

WGTRMM 2016 Issue 2 (9 August 2016)

**WELSH GOVERNMENT TRUNK ROAD MAINTENANCE MANUAL 2015
(WGTRMM 2016)**

**Part 2.1: NETWORK MANAGEMENT MANUAL; HEALTH AND SAFETY
MANAGEMENT**

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**Part 2.1: NETWORK MANAGEMENT MANUAL; HEALTH AND SAFETY
MANAGEMENT**

2.1 General Health and Safety

2.1.1 Introduction

1 The action of maintaining the motorway and trunk road network affects everyone who is involved in the maintenance operations and those who use and live near the network. The public expectation is that the Welsh Government (WG), its Service Providers and their partners/subcontractors promote and manage health and safety through their organisations and strive to achieving zero incidents through use and sharing of best practice and innovation. The WG requires this ethos to be embraced by everyone involved with the maintenance and management of the motorway and trunk road network.

2 The Health and Safety at Work Act 1974 and associated regulations, Approved Codes of Practice and Guidance provide the legal framework for health and safety in the work environment. The Construction (Design and Management) Regulations 2007 (CDM Regulations) are particularly relevant as they determine the roles and responsibilities of the client, principal contractor, CDM co-ordinator, etc.

3 Throughout the document there are several references to occupational health and safety, emphasising the need for it to be an integral part of the management and operational function. In order for that integration to be successful there has to be a clear understanding of the roles and responsibilities of the various parties. This chapter provides a summary of the key issues that duty holders (WG and Service Providers) must consider to comply with health and safety legislation.

4 Good management systems are integral to successful safety management and it is expected that all Service Providers and contractors engaged in network management operate under a health and safety management system which complies with the requirements of OHSAS18001.

2.1.2 Main Legislation relating to Network Management

This section deals with some of the legislative Acts and Regulations that are considered important and relevant to the work of the WG and the Service Provider undertaking or involved in any of the tasks and activities described in the WGTRMM. They act as a prompt for WG and Service Providers in ensuring that they are aware of the existence and main requirements of each Act or Regulation. The legislation covered in this section is not exhaustive.

2.1.2.1 Health and Safety at Work etc. Act 1974

1 The Health and Safety at Work etc. Act 1974 requires:

2(1) It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.

3(1) It shall be the duty of every employer to conduct his undertaking in such a way

as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

2.1.2.2 Management of Health and Safety at Work Regulations

1 The Management of Health and Safety at Work Regulations ensures that health and safety is managed effectively, taking into regard the size and complexity of an organisation's activities. This includes ensuring the provision of effective planning, organisation, control, monitoring and review together with the application of preventative and protective measures.

2 The Management of Health and Safety at Work Regulations 1999 require the employer to undertake suitable and sufficient assessments of the risks to the health and safety at work of his employees to which they are exposed and the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking.

2.1.2.3 Workplace (Health, Safety and Welfare) Regulations

1 The Workplace (Health, Safety and Welfare) Regulations 1992 and its associated Approved Code of Practice were introduced to provide a recognised minimum standard of health and safety provision and welfare facilities for workplaces. In addition to offices and depots owned or leased by the WG and the Service Provider this also includes offices and depots owned or leased by others for the use of WG staff and Service Provider's staff.

These regulations exclude construction sites, including site offices, which are covered by the CDM regulations.

2.1.2.4 Construction (Design and Management) Regulations

1 The management of health and safety in projects which involve construction works are covered by the Construction (Design and Management) Regulations 2007 (CDM Regulations). CDM Regulations integrate health and safety into the management of the projects and to encourage everyone involved to work together.

2 Specific duty holders are defined in the CDM Regulations and their duties defined. Coordination, cooperation and competence are key elements of all duty holder requirements.

3 To ensure a high standard of health and safety management for the work undertaken on behalf of the WG, all the construction / maintenance related work must be carried out by the Service Provider or their contractors in accordance with the CDM Regulations.

2.1.3 Roles and Responsibilities

2.1.3.1 The Client

1 In accordance with Regulation 8 of the CDM Regulations WG requires its' Service Providers to elect in writing to be treated, for the purposes of the Regulations, as the Client. WG duties in this regard will be limited to co-operation with other duty holders (Regulation 5(1)(b)), provision of pre-construction information held by WG to other duty holders (Regulations 10(1) and 15) and, where appropriate, provision of information held by WG and required for inclusion in the Health and Safety File to the CDM co-ordinator.

2 The Service Provider, as Client, is responsible for appointing Designers, CDM co-ordinators, Principal Contractors and Contractors in connection with the construction works and all, including the Client, have duties as defined in the CDM Regulations and the associated Approved Code of Practice. (ACoP)

2.1.3.2 CDM Deliverables

1 An underlying principle of the CDM Regulations is of having "The right information for the right people at the right time". All duty holders are required to ensure that information held by them is made available to enable effective management of health and safety.

2.1.3.3 Pre-Construction Information

1 Project specific health and safety information needed to identify hazards and assess risks associated with the design and construction work is termed pre-construction information. The level of detail of such information should be proportionate to the risks involved in the project.

2 Examples of the pre-construction information are contained in Appendix 2 to the ACoP to the CDM Regulations.

3 The provision of pre-construction information applies to both non-notifiable and notifiable projects and to the design and construction stages of each. All duty holders are required to provide information held by them, relevant to health and safety in the project, to those that need it.

2. 1.3.4 Health and Safety File

1 The CDM Regulations require the Health and Safety File:

- to be prepared (where one does not currently exist);
- to be reviewed and updated (where a file currently exists)

to contain health and safety information relating to the project which is likely to be needed during future construction, improvement, maintenance or demolition work on the project or structures making up the project, for retention by the client. It shall be updated or prepared during a project to ensure it is ready to be handed over to the client upon completion of that project. The format for the Health and Safety File is contained within EDDMS. IAN 105 and paragraph 263 of the ACoP to the CDM Regulations set out the minimum content/standards required by the WG for Health and Safety Files for projects involving construction work on the motorway and trunk road network.

Preparation of the Health and Safety File and associated information

2 For projects where a CDMc is appointed

The CDMc is responsible for preparing a relevant and user friendly Health and Safety File or for modifying an existing File consistent with the requirements of this Clause. The CDMc must pass the Health and Safety File to the Client at the end of the construction phase. All duty holders are required to provide sufficient and relevant information to the CDMc to enable him to comply with his duties in respect of the Health and Safety File

3 For projects where a CDMc is not appointed

Health and Safety information relevant to future construction, improvement, maintenance and demolition in connection with a non-notifiable project must be passed to the Client by the other duty holders for:

- a) inclusion in an appropriate existing Health and Safety File or
- b) retention as information relevant to future works at that location where an appropriate Health and Safety File does not exist.

Storage of the Health and Safety File and associated information

4 The Client is responsible for storage and updating of the Health and Safety File and for ensuring that it is available for inspection by any person who may need it to comply with statutory provisions. WG requires that these documents shall be stored in WG EDDMS by the Service Provider.

5 For the avoidance of doubt, WG requires its Service Providers to comply with this duty and to pass all relevant health and safety information relevant to future works, whether contained in a Health and Safety File or not, to another Service Provider should there be a change of Agreement or contract.

2.1.4 Health and Safety Management within Depots, Offices and other Facilities

2.1.4.1 General

1 There are a number of depots offices and other facilities throughout Wales from which management, maintenance and administrative operations and on the motorway and trunk road network are conducted, including adverse weather service operations Management arrangements at these locations vary under a range of ownership and leasing arrangements as follows:

- Depots, offices and facilities owned by WG and operated by the Service Provider;
- Depots, offices and facilities leased by WG and operated by the Service Provider;
- Depots offices and facilities provided by third parties and operated by the Service Provider;
- Strategic Salt Storage facilities owned by WG or third parties

2 Facilities above include public toilets, picnic amenity areas, buildings housing pumping chambers, transmission buildings and other ancillary buildings.

3 It is WG intention that standards and management of health and safety is maintained at the highest possible level at all depots involved in motorway and trunk road maintenance operations. WG recognises that with changes in legislation, there may be occasions when some aspects of its depots may not comply with the legislation; on these occasions WG will be responsible for any works which are required to ensure compliance with the legislation, although the Service Provider shall always mitigate against any risks in the intervening period.

4 This Section together with Section 2.2.25 identifies details of WG requirements for managing health and safety at these locations and duties and responsibilities specifically delegated to the Service Provider. It also details the duties and responsibilities of WG staff and contractors and those of the Service Providers and their sub-contractors.

5 Whilst the Health and Safety at Work, etc. Act 1974 places general duties and responsibilities on all personnel, the task of co-ordinating health and safety is a critical one. Service Providers manage WG depots offices and facilities and this management responsibility includes the co-ordination of day-to-day health and safety. All employers and their employees who work in, or have responsibility for depots, offices and facilities must co-operate within an agreed managerial framework in order to actively manage health and safety in their working environment. Any depots, offices or facilities used by the Service Provider for WG operations and works shall adhere to the same health and safety requirements as indicated above.

2.1.5 Asbestos Management

1 Further background and guidance on asbestos management is given at Section 2.2.25 and the Welsh Government Control strategy and is included at Annex 1

2.1.5. ANNEX1: Control Strategy

Welsh Government Policy

It is the intention of the Welsh Government that:

- all operations relating to operation, maintenance and improvement of the Motorway and Trunk Road Network and its associated assets will be compliant with legislation relating to the management of Asbestos Containing Materials;
- any Asbestos contained in any asset associated with the Motorway and Trunk Road Asset for which it is the owner, will be clearly recorded in the operational asset management database relating to that asset;
- the management and maintenance record of every asset will be noted with its status regarding Asbestos Containing Materials using a traffic lights system as follows:
 - **RED:** Asbestos condition for asset unknown **or** asset inspected, found to contain asbestos but Asbestos Management Plan does not yet exist;
 - **AMBER:** asset inspected, found to contain asbestos and Asbestos Management Plan exists;
 - **GREEN:** constructed post 2000 and assumed not to contain Asbestos **or** inspected and found to not contain Asbestos (in the former case, appropriate checks should always be carried out prior to any operation involving the asset, likely to disturb any asbestos if present, to confirm that this assumption is valid).
- every identified location of Asbestos Containing Materials will have a plan describing the arrangements for managing that incidence of Asbestos in a way that will prevent loose fibres becoming airborne;
- inspection of assets and creation of records will be prioritised in three categories:
 - **HIGH:** comprising all highway road tunnels, highway associated maintenance and winter service compounds, other depots, stores, workshops, offices, picnic site facilities and buildings;
 - **NORMAL:** comprising all other assets that are subject to a routine inspection and maintenance regime;
 - **LOW:** comprising any assets not contained in the above categories.

Welsh Government Responsibilities

Welsh Government will be responsible for:

- setting policy and operational requirements for ensuring compliance with legislation;
- receiving, considering and responding to budgetary requests for the inspection and remedy of assets;
- discussing with the Service Provider and agreeing a schedule of priorities for inspection and remedy;
- monitoring progress against targets;
- monitoring Service Providers and sub-contractors performance against method statements declared as part of any procurement processes and guidance from the HSE.

Service Provider Responsibilities

Service Providers will be responsible for:

- ensuring they comply with any and all legislation pertaining to the management of Asbestos Containing Materials;
- ensuring the above inspection regime for each asset is undertaken;
- producing a schedule of priorities for inspection and remedy to be discussed and agreed with WG officials;
- procuring, where necessary, competent surveys in accordance with recommended guidance contained in HSE document MDHS100 *Surveying, sampling and assessment of Asbestos containing materials*;
- creation and maintenance of records relating to the Asbestos position for any asset;
- informing WG immediately upon the discovery of any Asbestos Containing Materials that present a danger of releasing airborne fibres;
- procuring, where appropriate, a competent and licensed contractor to repair or remove any Asbestos Containing Materials that present a danger of releasing airborne fibres;
- reporting through Agency Steering Group meetings with WG officials the numbers and nature of assets in each of the above RED, AMBER and GREEN categories and overall compliance with the legislation.

Asbestos Action Plan

Service Providers are required to submit their proposals, in the form of an Asbestos Action Plan, for the completion of surveys, the updating of records and the implementation of management actions in accordance with the following table 1 below.

The Action Plan shall include:

- a. A schedule of the assets to be investigated;
- b. A programme with key milestones demonstrating that all the required actions will be completed by the target completion date;
- c. The annual financial implications of achieving the management actions by the target completion date (a bid, clearly marked 'Asbestos Action Plan Implementation' shall be made by the Service Provider by 31st of October each year for funding to complete actions contained in all agreed Asbestos Action Plans for the following financial year); and
- d. Details of key persons and their responsibilities within the agency for the completion of Asbestos Action Plan actions.

The progress with the implementation of Asbestos Action Plans shall be the subject of a report to all Service Provider / WG joint steering group meetings.

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Table 1: Asbestos Action Plan – Target Completion Dates

	Submit Action Plan by:	Completion of Actions by:
High Risk Assets (Tunnels, maintenance compounds, depots, stores, workshops, offices, picnic sites & facilities owned or leased by Welsh Government and managed/ operated by its service providers)	TBC	TBC
Medium Risk Assets (Other assets that may contain asbestos and were constructed prior to 2000 e.g. bridges with permanent formwork, drainage systems etc)	TBC	TBC
Low Risk Assets (assets constructed after 2000)	TBC	TBC

All inspections/ investigations required as part of the implementation of Asbestos Action Plans shall be integrated where ever possible with those already required for compliance with national standards and/or this Welsh Government Trunk Road Maintenance Manual.

2.1.5 Accident and Incident Reporting System

2.1.5.1 Introduction

1 All Accident and Incident Reporting documents, including guidance and information, reside with the Service Providers and are located at the Service Providers Offices as indicated below:

North and Mid Wales

North and Mid Wales Trunk Road Agency
Uned 7 / Unit 7
Llys Onnen
Ffordd y Llyn
Parc Menai
Bangor
LL57 4DF

South Wales

South Wales Trunk Road Agency,
12a Llandarcy House,
The Courtyard,
Llandarcy,
Neath.
SA10 6EJ

Service Providers are to identify additional locations.