

Competency and resource: time to do better

Revised CDM Regulations are due to be published next year, 12 years after they originally came into force. Safety consultant **John Carpenter** reports on the current problems of assessing the competence and resources of duty holders, and suggests how this could be put right.

As part of its recent review of Britain's Construction (Design and Management) Regulations (CDM), the UK Health and Safety Executive (HSE) commissioned research¹ into the requirement for all 'duty holders' (contractor, designer, etc.) to be competent and have adequate resource.

Construction professionals generally agreed that the process for assessing CDM competence and resource has not been well handled under the current regulations, involving a significant quantity of wasted time and paperwork. There is an urgent need to inject some added value into the process.

This briefing describes the recommendations of the research work, which it is hoped will influence the revised regulations when they come into force early next year.



Construction professionals should find it simpler to demonstrate their competence and resources under the new CDM Regulations due out in spring 2007

Competency of organisations

The current CDM requirement to assess the competency of organisations engaged in construction projects has led to the proliferation of generic 'competency questionnaires' of dubious value. In addition, completing the paperwork is not only a repetitive process but the differing detail often required by different engagers prevents standard responses being employed.

The research recommended the use of a two-stage process.

- *Stage 1*—demonstration that the organisation meets the basic requirements of the Health and Safety at Work Act, denoted the 'core criteria'.
- *Stage 2*—submission of evidence to demonstrate the organisation has sufficient relevant experience of the work type and risks likely to be encountered.

This approach would allow a standard package of information to be prepared for stage 1, independent of specific projects and subject only to periodic review.

An organisation demonstrating satisfactory completion of stages 1 and 2 would be deemed basically competent for the purposes of CDM.

Competency of individuals

It is also necessary to determine the competency of individuals, specifically the three duty holders—contractor, designer and the new co-ordinator (due to replace the planning supervisor)—in the new regulations.

It was recommended that assessment of individual competency could be achieved via

- the Construction Skills Certification Scheme or equivalent card system for contractors
- membership of a design-related institution for designers
- membership of an approved register for co-ordinators.

In the case of the Institution of Civil Engineers (ICE), the strategy has already borne fruit. There are several improvements now in place or in hand, for example the new '3000 series' membership rules published in April 2006 and discussions on the validation of life-long learning.

The recommendation for an approved register of co-ordinators reflected the wide concern at the often-poor delivery of planning-supervisor services, the lack of knowledge of clients of this role and the essential need to ensure a minimum standard is attained.

It was recommended that ICE members wishing to take up the co-ordinator role should normally be chartered and hold an additional health-and-safety qualification, such as membership of the ICE health and safety register.

Resource

The research found that the resource aspect of the regulatory requirement has been almost entirely ignored, partly at least because few understood how to make an assessment. It is, however, an important aspect of ensuring due attention is paid to safety issues.

The research recommended that resource is defined as time employed and persons used, and that it is verified by

- the engaging party setting out clear indications of key time periods
- the party being engaged declaring, prior to engagement, its management structure.

Reference

- ¹ HEALTH AND SAFETY EXECUTIVE. *Guidelines for the selection of Designers and Contractors under the Construction (Design and Management) Regulations 1994*. HSE, London, 2006, HSE Research Report RR422.

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