



accidents don't have to happen

New CDM Regulations



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Introduction:

The Construction, Design and Management Regulations 2015 came into force on the 6th April replacing the 2007 regulations.

There is a period of grace until the 6th of October, during which time the role of CDM co-ordinator can continue on any existing projects. After this date, or at the end of the project (whichever comes first), the role must cease.

If you work in construction, then chances are that you've heard about the changes to CDM Regulations. But do you know all the facts? And more importantly, do you know what you need to do?

This e-book will help you understand exactly what the changes mean for your business, it will outline the roles and duties under the new regulations and provide guidance on what each duty holder must do to comply with the rules.

In short, it will help you meet your responsibilities as a client in ensuring that construction work is undertaken safely.

What are the changes?

1. Client overview

The new regulations define a client as an individual or organisation for whom a construction project is carried out.

Even if you only occasionally work in construction, you, as a client, have a large influence over the way construction work is carried out. This doesn't necessarily mean that you have to actively manage the work yourself, but regardless of the size of the project, it is up to you to decide which designer and contractor will carry out the work. You also have to decide how much money, resource and time is available for the project, as well as ensuring that welfare facilities are provided.

The aim of the regulations isn't to create extra, unnecessary processes and boring paperwork. The regulations are about ensuring you choose the right team and help them work together in a way that ensures a healthy and safe project.

REMEMBER: The decisions you make have an impact on the safety and welfare of everyone involved in the work

What are the changes?

2. Right people, right time

There is a six month grace period (until the 6th October), after which time the role of CDM co-ordinator must cease and be replaced by a new Principal Designer role.

The Principal Designer is responsible for health and safety within the design team and can be fulfilled by an individual or organisation. In many cases, the role is likely to be undertaken by an architect.

The client is responsible for ensuring that the Principal Designer complies with their duties - to achieve this the client needs to be informed and aware of their role and responsibilities.

Where two or more contractors are on site, the client must also appoint a **Principal Contractor** and ensure that they comply with their responsibilities for Health and Safety across the site. These responsibilities include:

- Site security
- Vehicle movement
- Access
- Site inductions
- Managing sub-contractors
- The construction phase plan
- RIDDOR reporting

The key is to appoint these people as early as possible, that way they can help you research the project and ensure that it can be carried out safely.

If you fail to appoint a Principal Designer or Contractor then the responsibility lies with you!

What are the changes?

3. Plan and manage

In many cases, the project will be complicated and involve many different risks. It is up to the Principal Designer to understand these types of risks and avoid them when designing the project. It is up to the Principal Contractor to manage these risks on site in order to protect the client and the general public.

These risks include:

- **Electrical** – e.g. All supplies must be turned off before drilling into walls
- **Falls** – e.g. Ensuring ladders and scaffolding are in good condition and secure
- **Dust** – e.g. Remember to use wet cutting and vacuum extraction on tools
- **Asbestos** – e.g. Don't start work if asbestos may be present!
- **Structural collapse** – e.g. Ensuring props are correctly installed
- **Excavations** – e.g. Preventing workers from falling!

REMEMBER: Have regular discussions with your Principal Designer and Principal Contractor before and during the project...

What are the changes?

4. Keep them informed

To allow the Designer and Contractor to do their jobs you must make certain they are kept fully informed throughout the whole process. And when it comes to keeping them informed then it's a case of the earlier the better.

It is also important to put together a 'client brief' as early as possible. This should include everything you know about the project, as well as timescales, budget and your expectations for the management of the project. A strong brief will help you on the path to a successful project.

Rushed work is more likely to be unsafe and of poor quality

What are the changes?

5. Before the project starts

During the process, the client, the Designer and the Contractor need to **regularly discuss any issues relating to the project**, e.g. how it will be built, used and maintained. This will minimise the likelihood of accidents and of unexpected costs arising, thus ensuring that the work progresses as planned. You should also discuss how you plan on protecting members of the public from the risks associated with the project. The project may mean that access routes need to be changed, safety signs put in place and/or deliveries need to be made by alternative means.

The Contractor needs **to make arrangements for adequate welfare facilities for workers** prior to the commencement of the work. They also need to have a **plan in place that explains how health and safety risks will be managed**. Work cannot start until this is in place.

The notification trigger point (at which an F10 needs to be submitted to the Health and Safety Executive) has changed. It remains 30 days, or 500 man days but now also includes instances where there are more than 20 persons on site. This notification remains the client's responsibility.

What are the changes?

6. Health and safety file

The health and safety file will contain information on...

- How the work was completed – including structural information and all “as built” drawings
 - Who completed each piece of work
 - The sequence of work, so this can be reverse engineered in the future
 - Specifications of materials used
 - Information on installed equipment, for example, new boilers or flooring
 - Any incorporated features to manage risks of maintenance, cleaning and general use
 - Any relevant photographs that show exactly how the work was completed
- Information on hazards that may remain, but have been protected.

This file is a very important document and is likely to be requested by solicitors when the property is sold. Failing to complete this document could affect the sale of the property.

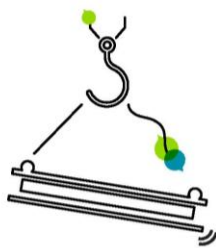
What are the changes?

7. The penalties

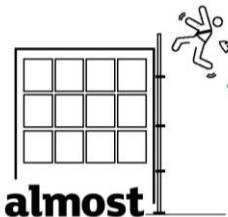
Statistics in perspective...

Construction

Around 65,000
construction workers
in GB sustained
a non-fatal
injury at work



35
fatal injuries
to workers in the
construction sector

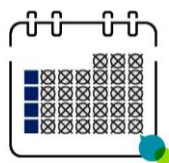


almost 50%
fatal injuries
caused by falls
from height



Total economic cost of workplace injury
& new cases of work-related illness in construction
£500,000,000

An estimated 1.7 million
working days lost
in the construction sector due
to workplace injury and ill health



So why should you comply with the regulations?

Obviously there is the moral duty to your staff and the general public – failing to adhere to the regulations will put people at risk, both during and after the project. The infographic on the left highlights the seriousness of construction accidents.

If there is a breach of health and safety law then the HSE will charge a Fee For Intervention (FFI), this fee relates to the time spent by a safety inspector in sorting out the issue.

Serious breaches of health and safety legislation can result in the HSE or local authorities stopping the project and even possible prosecution.

Source: Health and safety in construction sector in Great Britain, 2014/15

Domestic clients:

What are the issues?

If you're having work done at your home or the home of a family member by an external building firm you **are** affected by CDM Regulations – but only as a **domestic client** (assuming that the work you're having done is not in connection with a business you operate from home).

As a domestic client your only responsibility is to appoint a Principal Designer and a Principal Contractor if you're using more than one contractor. However, if you don't do this, your duties as a domestic client are automatically transferred to the Principal Contractor (or to *the* contractor if you're only using one building firm for example).

Alternatively, if you've been working with a designer before work commences, the designer could take on your domestic client duties but you'd need a written agreement confirming this arrangement.

As the homeowner, you probably know a certain amount about the property. As such, you should work with the Designer and Contractor and pass on information relating to issues such as utility location, paint and asbestos.

If you're undertaking the work on your home yourself (even if you've previously had plans drawn up etc.) then this is classed as D.I.Y and you're therefore *not* affected by CDM Regulations.

How we can help:

CDM awareness course

RoSPA's 1 day [CDM Awareness](#) course provides delegates with an understanding of the new Construction, Design and Management Regulations 2015. It offers guidance on planning and designing for health and safety within construction projects and the roles and responsibilities encompassed within the CDM Regulations.

The course aims to:

- Provide delegates with an understanding of the legal requirements of the CDM Regulations
- Give a thorough understanding of the newly revised CDM Regulations (2015)
- Detail the importance of planning for and designing for integrated safety management within construction project
- Enable delegates to recognise the consequences of not managing safety within construction and design activities
- Offer guidance on the roles and responsibilities of key duty holders, including clients, CDM co-ordinators, designers, principal contractors and sub contractors
- Allow delegates to apply knowledge gained to a typical CDM project through workshop-based activity
- Delegates who successfully complete the full course will be awarded a RoSPA certificate of training.

We have upcoming courses in Birmingham and Edinburgh. The course can also be delivered within your organisation. Please [contact us](#) for a tailored quotation and to check availability.

About RoSPA:

RoSPA (The Royal Society for the Prevention of Accidents) is a registered charity and one of the UK's leading safety organisations. Through our [workplace safety training](#), [consultancy](#), [fleet](#), [awards](#) and [membership services](#), we work with organisations within the UK and overseas.

Why choose RoSPA training?

RoSPA offers one of the widest ranges of health and safety training courses and in-company safety training in the UK, from operative level right up to director and board level. We are one of the leading providers of NEBOSH and IOSH accredited courses, manual handling, safer people handling, auditor training and core health and safety training courses, covering a wide range of topics within the areas of risk assessment and the management of occupational safety.

We also lead the way in practical health and safety consultancy and audits. Tailored services provide a service that suits and ensures you're fully compliant and - above all - safe.

Which courses does RoSPA offer?

[NEBOSH Courses](#)

[IOSH Courses](#)

[Safer People Handling](#)

[Manual Handling](#)

[Core safety skills](#)

[Practical skills](#)

[Auditor training](#)

[In-company training](#)



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