

# Managing Services and Construction Projects Independently

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## Relevant Legislation

*The Management of Health and Safety at Work Regulations 1999*  
*Construction, Design and Management Regulations 2015 (CDM 2015)*  
*Schools Standards & Framework Act 1998*

## Introduction

The information detailed below has been produced following extensive consultation.

Legislation has evolved to give schools far more responsibility for controlling budgets than has been the case in the past.

The County Council offers a range of services to schools under Service Level Agreements. However, schools are free to select comparable services from providers outside the County Council or, indeed, they can manage services themselves.

**This section outlines a safety protocol for schools that wish to opt-out of services previously provided by the Council (usually Local Services). Sections J1 and J2 of the Health and Safety Policy Manual provide guidance on managing contractors and should be read in conjunction with this section.**

Case law has determined that legal duties cannot be delegated by contract. Health and safety management of any services requires considerable time and effort on the part of the school management team and can impact significantly on available resources. For example, current legislation requires a substantial amount of documentation to demonstrate that adequate attention has been paid to health and safety when carrying out high-risk activities. In all cases, a focus on management processes and accountability is required and school duty holders must be competent to manage the services or contracts in question. Adequate health and safety arrangements must be in evidence, such as operational procedures, training and risk assessments.

The guidance in this section is split into two sections. The first applies to services provided by an independent contractor. The second applies where members of the school staff undertake delivery of services. A distinction is drawn because employers owe differing responsibilities in law in respect of staff and contractors.

In order to provide further clarification the protocols have been divided into a number of service areas, relating to the management of buildings and a variety of school support functions. Compliance with these protocols should allow all schools to make informed decisions about the provision of services, as well as ensuring legal compliance. Whilst acknowledging that different arrangements apply in aided schools, foundation schools and academies with respect to some building

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management issues (see page 3), compliance with these protocols should allow all schools to discharge their legal responsibilities.

The protocols establish a mechanism by which information can be provided to the County Council. This enables the Local Authority to discharge its duty to monitor safety standards in schools where it is the employer or the insured. In some cases it also enables the asset management plans to be updated.

Schools should consider the implications of the principles embodied in this policy when existing contracts are renewed or replaced. Additionally, they should consider the adequacy of the existing health and safety arrangements in place for employees, such as caretakers, who have been brought within the auspices of the school's direct management.

The Corporate Health and Safety Team can advise schools on the implementation of the protocols in this document. The Team is also able to offer advice on how schools can best evaluate the competence of the contractor and the implementation of safe systems of work.

Schools should bear in mind that local management of services will generate a significant workload for the member of staff in school who has been delegated this role.

## Part 1 - The Maintenance, Repair and Development of School Premises

### *Background*

Property Services offer the following services to schools:

- A statutory maintenance, inspection and testing service
- A reactive repair and planned maintenance service
- An insurance fund which schools can buy into
- A Design and Project Management Service

There are two types of construction works that are undertaken in schools, as follows:

**Major Works** - these include significant refurbishment, maintenance work or any design and build project.

**Minor Works** - these include small-scale projects, for example commissioning a contractor to replace lighting in a school hall over a couple of days, or having a small section of roof repair work carried out.

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Since all construction work falls within the scope of the CDM 2015, it is essential that colleagues consult section J1 of this policy, where the requirements of that legislation are expounded.

Where schools decide not to procure services through the Council and, instead, commission work themselves they become solely responsible for planning the safety of the work which they commission. The school must also vet its own contractors (see information below) and, most importantly, ensure that their arrangements do not compromise the safety of staff, pupils, contractors or the general public.

Commissioning construction work and managing contractors are not traditional roles for governors or Headteachers. In fact, it is often necessary to possess extensive experience and knowledge when agreeing safe systems of work with contractors. Some activities involve high risks, for example, the removal of asbestos, working at height or working in proximity to underground services. Before assigning the role of commissioning manager for construction works to a particular member of staff, schools should closely and carefully consider the competency requirements.

## ***Protocol for Commissioning Construction Projects Independently***

Before initiating any work on-site that involves construction (for example designing, building, significant maintenance or engineering alterations to schools) Headteachers must obtain written permission from Property Services by submitting Form N1 (2015). All the relevant information (drawings, specification and calculations) need to be included. The one exception to this requirement is in the case of voluntary aided schools, where the Diocese is commissioning the work through a consultant. In these instances the Diocese will pass information to Property Services to enable the AMP to be updated, such as 'as fitted' drawings.

Form N1 is only required if Property Services will not be involved in commissioning the work. When the form is completed it should be signed by the Head and Chair of Governors and then sent to Property Services. If schools wish Property Services to commission the work they should write to the N1 Team and request the service which they require.

Upon receipt of the N1 form, Property Services will review the proposed scheme and respond within 10 working days. The response will highlight, in general terms, the conditions that need to be met. If additional information or further action is required before work can proceed then this will be indicated within the same timescale.

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## *Selection and Appointment of Competent Contractors*

Before submitting the Form N1 Headteachers will either:

- appoint a contractor used by Property Services; or
- carry out a suitable assessment to verify the competence of the contractor as part of the appointment process. Depending on the nature of the work, it may be necessary to ensure that the contractor has designer's liability.

In all cases the contractor's details must be included on the Form N1 (2015).

## **Project Management**

The approval for works to proceed will be given provided that all applicable safety precautions set out in the guidance notes accompanying the Approval Letter have been met. Property Services may also specify additional measures that need to be implemented based upon the information given in Form N1 (2015). The nature of these specifications will depend upon the type of work to be completed and the levels of risk associated with it.

It will be the school's responsibility to ensure that the Principal Contractor produces a proportionate Construction Phase Safety Plan for the project in question. In preparing this document it is also incumbent on the client to provide the necessary pre-construction information that is held, such as the school's asbestos management report and any utilities drawings. If Heads wish to discuss CDM or HSC1 procedures they can contact the Corporate Health and Safety Team.

The school should then proceed paying due regard to the advice given in section J2. It should be noted that the time spent planning work should be commensurate with the level of risk associated with the project.

## *Monitoring Standards of Work Procured Directly by Schools*

Where the County Council is the employer, Property Services will carry out a monitoring programme to ensure that alternative school arrangements are adequate, and will also audit works carried out by schools independently. On completion of independently commissioned works the Headteacher should notify Property Services and forward any certificates to them, as requested by the N1 (2015) response letter.

## **Statutory Maintenance, Inspection and Testing**

Schools opting out of the Statutory Maintenance, Inspection and Testing SLA should take particular care to ensure that alternative arrangements are adequate. This service is carried out by numerous, specialist contractors and much of the work undertaken is a direct legal requirement.

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Under local management of schools (LMS) arrangements the Headteacher is deemed to be the duty holder, though some roles may be delegated to other members of the school staff. The term duty holder has a legal status, which confers specific duties associated with property-related statutory requirements. It is incumbent upon governing bodies and Local Authorities to ensure that duty holders are competent to undertake this role. This does not mean that Headteachers need to be technical experts; it may simply mean that they need access to appropriate technical advice.

In all cases, the level of competency required is proportionate to the circumstance in question. For example, if services are procured through Property Services or an expert facilities management company, the school will have direct access to advice from engineers and other technical experts. In these circumstances, school staff may only require rudimentary awareness training. Alternatively, if the school's arrangements require school staff to receive and analyse technical reports, then this would require a much higher level of competency.

### ***Improvement Notice***

Under Section 15 of the Schools Standards & Framework Act 1998 the Director of Schools or authorised officer may issue Headteachers with an Improvement Notice where it is evident that significant breaches of health and safety legislation and/or Building Regulations have occurred. This requires remedial action to be taken within a reasonable period of time.

### ***Improvement Notices will only be issued where:***

- The Local Authority is convinced that the safety of pupils and staff within the school is compromised; and
- The Council has informed the governing body and Headteacher of the matters on which that conclusion is based; and where
- The matters have not been remedied to the Council's satisfaction within a reasonable period of time.

Where remedial measures are not initiated within a specified period, the Director of Children's Services/Schools will authorise Property Services to undertake the necessary work. The cost of this work will be charged against the school's delegated budget.

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### Part 2 - 'Soft' Facilities and Other Support Services

#### *Background*

A number of services which are not related to construction are necessary in schools. These include computer services, catering, caretaking and cleaning. The protocols described below apply to all support services, including those not offered by the County Council. If schools are considering managing services locally and these have not been included in the protocols then the Corporate Health and Safety Team should be contacted for advice.

It should be borne in mind that where schools opt to purchase services from the County Council under a service level agreement (SLA) they also purchase the associated infrastructure that supports the health and safety management arrangements.

If the school decides to manage these services locally, then the provision of a safe service is a very important factor in the decision making process. If provision for the health and safety of staff (and others who may be affected) is not adequate, the Director of Schools may commission the outstanding work to be completed to a satisfactory standard. The cost will be charged against the school's delegated budget in accordance with 'Northumberland County Council's Scheme for the Financing of Schools'.

## Managing an Independent Contractor

#### *The Procurement Process*

Schools should note that there are many areas to consider in the procurement process. This section focuses upon the health and safety considerations. Schools should contact the Council's Procurement Team for general advice about this subject.

#### *Selection and Appointment of Competent Contractors*

The school should carry out a vetting exercise to determine the competence of contractors. Further information is given in section J2. Alternatively, it is possible to commission the Procurement Team (as above) to complete the Contract Management Plan (CMP), devise a specification, produce a contract and vet contractors. An example of this form is reproduced below.

#### *Contract Management*

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The Head, as duty holder, should nominate a member of staff at the school should be made responsible for managing and monitoring the contract. This person should be suitably experienced and trained to undertake the role.

### *Monitoring Standards of Work*

The school should set up a system for monitoring the contract from the outset and this should be written into the specifications and contract conditions.

Auditing the systems which schools have in place for managing and monitoring the independent contractor will be carried out by the Corporate Health and Safety Team on behalf of the Director of Schools. This will be done periodically or during health and safety inspections.

### *Protocol*

When a Headteacher is intending to let a contract to an independent service provider the CMP should be completed (see Appendix 1).

All relevant documentation should be sent to the Corporate Health and Safety Team for evaluation. The CMP has been developed to remind schools about health and safety in the tendering process.

The County Council will carry out an evaluation of the CMP within 20 working days of receipt. The Corporate Health and Safety Team will usually undertake this task, except in the case of construction-related services, which the N1 Officer in Property Services will monitor. If the safety elements have not been sufficiently considered then the school would be advised not to proceed until satisfactory arrangements are in place. The Corporate Health and Safety Team will offer advice relating to those actions that the school would need to take to protect its interests and to proceed with the procurement process.

## Managing Services In-house

### *Staff selection*

When selecting and managing staff it is essential that health and safety are prime considerations. From April 2015 schools have assumed the direct management of staff who were hitherto managed by Facilities Services, principally delivering the commercial catering, caretaking and cleaning functions. However, an SLA is on offer, which should enable schools to fulfil many of the employer's duties, such as producing operational procedures or risk assessments, as well as providing suitable training for staff.

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## *Managing Support Staff Safely*

The relationship between members of staff and the school's management team is much closer than would be the case with an independent contractor. In effect, the school must gear itself up as a specialist in whatever function it intends to take on. It should be remembered that, where the County Council is offering an SLA to facilitate the delivery of the employer's duties, this central supporting framework will not be available if a school elects not to buy into the service. It is, therefore, necessary for schools that opt out to develop their own health and safety systems. If this does not occur there is a risk of accidents or other adverse events which are likely to constitute a breach of statutory duty.

## *Monitoring*

The school should devise a suitable system which will allow it to monitor the safety of the work undertaken by all workers, including non-teaching employees. Again, SLAs are available from the Council at relatively low cost to enable monitoring to be carried out by a specialist officer so that compliance can be verified.

## *Protocol*

When a Headteacher is considering managing a non-teaching service the 'Service Management Plan' (SMP) should be consulted and relevant documentation sent to the Corporate Health and Safety Team for evaluation (see Appendix 2). The SMP has been developed to assist Headteachers when they are considering managing their own services. The appropriate plan should be used for whichever service is being considered.

The Corporate Health and Safety Team will carry out an evaluation of the SMP within 20 working days of receipt. It should be stressed that this is a desktop monitoring exercise. If the arrangements appear satisfactory the school will be advised to proceed. If the arrangements are not satisfactory the school will be advised to delay the transfer of service until such time that appropriate arrangements are in place. Again, the Corporate Health and Safety Team will offer advice to schools to make them aware of the action they need to take in order to complete this task.



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## Appendix 1 Contractor Management Plan (CMP)

Service: Checklist:	Portable Appliance Testing Evidence	Attach
Nominated Contractor	Details of the name, address, contact officer and telephone number have been provided.	†
Job Specification and Tender Documentation	The school's risk assessments have been completed and incorporated into specification details. These include working with electricity.	†
	Contract documentation that the school has drafted defines the exact nature of work to be completed, including any necessary health and safety considerations.	†
Pre-tender Health and Safety Questionnaire	Minimum safety standards have been set within the service specification, such as the items which are included in the examination and the preparation of both the inventory and the reports.  The school has sent an appropriate questionnaire to the contractor. The selected contractor has completed this and a competent person has satisfactorily evaluated it.	†
	The contractor has provided appropriate insurance documentation.	†
	A procedure for exchanging safety information with the contractor has been put into place.	†
Monitoring Arrangements	A procedure for monitoring the standard of the contractor's safety performance has been put into place.	†

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## Appendix 2 Service Management Plans (SMP)

Service: Checklist	Caretaking/Cleaning Evidence	Attach
Competence	Provide training certificates for the following, as appropriate: <ul style="list-style-type: none"> <li>• Work equipment</li> <li>• Manual handling</li> <li>• Work at height</li> <li>• Use of hazardous chemicals</li> <li>• General health and safety awareness</li> <li>• Heating plant</li> <li>• Electrical safety</li> <li>• Swimming pool management (where relevant)</li> <li>• Arrangements for refresher training</li> </ul>	†
Supervision	Describe the supervisory arrangements to be in place, including the relevant experience of the supervisor.	†
Risk Assessments	<ul style="list-style-type: none"> <li>• Provide copies of the completed risk assessments in respect of all the activities to in which the caretaker/cleaner will be engaged which present significant risks. Include assessments for the following:</li> <li>• All work equipment</li> <li>• All hazardous processes and substances in use (COSHH)</li> <li>• All work at height</li> <li>• Manual handling activities (include a reference to tasks which need to be carried out by two people)</li> <li>• Lone working</li> </ul>	†
Safe Systems of Work	<ul style="list-style-type: none"> <li>• Provide copies of documented safe systems of work or operating procedures, as necessary. For example, there may be a particular activity that needs to be carried out with specific controls in place for reasons of safety.</li> </ul>	†
Maintenance of Equipment	Provide details of the arrangements in place for maintaining the equipment being used.	†

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Service: Catering		
Checklist	Evidence	Attach
Competence	<p>Provide details of qualifications and training certificates for a range of topics, as required, for example:</p> <ul style="list-style-type: none"> <li>• Food Safety (all staff and supervisors)</li> <li>• Fire warden</li> <li>• Use of work equipment</li> <li>• First aid</li> <li>• Manual handling</li> </ul> <p>Arrangements for refresher training need to be in place as well.</p>	†
Supervision	Describe the supervisory arrangements to be in place, including the relevant experience of the Unit Manager.	†
Risk Assessments	<p>Provide copies of the risk assessments completed for all the activities in which catering staff will be engaged which present significant risks. Include assessments for the following:</p> <ul style="list-style-type: none"> <li>• All work equipment</li> <li>• All hazardous processes and substances in use (COSHH)</li> <li>• Manual handling (include reference to tasks which need to be carried out by two people)</li> <li>• General kitchen risks</li> </ul>	†
Safe Systems of Work	Provide copies of documented safe systems of work or operating procedures, as necessary. For example, there may be a particular activity which needs to be carried out with specific controls in place for reasons of safety.	†
Maintenance of equipment.	Provide details of the arrangements in place for maintaining equipment in use.	†
<b>Food Safety</b>		
Hazard Analysis	Provide details of the arrangements for completing hazard analysis for food production.	†
Other	Provide details of the arrangements for vetting suppliers, controlling temperatures, maintaining cleaning regimes and ensuring that fitness to work procedures are followed.	†

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Service: Checklist:	Grounds Maintenance Evidence	Attach
Competence	Provide training certificates for all high risk work including: <ul style="list-style-type: none"> <li>• Use of equipment, for example chainsaws, strimmers, hedge trimmers, trailers and commercial mowers.</li> <li>• Work at height</li> <li>• Application of pesticides</li> <li>• Manual handling</li> <li>• Arrangements for refresher training</li> </ul>	†
Supervision	Describe the supervisory arrangements to be in place, including the relevant experience of the supervisor.	†
Risk Assessments	Provide copies of the risk assessments completed for all the activities to be engaged in which present significant risks. Include assessments for: <ul style="list-style-type: none"> <li>• All work equipment, including vehicles</li> <li>• All hazardous processes and substances used (COSHH)</li> <li>• All tree work at height</li> <li>• All ladder work</li> <li>• Manual handling activities (include reference to tasks which cannot be carried out without two people)</li> </ul>	†
Safe Systems of Work	Provide copies of documented safe systems of work or operating procedures, as necessary. For example, there may be a particular activity that needs to be carried out with specific controls in place for reasons of safety.	†
Maintenance of Equipment	Provide details of the arrangements in place for maintaining the equipment being used.	†

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## Testing of Portable Electrical Appliances

### Service Management Plan (SMP)

Service Checklist:	Portable Appliance Testing Evidence	Attach
Competence	<p>Provide training certificates to cover the following, as appropriate:</p> <ul style="list-style-type: none"> <li>• Competent persons</li> <li>• Scope of work equipment</li> <li>• Types of inspection/testing such as visual inspection by the user, or formal arrangements for visual, earth continuity, insulation failure and earth leakage</li> </ul> <p>Trainers must have completed Part I of the 17<sup>th</sup> Edition of the IET Wiring Regulations BS 7671:2008, as amended.</p>	†
Supervision	Describe the supervisory arrangements to be in place, including the relevant experience of the supervisor.	†
Risk Assessment	Provide copies of the completed risk assessments for all the activities in which members of staff will be engaged and which present significant risks. Include assessments for work involving electricity.	†
Safe Systems of Work	<p>Provide copies of documented safe systems of work or operating procedures, as necessary. For example, there may be a particular activity that needs to be carried out with specific controls in place for reasons of safety.</p> <p>Frequency of testing – within 12 months as per 17<sup>th</sup> Edition of the IET Wiring Regulations.</p> <p>All items tested are to be suitably labelled, and will include the dates of tests.</p> <p>Detail the arrangements for all those which have failed during testing.</p>	†
Maintenance of Equipment	Provide details of the arrangements in place for maintaining the testing equipment that is being used (including calibration information).	†
	Documentation to be prepared, including and inventory of equipment tested.	†

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## N1 (2015) - Request To Commission Construction Work Independently

This form must be completed, and authorised, in all cases where a school wishes to arrange and commission construction work independently of the Local Authority (LA).

### To Be Completed By The Headteacher

When commissioning construction work independently, the school's governing body has specific duties as the "Client" under health and safety law. Before proceeding, any person or group acting as Client is legally obliged to make themselves aware of their responsibilities in this regard. By completing this form the Headteacher and Chair of Governors are acknowledging their responsibilities and indicating the arrangements in place to discharge them appropriately by engaging competent third parties to plan and manage the work safely. The process also enables the LA to update the Asset Management Plan, thus discharging its statutory duty as employer and landlord.

**It is essential that the N1 (2015) guidance notes are consulted before proceeding (ref: N1 G2015)**

#### SECTION A: Your school

UPRN.....

School Name..... Headteacher.....

Address.....

Tel No..... Email.....

#### SECTION B: Your Project

Project Title.....

Project Description (continue on separate sheet if necessary).....

.....

.....

Proposed Start Date..... Proposed Completion Date.....

Specifications: Equipment specifications, installation requirements and detailed plans of work to be carried out must accompany this application (See section F)

#### SECTION C: Construction (Design & Management) Regulations 2015 (CDM 2015)

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

1. Are you (Headteacher) aware of your legal duties as "Client" under CDM 2015?.....

2. Will the project involve more than one contractor? \*.....

3. Is the project notifiable to the HSE (using Form F10)? A project is notifiable if it lasts more than 30 days and involves more than 20 workers simultaneously at any point or exceeds 500 person days.

\* If Yes, this is a multi-contractor project; please provide details of the appointed Principal Designer and Principal Contractors below. If No, please provide the contact details of the competent Construction Professionals appointed for this project.

Multi-Contractor Project	Single Contractor Project
<b>Principal Designer</b> Name..... Company..... Address..... Tel:..... Email.....	<b>Contractor</b> Name..... Company..... Address..... Tel:..... Email.....
<b>Principal Contractor</b> Name..... Company..... Address..... Tel:..... Email.....	<b>Designer</b> (if appointed) Name..... Company..... Address..... Tel:..... Email.....





## **Form N1 (2015)**

### **Request to Commission Construction Work Independently**

**If you are intending to use devolved formula capital to fund the project you must have requested (using form DFC1) and received approval from the schools' organisation and development team before submitting your N1 (2015) application.**

#### **Introduction:**

Form N1 (2015) replaces Form N1 (2013). The revision became necessary due to legislative changes required by the Construction (Design and Management) Regulations 2015 (CDM 2015).

#### **When is the construction request form N1 (2015) required?**

Form N1 (2015) must be completed in all cases where the school chooses to commission construction works independently, that is to say, where the work is not handled by the Local Authority (LA) on the school's behalf.

#### **Why must the form be completed by the Headteacher?**

CDM 2015 is framed in such a way that any person or group commissioning construction activities in a workplace assumes the role of "Client". With regard to construction work that a school itself commissions the "Client" will be the Chair of Governors and the Headteacher.

Consequently, the Chair of Governors and/or the Headteacher may be held accountable for their actions in a court of law should a prosecution or other enforcement action be pursued as a result of health and safety breaches. As an employer and landlord the LA has legal duties to ensure that the Head and Chair of Governors are aware of these responsibilities and make every effort to discharge them appropriately by ensuring that competent people plan and undertake the proposed work in a safe manner. The information requested in Form N1 (2015) gives schools the opportunity to provide the LA with an assurance that this is the case. Additionally, the information that schools submit to Property Services allows the LA to ensure that its building stock remains safe and fit for purpose following any construction work.

#### **What are the Client's Legal Duties?**

Table 1 (below) contains a summary of the Client's duties under CDM 2015. However, it is just that – a summary. Any person acting as Client must be fully aware of his/her legal obligations.

#### **What happens if the Headteacher and Chair of Governors do not comply with their Client's duties?**

Serious breaches of health and safety legislation on your construction project could result in the Health & Safety Executive (HSE) or the LA stopping the construction activity and requiring that additional work be undertaken to correct matters. It is more likely that there will be a dangerous or fatal incident while your construction work is carried out if you do not ensure that CDM 2015 is followed. In addition, your finished building structure may not be safe to use, easy to maintain and may not deliver you good value for money. In the most serious circumstances, the Headteacher and Chair of Governors could be prosecuted.

**Where can I get Form N1 (2015)**

Form N1 (2015) is available in both electronic and printable formats under the N1 (2015) heading at the Health and Safety section of the Northumberland Schools Network: ([www.northumberlandlea.net](http://www.northumberlandlea.net)).

**Where should I send the completed form?**

On-line versions of Form N1 (2015) should be returned to:

[lee.anderson@northumberland.gov.uk](mailto:lee.anderson@northumberland.gov.uk)

Printed versions of the form and any enclosures (as required by Section F of N1 (2015)) which are not available in electronic format should be forwarded to:

Lee Anderson (Senior Landlord Officer)  
 Property Services  
 Local Services Group  
 Northumberland County Council  
 County Hall  
 Morpeth  
 NE61 2EF.

**TABLE 1 – Summary of the Client’s Duties**

\* Notifiable projects are those which last more than 30 days and involve more than 20 workers simultaneously at any point or exceed 500 person days (for example, 50 persons working for 10 days).

	<b><i>ALL CONSTRUCTION PROJECTS</i></b>	<b><i>ADDITIONAL DUTIES FOR PROJECTS INVOLVING MORE THAN ONE CONTRACTOR</i></b>
<b>CLIENT'S DUTIES</b>	<ul style="list-style-type: none"> <li>• Check the competence and resources of all appointees</li> <li>• Provide pre-construction information and allow sufficient time and resources for all stages of the project</li> <li>• Ensure that there are suitable management arrangements for the project</li> <li>• Ensure a construction phase plan and suitable welfare facilities are in place before work starts</li> <li>• Notify the HSE of the project if its size and duration meets the criteria detailed above*.</li> </ul>	<ul style="list-style-type: none"> <li>• Appoint a Principal Designer</li> <li>• Appoint a Principal Contractor</li> <li>• Ensure that the Principal Designer produces a health and safety file. Once received, this should be retained. The file should be made accessible to interested parties. In particular, its contents may be required as pre-construction information when planning future construction projects.</li> </ul>

## Guidance for Headteachers Completing Form N1 (2015)

You are advised to consult your Principal Designer or other competent Construction Professional for advice when completing the form.

Property Services accept that you may not be in possession of all the required information when you initially submit your application. In such circumstances please provide what you can and forward the remainder as soon as it becomes available. Failure to provide the requested details may result in the delay or refusal of your application.

<b>Section A: Your School</b>	Please provide the requested information, including the Headteacher’s name and the school’s Unique Property Reference Number (UPRN).
<b>Section B: Your Project</b>	
<b>Project Title</b>	<p>As schools often submit several requests in a short period of time it is important that the project is assigned a meaningful and accurate title. Please specify the location within the school where the work will take place, for example “reception area”, “dining hall” or give the classroom number. Please avoid generic terms such as “building works” or “glazing works”.</p> <p>If you will be forwarding further details (which are not available at the time of your initial request) please ensure the original project title is quoted exactly.</p>
<b>Project Description</b>	Please provide as much detail as you can. For example, if the work involves the installation of additional light fittings or electrical sockets specify how many there will be; identify the distribution board from which they are to be fed; indicate the route the wiring will take; if walls are to be removed – say which ones they are and if they are load-bearing. It is always advisable to forward copies of any technical drawings or data you have available to support your application.
<b>Section C: Construction (Design &amp; Management) Regulations 2015 (CDM 2015)</b>	
<p>Question 1.</p> <p><b>What are the legal duties as “Client” under CDM 2015?</b></p>	As the operational representative of the Governing Body the Headteacher must confirm (or otherwise) that he/she is aware of their duties as Client. Your competent construction professional or, if applicable, your Principal Designer will be able to advise you on your duties. Additionally, a summary of these duties is provided in Table 1 above, together with details of where more comprehensive guidance can be found.

<p>Question 2</p> <p><b>Are there different duties for single and multi-contractor projects?</b></p>	<p>As Client the Headteacher (on behalf of the Chair of Governors) must demonstrate that competent professionals have been engaged to manage and undertake the project. This is a requirement in law.</p> <p><b>Projects involving two or more contractors</b></p> <p>You must appoint a Principal Designer. Additionally, once appointed, you should provide the details of your Principal Contractor to Property Services. If the Principal Contractor has not yet been appointed then please state “not yet appointed” in the Principal Contractor box.</p> <p>If, as Client, you do not appoint a Principal Designer or Principal Contractor it will mean that the school (Headteacher and Chair of Governors) becomes legally liable if things that should have been undertaken are not actually done.</p> <p><b>Projects involving a single contractor</b></p> <p>You must provide details of the contractor that you have appointed. Provision has been made to add the name of a designer on Form N1 (2015) though there is no requirement to appoint one. Often the contractor will be competent to undertake both functions in relation small uncomplicated projects.</p>
<p>Question 3</p> <p><b>When is it necessary to notify the HSE?</b></p>	<p>The HSE must be informed of all construction projects where the construction work is expected to:</p> <ul style="list-style-type: none"> <li>a) last more than 30 working days and involves more than 20 workers simultaneously at any point in the project; or</li> <li>b) exceed 500 person days in duration (for example 50 people working for over 10 days).</li> </ul> <p>Such projects are termed “notifiable”. Though your Principal Designer can make the notification on your behalf the Client must ensure that this is done.</p>
<p><b>Section D: Asbestos</b></p>	
<p>Question 4</p> <p><b>Is a management survey adequate for the proposed works?</b></p>	<p>All NCC schools are in possession of a management survey report. In effect, this means that the surveyor has visually inspected reasonably accessible surface areas. Where the analyst suspects that viewed areas may contain asbestos a sample is taken and analysed to confirm or disprove their judgement.</p> <p>Because management surveys and reports are limited to areas which the surveyor can reasonably access, they cannot be relied upon if the work to be undertaken involves invasive procedures. For example:</p> <ul style="list-style-type: none"> <li>• demolition</li> <li>• breaking into walls, ceilings or ducts; or</li> </ul>

	<ul style="list-style-type: none"> <li>• creating penetrations for wiring or piping runs.</li> </ul> <p>Consequently, if the project involves any invasive works you must commission a refurbishment/demolition survey to ascertain whether asbestos is present or not before proceeding. Your Principal Designer or contractor will be able to advise you on which type of survey is required for your project.</p>
<p>Question 5</p> <p><b>Is invasive work required?</b></p>	<p>The existing management survey is not sufficient if any aspect of the works is invasive. You should assume that all building materials contain asbestos unless it is confirmed otherwise. The management survey only confirms the content of immediately accessible materials and not what lies beyond the ceiling, floors and walls. The installation of new services is a key concern as pipe and wiring routes need to be properly planned to avoid disturbing any asbestos material in situ. If the answer is yes a refurbishment/demolition survey is required for the part of the building affected by the work.</p>
<p>Question 6</p> <p><b>How is a refurbishment/demolition asbestos survey commissioned?</b></p>	<p>If a refurbishment/demolition survey is required or you require further advice regarding the contents of the existing survey report, you must contact the NCC Asbestos Manager in Property Services on:</p> <p><b>01670 622304 or email him at:</b></p> <p><b>stuart.langridge@northumberland.gov.uk</b></p>
<p><b><u>Section E:</u></b></p> <p><b>Other Statutory Compliance Issues</b> (Your Principal Designer or other Construction Professional will be able to provide definitive advice on this section)</p>	
<p>Question 7</p> <p><b>Is planning permission required?</b></p>	<p>Please state whether planning permission has been obtained for your project. Dependent on the scope of the project, planning permission may not be required.</p>
<p>Question 8</p> <p><b>Is the project within scope of Building Regulations?</b></p>	<p>Please state whether approval in respect of Building Regulations has been obtained. Dependent on the scope of the project, such approval may not be required.</p>
<p>Question 9</p> <p><b>Do the Workplace (Health, Safety &amp; Welfare) Regulations apply?</b></p>	<p>CDM 2015 places a duty on the Client to ensure that any workplace constructed on his/her behalf will comply with the requirements of the Workplace (Health, Safety &amp; Welfare) Regulations in terms of their design and the materials used.</p>
<p>Question 10</p> <p><b>Does the Equality Act apply?</b></p>	<p>Where the project includes alterations to the building which may affect those with disabilities, you must ensure that the provisions of the Equality Act 2010 are met.</p>

<p><b><u>Section F:</u></b>  <b>Enclosures: Provision of Supporting Documentation</b></p>	
<p>The provision of accurate supporting documentation will greatly assist in the application process. Depending on the scope of the proposed project please provide (where applicable) equipment specifications, system schematic diagrams and calculations, construction drawings and any other data that may help NCC Officers assess your application. Your Principal Designer or other Construction Professional will be able to provide definitive advice in this regard.</p> <p>If you are submitting your application electronically and your supporting documents are only available in hard copy form, then they may be submitted to the Senior Landlord Manager separately.</p>	
<p><b><u>Section G:</u></b>  <b>Headteacher's Declaration</b></p>	<p>Form N1 (2015) requests that the Headteacher provides confirmation that he/she is aware of, and accepts, his/her duties as Client under CDM 2015. This includes ensuring the timely appointment of competent third parties to plan, manage and execute the works. Approval will be refused in the absence of a signed and dated declaration.</p> <p>(Where the electronic version of the form is being used it is acceptable for the name and date to be entered, as opposed to an actual signature).</p>
<p><b><u>Section H:</u></b>  <b>Chair of Governor's Authorisation</b></p>	<p>Form N1 (2015) requests that the Chair of Governors confirms that the Headteacher is authorised to proceed, as described. Approval will be refused in the absence of a signed and dated authorisation.</p> <p>(Where the electronic version of the form is being used it is acceptable for the name and date to be entered, as opposed to an actual signature).</p>