

# The role of the principal designer



Hello everyone,

In this week's safety message I am talking about the role of *principal designer*, which is crucial for ensuring safety and efficiency in construction projects. The principal designer role was introduced when the Construction Design and Management (CDM) regulations were updated in 2015. For the first time, a single designer needed to lead health and safety before construction work starts on site.

Design decisions made during the pre-construction phase of a project have a **significant** influence in ensuring the health and safety of everyone involved.



**Rob Cairns,**  
Regional Managing Director

When I think about CDM, there are a few things that always spring to mind. The first being when I received a briefing on the regulations in 1996, in Doncaster Marshgate DU when I worked at Jarvis. I remember what a terribly dull subject I thought it was at the time. I also remember the legislation changes in 2007 and again in 2015 – and on both those occasions recall my dawning realisation of how misplaced I'd originally been when first hearing about CDM and thinking of it as just a 'nice to have', rather than being central to how we think. I often reflect on what it was that first caused me to find safety so dull in my early years, only to have since converted to being so passionate about it as I am today.

I well remember the more recent pre-briefings in 2014, ahead of the 2015 updates, and the revised sentencing guidance for judges that followed soon after. A couple of things I recall very starkly. The first being that you can get prosecuted with unlimited fines for a scenario that could have caused harm, even if it did not. I also found it intriguing to hear that you can be prosecuted and sentenced for something you do not do, as well as for any incorrect action you do take – and that ignorance is no defence.

The second is something I spoke of in one of my April updates, when I reflected on having been summonsed by the Health and Safety Executive to the coroner's court – which followed an incident in May 2017 at Stanton Cross in Northamptonshire. This was where Network Rail had been appointed as principal designer under CDM. I remember the court asking a number of very searching questions, which we found it incredibly difficult to fully answer. The areas I found most difficult related to our processes for communicating the termination or expiry of appointments and assessing capability of CDM duty holders, how was coordination being assured, and how were the outcomes of design reviews linked to the calculation of risk levels.

Something that doesn't sit well with me at all is that, each time an incident happens or someone is harmed, we almost always focus on why the very last line of defence failed. That could be the site operative, the machine controller, or the possession support or depot staff. Often, our processes and traditions cause us to overlook several of the more fundamental questions. These include – why were the works planned in a particular way? Why was something designed in that way? Why was budget or cost decided at a particular level? If that's a conflict that resonates with you as well, then it's worth being aware that it's for these very reasons CDM was established. It tries to assign very clear roles, responsibilities, and personal accountability for decisions – including who could be adversely affected in the event a decision wasn't right.

It's for all these reasons that I believe, if we can really embrace the spirit which sits behind CDM and drive that passionately in all that we do, we will be the better for it. And so will the safety outcomes that our teams and passengers rightly demand of us.

Thank you and stay safe

Rob

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Great



Okay



Poor

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