

TECHNICIAN'S ADVISORY

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The Technicians' Advisory column is intended to add to a technician's existing knowledge base and offer alternative solutions to specific issues.

It is not intended as a definitive tutorial, nor to imply the recommendation of a particular methodology, since all situations must be assessed individually and any action taken is entirely the responsibility of the technician or organisation involved.

THE NEW CDM 2015 REGULATIONS – DO THEY MEAN ME?

The Health & Safety Executive (HSE) has now released the awaited changes to the Construction (Design & Management) Regulations (CDM). The CDM 2015 version replaces the previous version dated 2007.

The key point to be aware of at this time is that there are very limited transitional arrangements. The new Regulations came into effect from 6th April 2015, and are applicable to all relevant projects starting from that date.

To assist our understanding of the changes there is a valuable HSE document available for free download which explains the new roles and responsibilities (see *download information below*). It states:

- the law that applies to the whole construction process on all construction projects, from concept to completion; and
- what each dutyholder must or should do to comply with the law to ensure projects are carried out in a way that secures health and safety.

The roles defined in the regulations are as follows:

- Clients - are organisations or individuals for whom a construction project is carried out. They must make suitable arrangements for managing a project and supporting other duty holders and parties with information, time and resources. The client now has more responsibility than in the 2007 Regulations.
- Domestic clients - (now included directly in the regulations) are people who have construction work carried out on their own home, or the home of a family member that is not done as part of a business, whether for profit or not. Domestic client's duties will normally be transferred to contractors and designers, by agreement.
- Designers - are those, who as part of a business, prepare or modify designs for a building, product or system relating to construction work. They must eliminate, reduce or control

foreseeable risks that may arise during construction and the maintenance and use of a building once it is built.

- Principal designers - these are designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role. They must plan, manage, monitor and coordinate health and safety in the pre-construction phase of a project. This includes identifying, eliminating or controlling foreseeable risks, ensuring designers carry out their duties, and preparing and providing relevant information to other dutyholders. This role replaces the CDM "Coordinator" of the old Regulations.
- Principal contractors - are contractors appointed by the client to coordinate the construction phase of a project where it involves more than one contractor. This includes liaising with all parties, and ensuring arrangements are in place for monitoring H&S compliance on site.
- Contractors - are those who do the actual construction work and can be either an individual or a company.
- Workers - are the people who work for or under the control of contractors on a construction site. They must be consulted about matters which affect their health, safety and welfare, and take care of their own health and safety and others who may be affected by their actions.

There is now no lower threshold where CDM does not apply – the old 30 day rule for example is no longer applicable.

It should be possible for most safety conscious damage management contractors to comply with these regulations with minor changes, however it is strongly advised that the requirements of the changed rules are properly reviewed and professional advice sought on their impact, as they will apply to some DM jobs.

Search for 'Managing health and safety in construction' at www.hse.gov.uk