

CDM 2015

GUIDANCE FOR SCHOOLS



INTRODUCTION

Construction work can involve many different people, doing many different things at different times. It means everyone has a role to play in managing construction health and safety risks. This can include the person/s commissioning construction work, known as the client.

The Construction (Design and Management) Regulations (CDM 2015) are the main set of regulations for managing health, safety and welfare on construction projects.

CDM applies to all building and construction work and includes new build, demolition work, refurbishment, extensions, conversions, repair and maintenance.

London Borough of Hammersmith & Fulham employees may commission work that comes under the definition of construction work and hence will need to be aware of their role and responsibilities as the client under CDM 2015.

CDM OVERVIEW

Construction work can be dangerous and often involves multiple parties having to work together to ensure the project is run safely. The purpose of CDM 2015 is to:

- Manage construction work health and safety risks by applying the general principles of prevention contained in CDM 2015
- Ensure the right (competent) persons and/or organisations are appointed at the right time
- Ensure the right information, instruction, training and supervision needed to carry out construction work safely is provided to the right people
- Ensure all legal duty holders cooperate, communicate and co-ordinate their work

CDM 2015 is divided into five parts:

- Part 1 deals with the application of CDM 2015 and definitions
- Part 2 covers the duties of clients for all construction projects. These duties apply in full for commercial clients. However, the duties for domestic clients normally pass to other dutyholders
- Part 3 covers the health and safety duties and roles of other dutyholders, including:
 - i) Designers
 - ii) Principal designers
 - iii) Principal contractors
 - iv) Contractors
- Part 4 contains general requirements for all construction sites
- Part 5 contains transitional arrangements and revocations

KEY PLAYERS

There are several key players involved with CDM 2015. The table below details these players and summarises the roles and responsibilities:

ROLE	RESPONSIBILITIES
<p>A client is an organisation or individual having a construction project carried out in connection with a business</p>	<p>A client has responsibility to make suitable arrangements for managing a project. This includes ensuring:</p> <ul style="list-style-type: none"> • the client brief is completed • other duty holders (if more than one contractor is to be appointed) are appointed • sufficient time and resources are allocated • relevant information is prepared and provided to other duty holders • the principal designer and principal contractor carry out their duties • welfare facilities are provided
<p>A designer is someone who as part of a business, prepares or modifies designs for a building, product or system relating to construction work</p>	<p>The designer’s role when preparing or modifying designs is to eliminate, reduce or control foreseeable risks that may happen during construction or maintenance and use of a building after it’s been built. The designer also provides information to other members of the project team to help them fulfil their duties.</p>
<p>A principal designer is appointed by the client of projects with more than one contractor. It can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role</p>	<p>The principal designer is responsible for planning, managing, monitoring and coordinating health and safety in the pre-construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • identifying, eliminating or controlling foreseeable risks • ensuring designers carry out their duties. • preparing and providing relevant information to other dutyholders. <p>The principal designer also liaises with the principal contractor to help in the planning, management and monitoring of the health and safety in the construction phase.</p>
<p>A contractor is the individual or organisation doing the actual construction work.</p>	<p>The contractor’s duty is to:</p> <ul style="list-style-type: none"> • plan, manage and monitor construction work under their control so that it is carried out without risks to health and safety. • for projects involving more than one contractor, co-ordinate their activities with others in the project team – in particular, comply with directions given to them by the principal designer or principal contractor.

	<ul style="list-style-type: none"> • for single contractor projects, prepare a construction phase plan.
<p>A principal contractor is appointed by the client to plan, manage, monitor and co-ordinate health and safety during the construction phase of a project when there's more than one contractor involved</p>	<p>The principal contractor's duty is to:</p> <ul style="list-style-type: none"> • plan, manage, monitor and coordinate health and safety in the construction phase of a project • liaise with the client and principal designer • prepare the construction phase plan • organise cooperation between contractors and coordinate their work. <p>They must ensure that:</p> <ul style="list-style-type: none"> • suitable site inductions are provided • reasonable steps are taken to prevent unauthorised access • workers are consulted and engaged in health and safety matters • welfare facilities are provided
<p>A worker is an individual working for or under the control of contractors on a construction site</p>	<p>Workers must:</p> <ul style="list-style-type: none"> • be consulted about matters which affect their health, safety and welfare • take care of their own health and safety and others who may be affected by their actions • report anything they see which is likely to endanger either their own or others' health and safety • cooperate with their employer, fellow workers, contractors and other duty holders

CDM APPLICATION

CDM 2015 applies to **construction projects** as a whole that is the whole construction process from concept to completion (L153).

A construction project means a project which includes or is intended to include **construction work**, including planning, design and management of a project until the end of the construction phase.

Construction work means the carrying out of any building, civil engineering or engineering construction work on a **structure**. There are 5 areas defined in CDM 2015 as follows:

- a) the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure, or the use of corrosive or toxic substances), de-commissioning, demolition or dismantling of a structure
- b) the preparation for an intended structure, including site clearance, exploration, investigation (but not site survey) and excavation (but not pre-construction

- archaeological investigations), and the clearance or preparation of the site or structure for use or occupation at its conclusion
- c) the assembly on site of prefabricated elements to form a structure or the disassembly on site of the prefabricated elements which, immediately before such disassembly, formed a structure
 - d) the removal of a structure, or of any product or waste resulting from demolition or dismantling of a structure, or from disassembly of prefabricated elements which immediately before such disassembly formed such a structure
 - e) the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are normally fixed within or to a structure,

A structure is:

- a) any building, timber, masonry, metal or reinforced concrete structure, railway line or siding, tramway line, dock, harbour, inland navigation, tunnel, shaft, bridge, viaduct, waterworks, reservoir, pipe or pipeline, cable, aqueduct, sewer, sewage works, gasholder, road, airfield, sea defence works, river works, drainage works, earthworks, lagoon, dam, wall, caisson, mast, tower, pylon, underground tank, earth retaining structure or structure designed to preserve or alter any natural feature, and fixed plant
- b) any structure similar to anything specified in paragraph (a);
- c) any formwork, falsework, scaffold or other structure designed or used to provide support or means of access during construction work,

Maintenance work

The definition of maintenance work under CDM2015 has not changed. If the task in hand looks like construction work, requires construction skills and uses construction materials, it is construction work. General maintenance of fixed plant, which mainly involves mechanical adjustments, replacing parts or lubrication is unlikely to be construction work. (HSE)

THE CLIENT

CDM 2015 defines a client as anyone for whom a construction project is carried out. This definition includes both non-domestic (or '**commercial**') clients and '**domestic**' clients (i.e. clients for whom a construction project is carried out which is **not** done in connection with a business).

The client has a major influence over the way a project is procured and managed. Regardless of the size of the project, the client has contractual control, appoints designers and contractors, and determines the money, time and other resources available.

In some circumstances, it may not be clear who the client or clients are. Any uncertainty should be resolved as early as possible by considering who:

- ultimately decides what is to be constructed, where, when and by whom

- commissions the design and construction work (the employer in contract terminology)
- initiates the work
- is at the head of the procurement chain; and
- appoints contractors (including the principal contractor) and designers (including the principal designer).

If there is still doubt about who the client or clients are, all the possible clients should agree that one or more of them is treated as the client for the purposes of CDM 2015.

Client Duties

The client has overall responsibility for the successful management of the project and is supported by the principal designer and principal contractor in different phases of the project.

The client ensures that the construction project is set up so that it is carried out from start to finish in a way that adequately controls the risks to the health and safety of those who may be affected.

Pre-Construction Phase

The pre-construction phase is the inception, design and planning stage of a project (before the construction or building work starts) is essential.

The client must ensure that construction work is properly planned, resourced and managed to protect the health, safety and welfare of those carrying out work on, or who may be affected by, the project. This includes:

- Selecting the project team
- Formally appointing duty holders (designers and contractors)
- Provide pre-construction information
- Ensure the project is notified where necessary
- Ensure management arrangements are working

Construction Phase

During the construction phase, the client must ensure that:

- The construction phase plan is in place
- Welfare facilities are in place
- Ensure management arrangements are working
- Co-operate with the Principal Contractor

Post-Construction

As the construction phase comes to an end, the client should:

- Check arrangements for completion and handover
- Check that the Health & Safety file has been prepared

Client Brief

A client's brief is a means of explaining what the client wants, as well as helping to carry out the client duties under CDM.

The client brief may take the form of verbal discussions or it could be a written document drafted by the client or by a designer or contractor after the client has discussed their requirements with them. The brief should:

- Describe the main function and operational requirements of the finished building or structure
- Outline the motivation for initiating the project
- Give expectations during the project, including how health and safety risks should be managed
- Explain the design direction you have in mind
- Establish a single point of contact for any client queries or discussions during the project
- Set a realistic timeframe and budget

If using the RIBA Plan of Work construction stages, the client brief should initially be prepared at Stage 1: Preparation and Brief and then finalised at Stage 2: Concept Design.

Arrangements

To be suitable, the arrangements should focus on the needs of the particular project and be proportionate to the size of the project and risks involved in the work.

Arrangements should include:

- Assembling the project team, appointing designers (including a principal designer) and contractors (including a principal contractor)
- Ensuring the roles, functions and responsibilities of the project team are clear
- Ensuring sufficient resources and time are allocated for each stage of the project from concept to completion
- Ensuring effective mechanisms are in place for members of the project team to communicate and cooperate with each other and coordinate their activities
- How the client will take reasonable steps to ensure that the principal designer and principal contractor comply with their separate duties. This could take place at project progress meetings or via written updates
- Setting out the means to ensure that the health and safety performance of designers and contractors is maintained throughout
- Ensuring that workers are provided with suitable welfare facilities for the duration of construction work.

Where the range and nature of risks involved in the work warrants it, the management arrangements should also include:

- The expected standards of health and safety, including safe working practices, and the means by which these standards will be maintained throughout
- What is expected from the design team in terms of the steps they should reasonably take to ensure their designs help manage foreseeable risks during the construction phase and when maintaining and using the building once it is built
- The arrangements for commissioning the new building and a well-planned handover procedure to the new user

These arrangements must be kept under review as the project progresses.

Appointments

Those acting as clients will need to make the following appointments:

- For single contractor projects, the client will appoint the contractor and/or designers directly.
- For projects involving more than one contractor the client is required to appoint, in writing, a principal designer and a principal contractor.

The management arrangements must cover what clients will do to ensure that the people and organisations they appoint have the skills, knowledge, experience and (if an organisation) the organisational capability to manage health and safety risks. This means that they should:

- Have the necessary capabilities and resources
- Have the right blend of skills, knowledge, training and experience
- Understand their roles and responsibilities when carrying out the work.

The extent of the checks a client must make into the capabilities of dutyholders they appoint will depend on the complexity of the project and the range and nature of the risks involved.

For small single contractor projects, appointment must be made as soon as practicable.

Principal Designers should be appointed as early as possible (e.g. RIBA Stage 1: Preparation and Brief).

Principal Contractors should be appointed before the construction phase commences (e.g. RIBA Stage 4: Technical Design).

There is a questionnaire that may assist you in undertaking appropriate procurement from a health and safety perspective.

Information

As the client, you must provide relevant information which you may already have, or that can be obtained by sensible enquiries, for example any surveys or the results of other investigations.

It is important to pass on all this pre-construction information at the earliest opportunity as it will help others, such as designers and contractors.

It will also inform them of any risks that may have an impact on the design of the building or structure, as well as on its construction and future use.

There is a list of the information that should be provided at the pre-construction stage on a separate checklist.

Notification

If the project is expected to last longer than 30 working days **and** have more than 20 workers working on the project at any one time, or exceed 500 person days, you will need to make sure that your project is notified to the relevant enforcing authority (Health and Safety Executive) using the online notification form F10 on the HSE's website.

The client must submit the notice as soon as practicable before the construction phase begins. In practice, the client may request someone else do this.

The client must ensure that an up-to-date copy of the notice is displayed in the construction site office, so it is accessible to anyone working on the site and in a form that can be easily understood.

Pre-Construction Summary

The pre-construction phase is the inception, design and planning stage of a project (before the construction or building work starts) is essential.

There is a checklist that may assist in ensuring you have undertaken all the necessary actions required during this phase.

Construction Phase

The construction phase is the start-to-finish stage of the construction or building work. The client has a number of duties:

Construction Phase Plan

The principal contractor/contractor is required to produce a plan of how they will manage health and safety on site during the construction phase.

Before the work starts on site the client will need to be satisfied that a construction phase plan is prepared. You do this by checking with the principal contractor that the plan is relevant and meets the requirements of the job.

The plan should be project-specific, take into account the pre-construction information provided, and its contents should be proportionate to the site risks. It should be regularly reviewed and include:

- A description of the project such as key dates and details of key members of the project team
- The management of the work including:
 - i) the health and safety aims for the project
 - ii) the site rules
 - iii) arrangements to ensure cooperation between project team members and coordination of their work, e.g. regular site meetings
 - iv) arrangements for involving workers
 - v) site induction
 - vi) welfare facilities
 - vii) fire and emergency procedures
- The control of any of the specific site risks listed in Schedule 3 where they are relevant to the work involved.

Welfare Facilities

Clients must ensure suitable welfare facilities are provided on site. You should check that they are in place from the very start of the site work by:

- Agreeing that your existing welfare facilities are made available to those carrying out the work
- Carrying out a site visit
- Asking for confirmation from the principal contractor (or contractor on a single contractor project) of what facilities are being provided

Management Arrangements

As the client, you are required to ensure that the arrangements made for managing health and safety during construction are working successfully.

You will need to take reasonable steps to ensure that the principal contractor is complying with their duties. This may be carried out through face-to-face progress meetings or via written updates.

You are not required to undertake routine monitoring of construction phase activities.

Handover

As the project nears its end, you should check any arrangements made for its

completion and handover. This could include a phased handover, such as you taking partial possession of finished parts of the building and checking that agreed measures are in place to ensure the health and safety of those in the areas that have been handed over.

Health & Safety File

The health and safety file contains the information needed to ensure the health and safety of anyone carrying out any future construction, demolition, cleaning or maintenance work on your building or structure.

You and the principal designer should identify and agree the structure, content and format for the health and safety file at the beginning of the project.

Before it is passed to you, it should have been reviewed and updated to ensure it contains all the necessary information. You may wish to ask for an explanation of what the completed file contains, such as any key risks that need to be managed in the future.

Once the project is completed, the client or the owner of the building must keep the health and safety file. This can be in an electronic format, on paper, on film or in any other durable form.

Keep the file separate from the building maintenance manual to avoid losing information that may be required urgently.

If responsibility for the premises is passed on or shared, you must give the health and safety file to each new owner and make it available to leaseholders. You should ensure that they are aware of the nature and purpose of the file.

You must also ensure that the file is regularly revised and updated where required, and that it is available to anyone who may need it to comply with health and safety law.

RIBA Plan of Work

The RIBA Plan of Work organises the process of briefing, designing, constructing and operating building projects into eight stages and details the tasks and outputs required at each stage.