



Health and Safety – The Construction Design and Management (CDM) Regulations 2015

From 1 October 2015, the CDM (Construction Design and Management) Regulations 2015 that came into force on 6 April 2015 apply in full to all stages of projects.

The CDM Regulations aim to improve health and safety of your building site by helping you to:

- Sensibly plan the work so the risks involved are managed from start to finish.
- Have the right people for the right job at the right time.
- Cooperate and coordinate your work with others.

- Have the right information about the risks and how they are being managed.
- Communicate this information effectively to those who need to know.
- Consult and engage with workers about the risks and how they are being managed.

All PCC's, and persons responsible for caring for their churches, need to be aware that they, as the client, are responsible for ensuring appropriate consideration be given to health and safety during both the design and the construction phase of a project. All parties, from the client to the contractor

(including architects, surveyors and consultants) have a legally binding role to play in this process.

The CDM Regulations apply to new construction work as well as repair and conservation work the way the project team must be set up depends on whether there is a single contract involved in the project or more than one contractor. In the case of a single contractor project, the client appoints the contractor and/or designers directly; but where a contract involves more than one contractor, the client must appoint a principal designer and principal contractor. For example: an electrician and a



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stonemason or other combinations.

In the case of a project that involves more than one contractor, one of the PCC's duties is to appoint (in writing) a 'Principal Designer' to plan, manage and monitor health and safety during the pre-construction phase of the project. The Principal Designer must be a designer on the project with control over the pre-construction phase of the project - the Principal Designer is most likely to be the architect/surveyor appointed to the project. A project architect should be able to help PCCs with making the arrangements required by the regulations.

The appointment of the Principal Designer should be made as early as possible to ensure that everything has been done to check the project can be delivered safely. Although the PCC is not expected to actively manage or supervise the work, you have a big influence over the way the work is carried out.

If you fail to appoint either a principal designer or a principal contractor for a multi-contractor project you will be under a legal obligation to carry out their duties yourself. For Parishes, the big difference is that there is now a legal responsibility.

You, as the client, are responsible for appointing suitably qualified people. You are also obliged to:

- Allow them sufficient time and resources to do their jobs properly and make sure they actually do their jobs.
- Provide welfare facilities (generally toilets, a site cabin where they can eat meals and make teas and coffees and where a first aid kit should be kept). Usually, the contractor supplies these facilities but it is the client's responsibility to ensure this happens,
- Maintain and review the Health and Safety arrangements for the duration of the project.
- Provide pre-construction information to every contractor tendering for the work. This will include relevant information about the existing building, services, previous works and asbestos.
- Ensure that your principal contractor provides a construction phase Health and Safety plan.
- Ensure that your principal contractor provides a Health and Safety file for you, the client, at the end of the job.

For large projects, the Principal Designer may suggest that a Health and Safety consultant is engaged as a sub-consultant appointment to support the process and to provide appropriate technical advice.

Pre-tender H&S information will need to be prepared and given to contractors and PCCs need to ensure that they keep accurate and up-to-date records of relevant information to give to contractors.

One of the key changes to the Regulations is a variation in the requirement to notify the HSE of projects. The new Regulations stipulate that a project is only notifiable if the project lasts more than 30 days AND it involves more than 20 workers on site at the same time OR projects taking more than 500 worker days. To notify the HSE, the F10 form has to be signed and submitted by the PCC in advance of the works commencing, although in practice you may request someone else does this on your behalf. A copy of this form has to be displayed in the site office at all times.

Once the project enters the construction phase, the 'Principal Contractor' is appointed to plan, manage and co-ordinate the construction work. The



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Principal Contractor should be appointed as early as possible so that they can be involved in discussion with the Principal Designer.

The Principal Contractor will need to prepare Method Statements and supply Pre-Construction information in advance of works commencing.

At the end of the project the Principal Designer is to obtain from the Principal Contractor the Health and Safety File which should then be safely archived by the PCC.

CDM Regulations are overseen and regulated by the Health and Safety Executive and it is a criminal offence to disregard them.

The Health and Safety Executive publishes comprehensive information about managing a safe environment whilst you are having building work done, and particularly

The CDM Regulations 2015

<http://www.hse.gov.uk/Construction/cdm/2015/>

Summary of duties under Construction (Design and Management) Regulations 2015

<http://www.hse.gov.uk/construction/cdm/2015/summary.htm>

The absolutely essential health and safety toolkit for the smaller construction contractor can be downloaded from the Health and Safety Executive website <http://www.hse.gov.uk/pubns/indg344.htm>

Three more vital areas to check before works start on site:

Inform your buildings insurer.

If you intend to start major alterations, renovations or repairs, it is important that you inform your buildings insurer as soon as possible.

They can then consider the effect the work will have on your policy and ensure that the correct cover is in place for the building works themselves.

Cover for theft of metal when scaffolding is to be erected.

The leading church insurer, Ecclesiastical, has recently made changes to how they approach this issue which we know is of concern to many places of worship. The presence of scaffolding on any building can seriously compromise general security. Because of this, Ecclesiastical church insurance policies normally exclude theft of external metal (mainly on roofs) when scaffolding is erected. However, cover can now be offered subject to

various security conditions being met. Ecclesiastical have a detailed checklist of the technical requirements that need to be met on their website.

<http://www.ecclesiastical.com/churchmatters/churchguidance/churchsecurity/theftoffmetal/scaffolding> Churches are advised to discuss this checklist with their contractor or architect before any work commences and get their assistance to complete it as the requirements can be much more easily accommodated at the planning stage.

Keeping people informed and involved.

Your congregation, friends and supporters will be keen to know what is happening during the building work phases of your project. Share any updates and images from your architect, site manager or project manager. However, DO NOT allow anyone access to any construction site without the site manager's express permission, attendance and without ensuring that the proper safety clothing is worn by all.

These notes are intended for information only and do not constitute legal advice. If you have any questions about the Regulations you are advised to obtain suitable professional advice.

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