



# Highways Construction, Design & Management

## City of York Council

### Internal Audit Report 2021/22

Business Unit: Economy and Place  
Responsible Officer: Assistant Director of Transport, Highways and Environment  
Service Manager: Head of Highways Asset Management  
Date Issued: 10 June 2022  
Status: Final  
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	P1	P2	P3
Actions	0	3	2
Overall Audit Opinion	Reasonable Assurance		

## Summary and Overall Conclusions

### Introduction

When the council undertakes a construction project, the council is accountable for the impact of its decisions and its approach towards health, safety and welfare on the project. Construction work is governed by the Construction Design and Management (CDM) Regulations 2015. Failure to comply with CDM regulations can result in harm of construction workers or users of construction projects and penalties can include large fines and even imprisonment of officers if negligence is proven.

The council highways team carry out a wide range of construction projects, from footpath resurfacing to carriage way widening. With the value of the projects ranging from around £15,000 to £250,000. For all the projects in place, the council is required to put measures in place to safeguard the welfare of staff, contractors and members of the public, in line with the CDM regulations.

### Objectives and Scope of the Audit

The purpose of this audit was to provide assurance to management that procedures and controls within the system will ensure that:

- Induction programmes have been completed for everyone working on site.
- Supervisory safety checks have been carried out frequently and are documented.
- Desk studies have been carried out with due diligence and these are communicated to the relevant individuals.
- There is a clear and robust audit trail of all documents produced and strict version control procedures in place.

### Key Findings

As part of the audit, we looked at five CDM projects: Burton Stone, Hurricane Way/Clifton Moorgate, Haxby Road, Hull Road, Peasholme Green. For the CDM projects, there was a clear set of documents that detailed all steps of the project. However, not all of the documents were stored in central locations with a clear file structure. For ongoing projects this appeared to be less of an issue and there was a clear plan of where documents are going to be stored going forward.

For all projects where it was required, the project designer, client and contractor had been named in the construction phase plan. However, the details of duties for each role had not been documented. This may be something the council want to consider implementing. For each project that we looked at we found evidence that a risk assessment had been carried out and documented within the construction phase plan.

Before individuals are allowed to enter a construction site, council procedure requires that they complete an induction. This is to make them aware of the site risks and steps they should take to keep safe. We found that there were two sites, Haxby Road and Peasholme Green, where there was no recorded documentation of an induction programme within the CDM file.

The council carries out supervisor checks of the health and safety of construction sites. We could only find evidence that one of the checks have been carried out for two sites (Hull Road, Peasholme Green). The council may want to consider implementing a risk based threshold of what construction sites should have H&S compliance checks implemented. The supervisory checks that were carried out were in line with the risk assessments for both of the projects.

One of the key controls identified in the risk assessments was that staff have sufficient qualifications. There was no evidence within the CDM file that verification of qualifications had been carried out.

## **Overall Conclusions**

There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited. Our overall opinion of the controls within the system at the time of the audit was that they provided Reasonable Assurance.

# 1 Site Induction

## Issue/Control Weakness

There was not evidence that a site induction had been carried out for all CDM projects.

## Risk

Accident/injury to an individual on site.

## Findings

Before individuals are allowed to enter a construction site, an induction is required to be completed. To ensure individuals are aware of the risks of the site and the steps they should take to maintain a safe site. We found that there were two sites, Haxby Road and Peasholme Green, where there was no documentation recording the completion of an induction programme within the CDM file.

## Agreed Action 1.1

Evidence of site inductions of all site operatives and visitors must be stored within the projects Construction phase plan.

A Health & Safety file will be created for each CDM project and made easily accessible, on completion of the works.

**Priority**

2

**Responsible Officer**

Head of Highways Asset Management

**Timescale**

31 August 2022

## 2 Qualifications

### Issue/Control Weakness

There is no evidence that qualifications/permits of site operatives have been verified before construction work has commenced.

### Risk

Construction site workers do not have mandatory training/permits for job. Leading to using machinery in a hazardous way.

### Findings

As part of the audit we noted that for the projects we looked at (not including Burton Stone Lane), we noted that within the construction phase plan and/or risk assessments there is reference to it being a mandatory requirement that site operatives should have undertaken relevant training and have obtained the relevant permits. Such as a Permit to Dig and trained in the use of CAT (Cable Avoidance Tools). The project files did not include evidence for verification of qualifications/permits for site permits.

### Agreed Action 2.1

The Highways service will develop a process to verify the qualifications of the site operatives for internal and third party site operatives.

**Priority**

2

**Responsible Officer**

Head of Highways Asset Management

**Timescale**

31 August 2022

### 3 CDM Roles

#### Issue/Control Weakness

The council has not clearly defined the roles of the Client, Designer and Contractor.

#### Risk

Lack of clarity on responsibilities could lead to non-compliance with CDM regulations.

#### Findings

Under CDM regulations, if a project lasts more than 30 days or involve 500 person days of construction, there is a requirement to make formal appointments for the following roles: Client, Principal Designer, Principal Contractor.

For the projects reviewed where it was required to appoint these roles, the appointment of people to these roles was clearly documented within the Construction phase plans. However, we did not see any evidence that the responsibilities of these roles in relation to the sites in question had been clearly defined and documented.

#### Agreed Action 3.1

Appointment of Principal Designer & Principal Contractor will be in writing for all projects.

**Priority**

2

**Responsible Officer**

Head of Highways Asset Management

**Timescale**

31 August 2022

## 4 Supervisor Checks

### Issue/Control Weakness

Health and safety supervisor checks were not carried out at all sites.

There is not a defined threshold of when health and safety supervisor checks should be carried out.

### Risk

Non-compliance with council health and safety policy. Health and safety risks not identified and managed, leading to accidents.

### Findings

For one of the CDM projects reviewed, an appropriate officer would daily visit the site and check for any potential hazards and that there were sufficient control measures in place to keep individuals safe on site. The sites were checked against a predetermined framework. The framework used would be marked off and stored within the CDM folder and/or H&S file.

Currently not all CDM projects undergo such a supervisor check and there is not a threshold in place to determine which projects are required to have a regular supervisor check.

### Agreed Action 4.1

Since the audit had started additional compliance forms are being filled in to confirm that Health & Safety measure are in place on construction sites.

With support of the Health & Safety team the highways teams will develop a threshold for which sites require reviews to be carried out by the highways officer and number of times the compliance officer would visit the site.

#### Priority

3

#### Responsible Officer

Head of Highways Asset Management

#### Timescale

31 August 2022

## 5 Location of Documents

### Issue/Control Weakness

Not all documents were stored within structured folders.

### Risk

Delays in accessing critical information.

### Findings

During the audit, we found that not all the projects had a clear structure for storing the project documents. This could potentially lead to a delay in obtaining key information about the CDM projects or increase the risk documentation showing compliance cannot be found.

It is recommended that a file structure be introduced and spot checks be carried out to confirm that key documents are being saved in the agreed upon locations.

### Agreed Action 5.1

All Health & Safety documents for each highways projected will be scanned and stored within the Health & Safety File.

**Priority**

3

**Responsible Officer**

Head of Highways Asset Management

**Timescale**

31 August 2022



## Audit Opinions and Priorities for Actions

### Audit Opinions

Our work is based on using a variety of audit techniques to test the operation of systems. This may include sampling and data analysis of wider populations. It cannot guarantee the elimination of fraud or error. Our opinion relates only to the objectives set out in the audit scope and is based on risks related to those objectives that we identify at the time of the audit.

Our overall audit opinion is based on 4 grades of opinion, as set out below.

### Opinion

### Assessment of internal control

Substantial Assurance	A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.
Reasonable Assurance	There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.
Limited Assurance	Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.
No Assurance	Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.

### Priorities for Actions

Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.

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