one contractor.	<p>Plan, manage, monitor and co-ordinate the construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • liaising with the client and principal designer • preparing the construction phase plan • organising co-operation between contractors and co-ordinating their work. <p>Ensure that:</p> <ul style="list-style-type: none"> • suitable site inductions are provided • reasonable steps are taken to prevent unauthorised access • workers are consulted and engaged in securing their health and safety • welfare facilities are provided.

Contractors	
Those who do the actual construction work. They can be either an individual or a company.	<p>Plan, manage and monitor construction work under their control so that it is carried out without risks to health and safety.</p> <p>For projects involving more than one contractor, co-ordinate their activities with others in the project team – in particular, comply with directions given to them by the principal designer or principal contractor.</p> <p>For single-contractor projects, prepare a construction phase plan.</p>
Workers	
The people who work for or under the control of contractors on a construction site	<p>They must:</p> <ul style="list-style-type: none"> • be consulted about matters which affect their health, safety and welfare • take care of their own health and safety and that of others who may be affected by their actions • report anything they see which is likely to endanger either their own or others' health and safety • co-operate with their employer, fellow workers, contractors and other duty holders.

* Organisations or individuals can carry out the role of more than one duty holder, provided they have the skills, knowledge, experience and (if an organisation) the organisational capability necessary to carry out those roles in a way that secures health and safety.

** Principal designers replace the role undertaken by CDM co-ordinators under CDM 2007.

Annex B

Pre-construction information

What is pre-construction information?

1. Pre-construction information provides the health and safety information needed by:

- a. designers and contractors who are bidding for work on the project, or who have already been appointed, to enable them to carry out their duties
- b. principal designers and principal contractors in planning, managing, monitoring and co-ordinating the work of the project.

It also provides a basis for the preparation of the construction phase plan. Some material may also be relevant to the preparation of the health and safety file (see Annex C).

2. Pre-construction information is defined as information about the project that is already in the **client's possession or which is reasonably obtainable by or on behalf of the client**. The information must:

- a. be relevant to the particular project
- b. have an appropriate level of detail
- c. be proportionate, given the nature of the health and safety risks involved.

3. Pre-construction information should be gathered and added to as the design process progresses to reflect new information about the risks to health or safety and how they should be managed. Preliminary information gathered at the start of the project is unlikely to be sufficient.

4. When pre-construction information is complete it must include proportionate information about:

- a. the project, such as the client brief and key dates of the construction phase
- b. the planning and management of the project, such as the resources and time being allocated to each stage of the project and the arrangements to ensure there is co-operation between duty holders and that the work is co-ordinated
- c. the health or safety hazards of the site, including design and construction hazards and how they will be addressed
- d. any relevant information in an existing health and safety file.

5. The information should be in a convenient form and be clear, concise and easily understandable to allow other duty holders involved in the project to carry out their duties.

Annex C

Construction phase plan

The construction phase plan is a document that records how health and safety will be managed for the construction phase of a project.

It is the basis for communicating to all those involved in the construction phase of the project, so it should be easy to understand and as simple as possible.

In considering what information is included, the emphasis is that it:

- a. is relevant to the project
- b. has sufficient detail to clearly set out the arrangements, site rules and special measures needed to manage the construction phase, **but**
- c. is still proportionate to the scale and complexity of the project and the risks involved.

The plan should not be cluttered with documents (such as generic risk assessments, records of how decisions were reached or detailed method statements) that get in the way of a clear understanding of what is needed to manage the construction phase.

The following list of topics should be considered when drawing up the plan:

- a. A description of the project such as key dates and details of key members of the project team.
- b. The management of the work, including:
 - the health and safety aims for the project
 - the site rules
 - arrangements to ensure cooperation between project team members and coordination of their work e.g. regular site meetings
 - arrangements for involving workers
 - site induction
 - welfare facilities
 - fire and emergency procedures.
- c. The control of any of the specific site risks relevant to the work involved.

Annex D

The health and safety file

The health and safety file is defined as a file appropriate to the characteristics of the project, containing relevant health and safety information to be taken into account during any subsequent project. **The file is only required for projects involving more than one contractor.**

The file must contain information about the current project that is likely to be needed to ensure health and safety during any subsequent work such as maintenance, cleaning, refurbishment or demolition. When preparing the health and safety file, information on the following should be considered for inclusion:

- a. A brief description of the work carried out.
- b. Any hazards that have not been eliminated through the design and construction processes, and how they have been addressed (for example, surveys or other information concerning asbestos, contaminated land, water-bearing strata, buried services and so on).
- c. Key structural principles (for example, bracing or sources of substantial stored energy including pre- or post-tensioned members) and safe working loads for floors and roofs
- d. Hazardous materials used (for example, lead paints and special coatings).
- e. Information regarding the removal or dismantling of installed plant and equipment (for example, any special arrangements for lifting such equipment).
- f. Health and safety information about equipment provided for cleaning or maintaining the structure.
- g. The nature, location and markings of significant services, including underground cables, gas supply equipment and fire-fighting services.
- h. Information and as-built drawings of the building, its plant and equipment (for example, the means of safe access to and from service voids, and the position of fire doors).

There should be enough detail to allow the likely risks to be identified and addressed by those carrying out the work and be proportionate to those risks.

The file *should not* include things that will *not* help when planning future construction work, such as pre-construction information, the construction phase plan, construction phase risk assessments or contractual documents.