



SCOPE OF SERVICES

CDM Compliance Consultant Services

Scotland
May 2022



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Contents

CDM Compliance Consultant Services	1
1 General	1
2 Advising on Client appointments.....	2
3 Monitor progress in the pre-construction phase	2
4 Monitor progress in the construction phase	3
5 At or near completion of construction phase	4
6 Bespoke Additional Services	4
Appendix A: Schedule of meetings to be attended by the Consultant	5
Appendix B: Glossary of terms.....	7

CDM Compliance Consultant Services

For use with the RICS Standard or RICS Short Forms of Consultant's Appointment

Additional notes

- These Services should be completed by inserting a 'tick' in the box next to the Service to be provided. For further information please refer to the RICS Standard or RICS Short Form of Consultant's Appointment explanatory notes.
- All other Services that are not ticked shall be deemed to be Additional Services under the terms of this Appointment.
- Any bespoke Additional Services agreed between the Client and the Consultant should be inserted in Section 6.
- A schedule of 'typical' meetings is included with these Services in the Appendix. Completion of this schedule is also recommended.
- The Consultant should satisfy the relevant requirements of the *Management of Health and Safety at Work Regulations* 1999 with regards to capability.
- Please see the current edition of the RICS guidance note *Surveying safely: health and safety principles for property professionals*, for more information.

1 General

- 1.1 Ascertain the nature and complexity of the Project and assist the Client in the preparation of the Project brief. Advise the Client on the nature and extent of their duties and responsibilities under current health and safety legislation. Provide health and safety related input in the preparation of the Professional Team's Appointments and Building Contract.
- 1.2 Provide evidence that the Consultant satisfies the requirements set out in the *Management of Health and Safety at Work Regulations* 1999 and has the skills, knowledge, experience and, where the Consultant is an organisation, the capacity to be deemed competent for the works under this Appointment.
- 1.3 Obtain any relevant background information from the Client including appropriate limitations on access, Site/ building inductions and existing information.
- 1.4 Advise the Client of its duties under the *Construction (Design and Management) Regulations* 2015 (CDM Regulations) and other applicable health and safety legislation.
- 1.5 Advise the Client as to which authorities must be notified of the Project (the Health and Safety Executive (HSE) or the Office of Rail and Road (ORR), as applicable). Assist the Client with the notification process and the completion of the initial Project F10 notification or similar.
- 1.6 Obtain a copy of the Client's Brief. Advise the Client in regard to suitable arrangements for managing the health and safety of a project, including:
 - design coordination within the Professional Team

- design communication within the Professional Team
- provision of information to the Contractor(s)
- design coordination between Professional Team and the Contractor
- communication between the Contractor's designers and the Professional Team
- the allocation of sufficient time for all duty holders to discharge their obligations and
- the allocation of sufficient resources for all duty holders to discharge their obligations.

Such arrangements must ensure that the construction work can be carried out, so far as is reasonably practicable, without risks to the health and safety of any person affected by the Project, and take into account the requirements for Site welfare.

- 1.7 Advise the Client on Regulation 4 of the CDM Regulations: election of a single Client body where there may be more than one potential Client.
- 1.8 Attend and contribute to pre-construction phase and construction phase early warning and risk reduction meetings.
- 1.9 Facilitate and manage 'lessons learned' or other workshops for completed projects or for the completed phases/sections of projects.

2 Advising on Client appointments

- 2.1 Advise the Client on the appropriate measures to be taken alongside other checks on competence to ensure, from a health and safety perspective, only competent designers and contractors are appointed.
- 2.2 Advise the Client on the competency of up to [4]* appointments in connection with the CDM Regulations. Where no number is stated the assumption is a prequalification

panel of 4 to be assessed.

- 2.3 Advise the Client on the health and safety related obligations required to be included in appointments with the Professional Team under the CDM Regulations.
- 2.4 Advise on requirements of the CDM Regulations in respect of the Project. Liaise with the Client and the Professional Team to determine the Client's initial requirements and to develop the Client's management arrangements.
- 2.5 Ensure that notice as required is given to the HSE or the ORR of the particulars required noted in Schedule 1 of the CDM Regulations.
- 2.6 Advise the Client on the health and safety obligations, in accordance with the CDM Regulations, that must be included in documentation related to the Project.
- 2.7 Advise the Client on the competency of up to [4]* contractors in connection with the CDM Regulations. Where no number is stated the assumption is a prequalification panel of 4 to be assessed.

* Number in brackets is the default unless other number is inserted and initialled by both parties.

3 Monitor progress in the pre-construction phase

- 3.1 Attend Client, design, Project and other meetings as provided under this Appointment.
- 3.2 Advise the Professional Team of their obligations under the CDM Regulations. Review and comment on the Professional Team's performance in respect of the CDM Regulations.
- 3.3 Prepare regular/monthly reports covering as a minimum:
 - the identification of hazards by any member of the Professional Team, the

Contractor and any subcontractors with design responsibility (the 'design team') and how this information has been captured

- whether in the Consultant's opinion further assessment is required to identify hazards, so far as is reasonably practicable
 - whether there is suitable evidence that hazards have been identified and that mitigation actions are being recorded and tracked
 - what design actions have been taken to mitigate the hazards identified and whether in the opinion of the Consultant such mitigations are practicable as required by the CDM Regulations
 - whether the design team has adequately discharged their duties under Regulation 8 and whether the principal designer has discharged his duties to ensure all hazards have been mitigated, so far as is reasonably practicable
 - whether the management arrangements in place for coordination and communication of design matters relating to health and safety are adequate and
 - whether the management arrangements are being maintained and are still suitable.
- 3.4 Advise the Client of any decisions required and obtain authorisation.
 - 3.5 Take reasonable steps to assure the Client that the principal designer properly discharges and continues to discharge their duties under the CDM Regulations.
 - 3.6 Monitor the performance of the principal designer and advise as to whether the principal designer properly discharges and continues to discharge their duties under the CDM Regulations.
 - 3.7 Advise the Client on the competency of the other consultants in connection with the CDM Regulations.
 - 3.8 Advise on health and safety implications of the Professional Team's design proposals.
 - 3.9 Carry out audits every [4]* weeks and report to the Client on the principal designer's proposals and progress for managing workplace design and health and safety aspects of the Project. Where no period is stated a period of 4 weeks shall be assumed.
 - 3.10 Provide advice to the wider design team regarding the process of design risk management and the steps necessary to evidence compliance with the CDM Regulations.
 - 3.11 Assist with the assessment of design solutions and provide advice as to what constitutes so far as is reasonably practicable.
- * Number in brackets is the default unless other number is inserted and initialled by both parties.

4 Monitor progress in the construction phase

- 4.1 Attend Client, design, Project and other meetings as provided under this Appointment.
- 4.2 Advise the principal contractor of its obligations under the CDM Regulations.
- 4.3 Advise the Client on the adequacy of the arrangements proposed by the principal contractor for complying with the CDM Regulations for managing the Site including a review of the adequacy of the construction phase plan and documents referred to within it (optional).
- 4.4 Advise the Client as to whether the works can commence on the Site in compliance with the CDM Regulations.
- 4.5 Monitor the performance of the principal contractor and take reasonable steps to assure the Client that the principal contractor properly discharges and continues to discharge their duties under the CDM Regulations.

- 4.6 Visit the Site and prepare regular/ monthly reports. Advise the Client of any decisions required and apparent gaps in compliance with the CDM Regulations.
- 4.7 Monitor and report to the Client on the Contractor's performance in managing and updating the construction phase plan in compliance with the CDM Regulations.
- 4.8 Carry out formal audits every [4]* weeks and report to the Client on the principal contractor's proposals and progress for managing workplace and health and safety aspects of the Project. Where no period is stated a period of 4 weeks shall be assumed.
- 4.9 Prepare regular/monthly reports. Advise the Client of any decisions required and gaps in compliance with the CDM Regulations and any other applicable health and safety legislation.
- 4.10 Ensure the principal designer has engaged with any designers appointed by the Contractor including contractor-designed portions of the work, or similar work packages. So far as is reasonably practicable identify to the principal designer, Contractor(s) and Client where design work is proceeding outside the influence of the principal designer.

* Number in brackets is the default unless other number is inserted and initialled by both parties.

5 At or near completion of construction phase

- 5.1 Liaise with the Client, the Professional Team and the Contractor and prepare a health and safety file.
- 5.2 Liaise with the Client, the Professional Team and the Contractor and advise on a handover plan, or similar management tool, identifying the roles and responsibilities of the Client, the Professional Team and the Contractor under the CDM Regulations.
- 5.3 Liaise with the Client, the Professional Team and the Contractor and advise upon a defects administration plan, or similar management tool, to identify the roles and responsibilities of the Client, the Professional Team and the Contractor under the CDM Regulations.

6 Bespoke Additional Services

- 6.1 Enter or attach bespoke Additional Services agreed with the Client.

Appendix A: Schedule of meetings to be attended by the Consultant

1 Client meetings

Attendance: Partner Director Associate Project surveyor
 Other (please specify) _____

Frequency: Daily Weekly Monthly Quarterly
 No attendance required Other

Please specify requirements: _____

2 Design team meetings

Attendance: Partner Director Associate Project surveyor
 Other (please specify) _____

Frequency: Daily Weekly Monthly Quarterly
 No attendance required Other

Please specify requirements: _____

3 Project team meetings

Attendance: Partner Director Associate Project surveyor
 Other (please specify) _____

Frequency: Daily Weekly Monthly Quarterly
 No attendance required Other

Please specify requirements: _____

4 Site meetings

Attendance: Partner Director Associate Project surveyor
 Other (please specify) _____

Frequency: Daily Weekly Monthly Quarterly
 No attendance required Other

Please specify requirements: _____

5 (Other) meetings

Attendance: Partner Director Associate Project surveyor
 Other (please specify) _____

Frequency: Daily Weekly Monthly Quarterly
 No attendance required Other

Please specify requirements: _____

Appendix B: Glossary of terms

The following additional definitions shall apply where the RICS Short Form of Consultant's Appointment is used:

Building Contract	The contract or contracts between the Client and the Contractor for the construction of the Project, a copy of which (or a copy of relevant extracts of which) the Client provides to the Consultant.
Client's Brief	The brief provided by the Client identifying the Client's requirements in relation to the Project as such requirements may, in accordance with the Client's instructions, be amended from time to time with the Consultant's agreement (which agreement is not to be unreasonably withheld or delayed).
Contractor	The contractor or contractors which the Client appoints under the Building Contract.
Site	The site on which the Project is being undertaken.

Delivering confidence

We are RICS. Everything we do is designed to effect positive change in the built and natural environments. Through our respected global standards, leading professional progression and our trusted data and insight, we promote and enforce the highest professional standards in the development and management of land, real estate, construction and infrastructure. Our work with others provides a foundation for confident markets, pioneers better places to live and work and is a force for positive social impact.

Americas, Europe, Middle East & Africa
aemea@rics.org

Asia Pacific
apac@rics.org

United Kingdom & Ireland
contactrics@rics.org



rics.org