



## The Construction (Design & Management) Regulations 2015

### Brief guidance for Contractors and Principal Contractors

The Construction (Design & Management) Regulations 2015 (or 'CDM15') took effect from **6 April 2015**, and will profoundly affect the whole of the construction industry, **particularly contractors carrying out smaller projects or brief work.**

There are several important changes of which ALL contractors must be aware. These are described in brief below. Further detailed advice can be found on the internet (all free to download); the Regulations and definitive guidance from the HSE:

<http://www.hse.gov.uk/pubns/books/l153.htm>

and definitive guidance from the CITB for contractors:

<https://www.citb.co.uk/documents/cdm%20regs/industry-guidance-contractors.pdf>

<https://www.citb.co.uk/documents/cdm%20regs/industry-guidance-principal-contractors.pdf>

and Clients:

<https://www.citb.co.uk/documents/cdm%20regs/industry-guidance-clients.pdf>

*For further advice, guidance and appropriate training (particularly for smaller contractors), please do not hesitate to contact Wenlock Health & Safety Ltd.*

### When does CDM15 apply?

CDM has always applied to all construction work, regardless of its nature and duration. However, CDM15 now makes it very plain that this includes work on domestic properties:

- ❑ **The 'Domestic Client' now has duties, including the appointment of a Principal Contractor**
- ❑ **The following rules apply to ALL sites, including domestic work**
- ❑ **It remains, the first duty of any contractor to make the Client aware of his duties**

### Appointment of Principal Contractor

The first important change is that the over-30-day rule (requiring a project to be notified to the HSE) is now no longer the trigger point for the appointment of the Principal Contractor:

- ❑ **A Principal Contractor must be now appointed by the Client "where more than one contractor will be working on a project at any time"**
- ❑ **The appointment of the Principal Contractor must be made in writing**

Larger projects will not be affected; the appointment of Principal Contractor will automatically be made as before. However, now the Client (including any Domestic Client) for even a very small project involving more than one contractor must appoint one of those contractors to be Principal Contractor.

## **Duties of the Principal Contractor**

The responsibilities of the Principal Contractor have not changed. As before, that company or person is responsible for planning, managing, monitoring and enforcing health & safety throughout the construction phase, for providing relevant information, and for co-operating with the Client and Designers to ensure a safe project.

However, the Regulations, the HSE's Guidance, and the HSE themselves do stress that, when smaller contractors are appointed to this role, the documentation and site control should be "proportionate to the nature and complexity of the work" i.e. basic risk assessments and method statements may well be adequate provided that they are site-specific and the day-to-day health & safety control on the site is enforced.

N.B. Those contractors who will be new to the role of Principal Contractor should:

- ❑ **Ensure they have the necessary skills, knowledge, experience and capability according to the nature and complexity of the work; contact Wenlock Health & Safety Ltd for advice and guidance if in doubt**
- ❑ **Contact their insurance companies to make sure their policies are updated**

## **The Health & Safety Plan**

**CDM15 now requires that ALL construction work is covered by an adequate Construction Phase Health & Safety Plan, including all minor and all domestic work.**

**Where a Principal Contractor is appointed, that company or person must write a Health & Safety Plan.**

**Where there is only one contractor (i.e. no Principal Contractor needs to be appointed) the Contractor must write a Health & Safety Plan.**

The requirements for the Health & Safety Plan (i.e. to fully document management and safety arrangements for the work) have not changed; however, a Health & Safety Plan is now required for ALL construction work regardless of nature, complexity or duration.

Wenlock Health & Safety Ltd has revised and issued the full Construction Phase Health & Safety Plan template; Principal Contractors on significantly large, lengthy or complex works must make sure they use the current version.

To assist those contractors who are not familiar with the writing of a Health & Safety Plan, Wenlock Health & Safety Ltd has issued **a short format** which simply organises the risk assessments, method statements and any other relevant information into a site file. The HSE will regard the site file as an 'adequate' Health & Safety Plan if it is sufficient to cover all aspects of safety on the site, including **at least**:

- ❑ **Any necessary site-specific health & safety-related information (e.g. asbestos survey)**
- ❑ **Site-specific risk assessments**
- ❑ **Any other necessary proof of safe systems of work (e.g. method statements, specific qualifications such as electrical and gas registration, etc)**

## **The Principal Designer**

The majority of the role previously undertaken by the CDM Co-ordinator has now been absorbed into the new role of Principal Designer. However, this role now applies to ALL projects where there is, or may be, more than one contractor involved, regardless of nature, complexity or duration, and including all domestic work.

**A Principal Designer must be now appointed by the Client “where more than one contractor will be working on a project at any time”**

### **The appointment of Principal Designer must be made in writing**

Principal Contractors can also be appointed to the role of Principal Designer (e.g. on D&B contracts, M&E installations, etc) provided that the necessary design expertise exists within the Company i.e. either internally or by engaging a competent design practice.

ALL contractors must co-operate with the Principal Designer, both before and during the Construction Phase, and to assist by providing advice regarding safety or design concerns and appropriate information for the Health & Safety File.

## **The F10 Notification**

The F10 ‘Notification of Construction Project’ now has no bearing on the way any construction work takes place; **nothing in CDM relies on the issue of the F10**. The F10 is now required for all projects:

- ❑ **Over 30 working days and more than 20 workers (of any type) at any one time on site**
- ❑ **Over 500 person days (e.g. 10 workers for 50 days)**
- ❑ **Including domestic projects falling under these criteria**

The responsibility for notification falls to:

- ❑ **The Client for commercial work**
- ❑ **The Contractor or Principal Contractor for domestic work**

F10 Notification is a simple on-line form which details all known information about the work: [www.hse.gov.uk/forms/notification](http://www.hse.gov.uk/forms/notification)