



THISTLE SYSTEMS
MAX THE CUBE™

The Essential Facts About CDM 2015 Regulations

Introduction

The Construction (Design and Management) Regulations were originally introduced 1994 to improve health and safety in the construction industry and minimise the risk of accidents and incidents on site.

The regulations have been updated several times over the years, however the latest set of regulations are without question the most important for END CLIENTS as they leave no doubt that the ultimate responsibility lies with you.

This means if you fail to take the necessary action and ensure all parties in the process follow the guidelines, you run the risk of incurring mandatory Intervention Fees from the HSE which currently stand at £125 per person per hour plus being responsible for any fines, penalties or imprisonment as a result of accidents or incidents on site.

What Is CDM 2015

CDM 2015 is a clear set of guidelines which the roles and responsibility of every person and organisation involved in a construction or refurbishment project.

It is designed to leave no margin for error as to who is ultimately responsible and what they must do to ensure the project is carried out as safely as possible.

And whilst the guidelines are very clear that the End Client is seen as being ultimately responsible for the overall project, there are ways in which you can pass virtually all of this responsibility to the contractors involved.

Do The CDM 2015 Regulations Relate to All Construction Projects?

The short answer is NO.

The regulations state that projects which will have 500 person working days must be notified to the HSE.

It goes on to state that project which will have more than 20 workers on site at any one time and the project exceeds 30 working days (including part days and weekends) are also notifiable.

Failure to notify may mean you are legally responsible for any or all incidents on site and the overall safety of the works.

However the guidelines have been developed to provide a template for delivering a construction project which minimises the risk of accidents and therefore it makes sense to adopt the approach for all projects – regardless of size or scope of works.

Key Phases of a Construction Project Under CDM 2015 & The Information Requirements

CDM 2015 now specifies the activities which must be carried out and the information supplied at the key stages of the project from set up to hand over to ensure that all risks are minimised.

Where the information is not readily available, there is an obligation on the client to ensure this information is prepared and passed to the relevant Duty Holders.

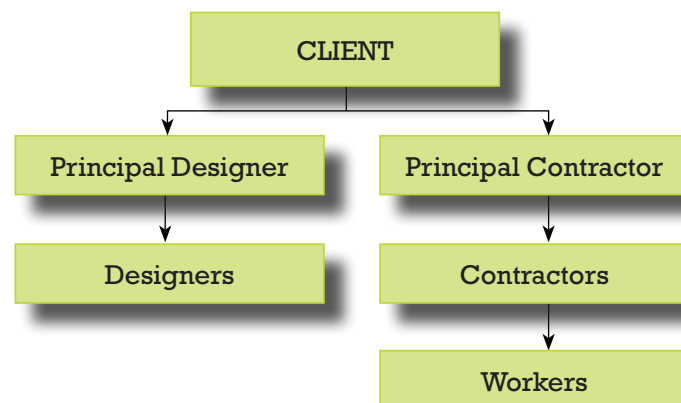
Client	Pre-Construction	Construction & Handover
<p>Existing Information</p> <ul style="list-style-type: none"> • Health & Safety File • Site Services • Drawings • Asbestos Information • Ground Conditions • Other relevant surveys <p>Site Arrangements & Restrictions</p> <ul style="list-style-type: none"> • Security • Existing occupants • Access 	<p>Existing information, site arrangements and restrictions</p> <p>Health and safety information relating to design for construction and use</p> <p>Pre-Construction Phase Plan</p> <ul style="list-style-type: none"> • Unusual Risks • Key assumptions made • Specific sequencing • Phased handovers • Temporary support required 	<p>Construction Phase Plan</p> <ul style="list-style-type: none"> • Existing information and site arrangements • Unusual construction risks • Key assumptions made • Specific sequencing • Phased handovers • Temporary support required <p>Health and Safety File</p> <ul style="list-style-type: none"> • Unusual maintenance and operations risks • Key structural principles • Key assumptions made • As built drawings • Updated existing information

Key Roles Under CDM 2015 – Commercial Contracts

One of the key aspects of the new CDM 2015 regulations are the identification of very clear roles which they describe as 'Duty Holders' each with very clear responsibilities.

Every CDM project must state who the Duty Holders are and that each role is filled by a company or individual who can prove they have the skills, knowledge and experience to fulfil their role.

In general there are 3 core roles. The Client, the Designer and the Contractor. Where there are multiple contractors and designers, a principal designer and a principal contractor will be appointed, who will act as the primary contacts between the client and the rest of the team.



The Roles of Duty Holders Explained

CLIENT

The client on commercial projects is the organisation or, in some cases, the individual for whom the construction project is carried out.

Their key roles are to ensure

- the other duty holders are appointed
- the people or companies have the skills, knowledge and experience to fulfil their roles
- there is sufficient time and resources to complete the project
- all relevant information is prepared and provided
- the required welfare facilities are available

The primary focus of the client is most likely to be with the appointment Principal Designer and the Principal Contractor to ensure they are carrying out their duties.

The client must appoint the Principal Designer and the Principal Contractor in writing or they will be deemed to carrying out these roles.

PRINCIPAL DESIGNER

The principal designer could be an individual or an organisation and will be appointed where more than one contractor is involved with a design input.

The principal designer could be the person who has prepared the works drawings however that is not necessarily the case.

Their key roles are

- to plan, manage, monitor and co-ordinate health and safety in the pre-construction phase
- to produce the Pre-Construction Phase Plan
- identify, eliminate or control foreseeable risks
- ensuring designers carry out their duties
- prepare and provide relevant information to other duty holders
- liaise with the principal contractor to help in the planning, management, monitoring and coordination of the construction phase

PRINCIPAL CONTRACTOR

The principal contractor will be appointed by the client to coordinate the construction phase where it involves more than one contractor

The key roles of the principal contractor are to:

- liaise with the client, principal designer and other duty holders
- prepare the construction phase plan
- manage the construction phase
- appoint contractors and workers
- ensure site inductions are carried out
- ensure reasonable steps are taken to prevent unauthorised access
- workers and consulted and engaged in matters relating to their health and safety
- provide the right level of management and site supervision
- monitor ongoing risks
- contribute to the health and safety file

CONTRACTOR

The main role of the contractor is to plan and manage construction work under their control in a manner which minimises the risks to health and safety. For single contractor projects, this will also require a construction phase plan.

Where contractors are involved in design work, even for temporary works, they must also adhere to the roles, responsibilities and duties of designers.

DESIGNER

The role of designer may be carried out as a stand-alone function such as an architect or architectural technician who is preparing or modifying existing designs. Alternatively the role could be carried out by the design function within a contractor.

The key roles of the designer is to ensure the designs they prepare eliminate, reduce or control the foreseeable risks that may arise during construction and the maintenance and use of the building once it is complete.

They must also provide information to the other members of the project team to help them fulfil their duties.

For more information on the latest CDM Regulations and to discuss whether your project is notifiable contact Thistle Systems now on 01236 453888

Prepared by

Thistle Systems

**2 Deerdykes Court North,
Cumbernauld,
Glasgow G68 9FL
(t) +44 (0) 1236 453 888
(f) +44 (0) 1236 453 999**

**Third Floor
Riverside House
Riverside Drive
Aberdeen AB11 7LH
(t) +44 (0) 1224 673 088**