



CDM 2015

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History

- ❖ Original CDM legislation came into effect on 31st March 1995;
- ❖ Current CDM legislation came into effect on 6th April 2007
 - ❖ To clarify and extend duties of stakeholders
 - ❖ Replaced the Planning Supervisor role with the CDM Co-ordinator
- ❖ CDM 2015 legislation commenced on 6th April 2015
 - ❖ New “Domestic Client” and “Principal Designer” roles
 - ❖ “Principal Designer” replaces “CDM co-ordinator”
 - ❖ Competence split into skills, knowledge, training and experience – and for an organisation: organisational capability

CDM 2015 applies

To all construction sites and the whole construction process from conception to completion.

Remember – the requirements of CDM 2015 apply whether or not the project is notifiable.

Reasons for the HSE changing CDM 2007

The broad structure of CDM 2007 was fit for purpose, however;

- ❖ Problems generally arose through misinterpretation of the Regulations
- ❖ The CDM Co-ordinator was often appointed too late in the process
- ❖ The previous Regulations had not reduced bureaucracy as was hoped
- ❖ The Regulations had led to an industry approach to competence which became heavy-handed and in many cases burdensome, particularly on Small and Medium sized Enterprises

Reasons for the HSE changing CDM 2007

- ❖ The co-ordination function in the pre-construction phase was not in many cases well executed.
- ❖ **Two thirds or more of fatalities now occur on small sites where fewer than 15 people work.**
- ❖ The HSE acknowledged that larger, more structured part of the industry has made significant progress in improving its management of health and safety risks. Its motivation for achieving higher standards is often one of continuous improvement and innovation leading to best practice, rather than just meeting regulatory requirements.



HSE Objectives for CDM 2015

- ❖ Maintain or improve worker protection;
- ❖ Simplify the regulatory package;
- ❖ Improve health and safety standards on small construction sites;
- ❖ Discourage bureaucracy;
- ❖ Meet the government's improved regulation principles.

CDM 2015 Dutyholders

CDM2015 provide roles and duties for 5 dutyholders plus workers:

1. Client
 2. Principal Designer (**PD**)
 3. Designer
 4. Principal Contractor (**PC**)
 5. Contractor
 6. Workers/Employees
- ❖ All must Coordinate, Communicate and Cooperate to comply with their duties.
 - ❖ There is a series of industry guides available on:
 - <http://www.hse.gov.uk/pubns/books/l153.htm/>

Transitional arrangements

Where a CDMC has already been appointed for a project:

- ❖ A PD must be appointed within 6 months of the date of the Regulations coming into force if the project's design or construction phases will continue beyond this transitional period; but note
- ❖ The CDMC's duties in the 2007 Regulations continue to apply to the project, instead of the additional duties of the PD – until the PD is formally appointed.
- ❖ There is no requirement for the CDMC role to be taken over by a PD if the project's construction phase is to end within the transitional period.

HSE Notification Requirement

A project becomes notifiable (F10 Notice) when:

- ❖ It lasts longer than 30 working days ***and*** has more than 20 persons working simultaneously at any point on the project; or
- ❖ Exceeds more than 500 person days

**F10 NOTIFICATION NOW ONLY REQUIRED BEFORE
CONSTRUCTION PHASE BEGINS**

The Client

Why is the client important?

- ❖ Major influence over procurement and management of a project
- ❖ Regardless of project size, the client has contractual control
- ❖ Appoints designers and contractors
- ❖ Determines the finance, time and other resources available

What must a client do?

CDM 2015 makes the client accountable for the impact their decisions and approach have on health, safety and welfare on the project:

Making suitable arrangements for managing a project;

- ❖ Most clients will not be experts
- ❖ Not required to take an active role in managing the work
- ❖ Need to make suitable arrangements for managing the project so that health, safety and welfare is in place, maintained and reviewed (site inspections) including hand over, snagging and end of defects period
- ❖ Provide a single point of contact in the client's organisation

What must a client do?

Arrangements must focus on the needs of the project and be proportionate with regard to the risks and should include:

- a. Assembling the project team – regular liaison with the team
- b. Ensure:
 - ❖ Roles, functions and responsibilities are clear
 - ❖ Sufficient resources and time are allocated – conception to completion
 - ❖ Effective mechanisms for communication / cooperation / coordination
 - ❖ The PD and PC comply with their duties; manage risks
 - ❖ That H&S performances are maintained/standards set
 - ❖ Workers are provided with suitable welfare facilities



Changes to duty holder roles

Clients:

(Organisation or individual for whom a project is carried out)

- ❖ For projects involving more than one contractor, the client is required to appoint a **PD and a PC**, as soon as possible but **BEFORE** the construction phase begins, and ensure that they carry out their duties.
- ❖ Note: Failure and late appointment of a PD and/or a PC, then the client must fulfil the respective duties
- ❖ For commercial projects the Client is deemed to undertake those roles if no appointments made.
- ❖ Clients will be responsible for F10 Notification to the HSE.
- ❖ This includes clients who are based overseas and who commission construction projects in Great Britain.

Information from the Client

- ❖ Relevant information is prepared and provided (PCI) which is:
 - ❖ In the client's possession or
 - ❖ Which is reasonably obtainable by or on behalf of the client;
 - ❖ Which is relevant to the construction work
 - ❖ This needs to have an appropriate level of detail and be proportionate to the risks involved, including:-
 - a) Information about:-
 - i. The project;
 - ii. Planning and management of the project;
 - iii. H&S hazards, including design and construction hazards and how they will be addressed; and
 - b) Information in any existing health and safety file

Client's Duties

Pre-construction phase:

- ❖ Client's duty is to make suitable arrangements to ensure that a project is:
- ❖ Properly planned,
- ❖ Resourced,
- ❖ Managed,
- ❖ Reviewed (bearing in mind design work may continue during the construction phase)

....so as to protect the health, safety and welfare of those carrying out the work or others who may be affected by the work.

Without a CDMC, who is competent to advise the client?

– The PD can appoint a CDM consultant who can demonstrate they currently have the required skills, knowledge and experience.

Client's Duties

Prior to the Construction Phase:

The client must ensure:-

- ❖ The PD has prepared a draft H&S File, and
- ❖ Kept available for inspection by any person who may need it
- ❖ The Contractor or the PC has drawn up a CPP of how they will manage health and safety on site during the construction phase
- ❖ *Note: Currently there is no specific requirement for the CPP to be checked*

During the Construction Phase:

- ❖ Must ensure that these arrangements are maintained and reviewed throughout the project

Domestic Clients

Domestic Clients (new role):

(Home owner or family member home not used for business)

Note the Domestic Client's CDM duties are normally transferred via:

- ❖ A written agreement with the PD; or
- ❖ The contractor – for a single contractor project; or
- ❖ The PC – project involving more than one contractor.

Principal Designer Duties

The Principal Designer must:

- ❖ Assist the client in identifying, obtaining and collating PCI;
- ❖ Provide PCI to designers, PC and contractors;
- ❖ Ensure the designers comply with their duties and co-operate with each other;
- ❖ Liaise with the PC for the duration of the project;
- ❖ Compile the Health and Safety File and passes it onto the PC (**Note: H&S File is only required when there is more than one contractor**)
- ❖ Review and revise the H&S File at sufficiently regular intervals
- ❖ Hand over the completed file to the client at the end of the project

If a client disposes of their interest in the structure, the H&S File must be handed over, and explain the nature and purpose of the file.



Designer Duties

- ❖ Understand and be aware of significant risks that construction workers could be exposed to, and how these can arise from design decisions;
- ❖ Have the right **skills, knowledge** and **experience** to enable him to address the health and safety issues likely to be involved in the design;
- ❖ Must not start unless satisfied that the client is aware of his duties;
- ❖ Co-operate with others who have responsibilities, in particular the PD;
- ❖ Apply the **principles of prevention** when carrying out design work;
- ❖ Provide information about foreseeable risks arising from their design to the health and safety of any person:-
 - ❖ Carrying out or liable to be affected by the construction work
 - ❖ Maintaining or cleaning a structure; or
 - ❖ Using a structure designed as a workplace.
- ❖ Provide information about risks to the PD and include in the H&S File

Principal Contractor Duties

The Principal Contractor is responsible for managing health and safety on the project.

He must:

- ❖ **Plan:** prepare a CPP that ensures the work is carried out without risks to health and safety;
- ❖ **Monitor:** reviewing, revising and refining the plan and checking work is being carried out safely and without risks to health;
- ❖ **Secure the site:** taking steps to prevent unauthorised access to the site;
- ❖ **Provide** welfare facilities;
- ❖ **Provide** site inductions;
- ❖ **Liaise** on the design with the PD, designers and client.

Contractor Duties

- ❖ Ensure those carrying out the work have the necessary skills, knowledge, training and experience;
- ❖ Ensure the provision of the correct plant, equipment materials and PPE;
- ❖ Pass on relevant information and instructions to workers;
- ❖ Ensure compliance of site rules;
- ❖ Co-ordinate their activities with other contractors (where relevant);
- ❖ Agree with the PC the arrangements for exchanging information;
- ❖ Ensure site workers receive induction training;
- ❖ Inform the PC of any intention to sub-contract elements of the contracted works.

Employees Duties

- ❖ Ensure you are provided with site induction before commencing work;
- ❖ Report incidents and near misses to your employer;
- ❖ If you perceive serious or imminent danger, cease work immediately;
- ❖ If English is not your first language ensure the employer provides you with translated information on health and safety.

CDM 2015 - Appointments

Appointing the right organisation and people at the right time

To complete a particular project this is fundamental to its success. Appoint PD and PC as soon as practicable, but **before** construction phase so that they have enough time to meet their duties to plan and manage.

Before making any appointment establish they have the **skills, knowledge** and **experience** (to secure H&S), and if applicable **organisational capability**.

Also applies to contractors appointing anyone to carry out work on site.

Consultation and Engaging with Workers

“Workplaces where workers are consulted and engaged in decisions about H&S measures are safer and healthier”

Workers must be consulted in good time, which is also a Regulatory requirement:

- ❖ The Safety Representatives and Safety Committees Regs 1977;
- ❖ The Health and Safety (Consultation with Employees) Regs 1996;

In addition:

- ❖ CDM 2015 places a specific duty on **PC** to consult and engage with workers.
- ❖ Free online toolkit: www.hse.gov.uk/construction

CDM2015



Q&A