

Principal designers on design and build projects

Q1. Is there a requirement to appoint a principal designer (PD) on a design and build (D&B) project?

- A.** Where there is more than one contractor working on any type of project, then the client must appoint in writing a PD to plan, manage, monitor and coordinate health and safety in the pre-construction phase.

Where this is the case, a PD should be appointed as early as possible in the design process.

It will be common for the D&B contractor to be appointed as both PD and principal contractor (PC).

Q2. What if the D&B contractor is the only contractor involved on the project?

- A.** If a D&B contractor undertakes all of the works and is the only contractor involved in the project, then there is no requirement to appoint a PD.

However, the D&B contractor will still need to ensure planning, managing, monitoring and coordination of the construction project (both the construction and pre-construction phases).

Q3. Are there situations where there could be more than one PD appointed during a D&B project's life?

- A.** **Yes.** But there should never be more than one PD appointed at any one time. For example, if a designer or architect has been given a design function which is separate to the D&B contractor e.g. concept design or taking a project through the planning approval process, then the initial designer could be appointed as PD for the time that their function on the project continues. When the initial PD appointment comes to an end, the D&B contractor is likely to then be appointed both PD and PC for the development of detailed design.

Q4. If a D&B contractor takes over the PD role from A.N. Other, would they be responsible for ensuring the initial PD had met their duties under CDM?

- A.** **No.** This would remain with the initially appointed PD - but some design review may be needed along with liaison with the original PD to ensure provision of design risk health and safety information.

Q5. Can a D&B contractor meet the requirements to be appointed as both PD and PC?

- A. Yes.** Irrespective of the project arrangements, the requirements for both the PD and PC role remain the same.

Any individual or organisation appointed to D&B for a client must have the skills, knowledge and experience (SKE), and if an organisation, the organisational capability, to carry out all the functions of both the PD and PC set out in regulations 11, 12, 13 and 14, throughout the life of the project.

The D&B contractor must demonstrate to the client that they have the necessary capabilities. The client must take reasonable steps to satisfy themselves that this is the case.

Q6. What if the D&B contractor refuses to take on the PD or PC role?

- A.** Firstly, the client should review their selection of contractor as refusal or reluctance may indicate insufficient SKE or organisational capability for the client to be able to appoint.

It may be that the buying or bringing in of additional expertise in specific areas will allow the D&B contractor to meet the requirements for appointment and allow the client to be satisfied that they have the right contractor for their project.

Where the D&B contractor does not take on the role of PD or PC, the client must appoint another party to take on those roles or take it upon themselves.

Where the client is a domestic client and fails to appoint a PD and / or PC, the contractor and designer in control (more than likely the D&B contractor) will automatically assume the functions of the PD and PC.