

WHEN SITE ASSURANCE FAILS, CLIENTS CAN BE EXPOSED

A client-focused briefing on why independent, evidence-led Clerk of Works reporting is not a nice-to-have.

Important position

The enforcement examples below are not presented as proof that a Clerk of Works was absent, negligent or responsible. They show a practical risk pattern: when hazards are visible, repeated, undocumented, or not escalated, client exposure can increase quickly. ITSA helps reduce that exposure by giving the client clear, independent and traceable site assurance.

THE CLIENT DUTY POINT

HSE guidance states that commercial clients have crucial influence over how construction projects are run. Clients must make suitable arrangements for managing the project, allow sufficient time and resources, appoint suitable dutyholders, and maintain and review arrangements throughout the works.

THE PRACTICAL QUESTION

If something goes wrong, the question is rarely only whether a client appointed people. It is whether there is a clear record showing that risk was seen, understood, challenged, escalated and followed up. That is where independent reporting becomes powerful.

Real-world warning examples

1. Construction client received suspended sentence

HSE reported that a construction client received a 12-week suspended prison sentence and was ordered to pay £10,000 costs after inspectors found repeated, life-threatening fall risks, unprotected holes, unsafe access and unsafe waste arrangements.

Client lesson: visible risk needs active oversight, challenge and evidence of action.

2. Roadworks death and serious injury

Liverpool City Council and two contractors were prosecuted after one man died and another was seriously injured at roadworks.

Reported failings included unsuitable management arrangements, unchecked traffic management design and no safe pedestrian crossing control.

Client lesson: public interface risk needs ownership, checking and recordable assurance.

3. Fatal demolition collapse

Thorndyke Developments was reported as pleading guilty to breaching its CDM client duty after demolition work was not properly planned, no risk assessment or method statement was in place, and supervision was lacking.

Client lesson: demolition and structural change require formal planning, sequencing and recorded challenge.

The key client takeaway

A Clerk of Works cannot remove a client's legal duties or act as a legal shield. What a good Clerk of Works can provide is independent visibility, timely challenge, clear reporting and an evidence trail that supports better decision making before issues become disputes, enforcement matters or expensive remedial works.

The Cost of a Clerk of Works per annum is cheaper than a day in court!

WHAT ITSA CHECKS BEFORE RISK BECOMES EXPOSURE

The value is not just finding defects. The value is interpreting what those defects mean for the client.

The pattern across enforcement and dispute scenarios is often similar: a risk exists, the risk is visible or foreseeable, the risk is not properly recorded or escalated, and there is limited evidence that corrective action was tracked to completion.

Risk area	What ITSA would look for	Client protection value
Temporary works and demolition	Propping, crash decks, scaffold adaptations, edge protection, loading limits, lifting openings, waste transfer arrangements, structural interfaces and inspection records.	Shows the client is receiving independent visibility over high-risk temporary states, not only the finished building.
Public, school and live environment interfaces	Pedestrian routes, traffic management, safeguarding, boundary security, working near occupied areas, access changes, signage, hoarding, exclusion zones and welfare arrangements.	Helps reduce blind spots where the project interfaces with pupils, residents, workers, visitors or the public.
Fire safety and compartmentation	Fire stopping, fire door frame gaps, certified foam and sealant products, service penetrations, riser access, product evidence, inspection access and golden thread records.	Moves fire safety from assumption to evidence. Hidden interfaces are challenged before they are closed up.
Handover readiness	Safe access, external works, commissioning status, defect close-out, cleanliness, M&E completion, documentation, drainage, lighting and practical occupation risks.	Helps prevent the project being presented as ready when technical, safety or evidence gaps remain.
Documentation and audit trail	Photographs, locations, dates, clear narrative, risk commentary, required actions, close-out status and shared defect trackers where required.	Creates a practical evidence trail for the client, project manager and wider team to rely on.

ITSA reporting method

INSPECT See the issue on site	INTERPRET Explain why it matters	RECORD Photograph and locate it	ESCALATE Make the action clear	TRACK Monitor open and closed items	VERIFY Check close-out evidence
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Plain English matters

ITSA reports are written so that technical issues can be understood by clients, consultants, funders and stakeholders, including those without a construction background. The aim is to make risk visible, make decisions easier and keep the client's interests at the centre of the project.

HOW ITSA PROTECTS THE CLIENT INTEREST

Clear reporting. Evidence-led assurance. Practical challenge. Client-focused action.

<p>Clear enough for decision makers</p> <p>Reports avoid unnecessary jargon while retaining technical accuracy. The reader can see what the issue is, why it matters and what should happen next.</p>	<p>Technical enough for the project team</p> <p>Observations are specific to real construction interfaces, such as firestopping, risers, temporary works, drainage, façades, M&E and handover readiness.</p>	<p>Independent enough to challenge</p> <p>ITSA provides a clear client-side view. The role is to identify risk early, record it fairly and support timely resolution.</p>
<p>Evidence trail built in</p> <p>Photographs, dates, locations, narrative and action commentary create a practical record of what was observed and what remained outstanding.</p>	<p>Customisable reporting</p> <p>Reports can be adapted for private clients, public sector projects, DfE style templates, local authority reporting or client specific formats.</p>	<p>Trackers that drive close-out</p> <p>Defect trackers can be added to the report or maintained as live shared documents for visibility of ownership, status and closure progress.</p>

Real ITSA sample themes

<p>Newman Street Commercial refurbishment</p> <p>Complex temporary works, demolition, piling, scaffold protection, roof works, waste transfer, structural interfaces and noise and vibration control within a constrained London site.</p>	<p>Gosford Hill Live education project</p> <p>Temporary school accommodation, modular construction, firestopping, safeguarding, live school interfaces, external works, commissioning and DfE style reporting discipline.</p>	<p>Hawks Road Residential handover</p> <p>Firestopping, fire doors, risers, compartmentation, apartment readiness, communal areas, defect close-out and the difference between visual completion and technical readiness.</p>
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Why clients should consider ITSA

<p>The full package is not just site attendance. It is inspection, interpretation, evidence, escalation, reporting and follow-through. ITSA helps clients understand technical risk early, challenge poor practice constructively, and retain a clear record that supports quality, compliance and informed decision making.</p>	<p>ASSURANCE INTEGRITY PROTECTION</p>
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Source note and disclaimer

Sources consulted include HSE commercial client duty guidance, HSE enforcement reporting, HSM reporting on the Liverpool roadworks prosecution, RICS analysis of Thorndyke Developments, and the JCT article on the role of the Clerk of Works. This document is general information only, is not legal advice, and does not allege that any case was caused by the absence or failure of a Clerk of Works.