CDM 2015 – One Year On

Stakeholder Briefing

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What this event is about

• A look at CDM 2015 with the benefit of a year’s experience
• An explicit focus on the roles of Client and Principal Designer.
• Sharing the inspector’s perspective on these roles and the responsibilities
• Reaching a common understanding of HSE’s expectations
What this event is NOT about

• An opportunity for you to seek an inspector opinion on a specific individual matter.
• Trying to identify companies or individuals who may have failed to comply with the law in the past.
The next 3 Hours – what’s happening?

• We will be using case studies to encourage debate.

• There will be 15 groups of 10

• Each group will have a set of photographs and brief ‘pen picture’ of a job.

• For each case your group are the client and Principal Designer for this job.

• Discuss the case in groups using given prompts
The next ? Hours – what’s happening?

• Each group elects/ nominates a spokesperson
• Feedback on the specific prompts
• Case opened to the floor for wider discussion.
What is CDM 2015 about?

• CDM 2015 applies to all construction work.
• The Regulations set out the requirements for managing health and safety on construction PROJECTS
• A project is more than a construction site
What has stayed ‘broadly’ the same

• Application to all projects
• Role of the Principal Contractor
• Part 4 technical standards for construction sites
• Schedule 2 – welfare requirements
• Co-ordinators for H&S in the pre- and construction phases
Outline of main changes

• Simplified structure
• Client – greater responsibility
• Domestic client exemption – removed
• CDM co-ordinator role - removed
• Principal Designer role (PD) – introduced
• ‘Competence’ – removed in its current form – ‘SKET’
• Construction phase plan for all projects
• Threshold for appointments – more than 1 contractor
• Notification is a stand alone requirement – not trigger point for additional duties
First - Some definitions

The following may be useful through your discussions.

Each group has been provided with a copy of HSE publication L153 – Guidance on CDM2015

For those with tablets, etc a pdf version is available for free download at:

First - Some Definitions:

Client:

*any person for whom a project is carried out;*

“project” means a project which includes or is intended to include construction work and includes all planning, design, management or other work involved in a project until the end of the construction phase;
First – Some Definitions

Designer: any person (including a client, contractor or other person referred to in these Regulations) who in the course or furtherance of a business—
   (a) prepares or modifies a design; or
   (b) arranges for, or instructs, any person under their control to do so, relating to a structure, or to a product or mechanical or electrical system intended for a particular structure, and a person is deemed to prepare a design where a design is prepared by a person under their control;
First – Some Definitions:

“design” includes drawings, design details, specifications and bills of quantities (including specification of articles or substances) relating to a structure, and calculations prepared for the purpose of a design;
First – Some Definitions:

Principal Designer:

“principal designer” means the designer appointed under regulation 5(1)(a) to perform specified duties in regulations 11 and 12;
Principal Designer:

Regulation 11 sets out the duties a principal designer has during the pre-construction phase. They include requirements to plan, manage, monitor and coordinate health and safety during this phase and to liaise with the principal contractor in providing information relevant for the planning, management and monitoring of the construction phase.
First – Some Definitions:

Pre-Construction Phase:

“pre-construction phase” means any period of time during which design or preparatory work is carried out for a project and may continue during the construction phase;
First – Some Definitions:

Temporary Works:

“those parts of the works that allow or enable construction of, protect, support or provide access to, the permanent works and which might or might not remain in place at the completion of the works”.
Case Studies - Prompts

i. What is wrong?

ii. What are you going to do?

iii. Who is responsible?

iv. Who would HSE wish to speak with?
   i. Why?

v. What should have been done?
   i. When and by Whom?
Case Study 1

Mill Refurbishment

• Principal Contractor (PC) at time of visit was the roofer.

• Task was strip and recover the pitched roof. Also blocking off half the rooflights.
Case Study 1
Case Study 1
Case Study 2

House Refurbishment 1

• Principal Contractor is a one-man band
• He has recruited his workforce from outside a DIY ‘superstore’
• There is no PD just a Client
Case Study 2
Case Study 2

House refurbishment 2

- There is no site manager
- Nobody speaks any English at all
- A kindly polish scaffolder offers to translate
- The site manager arrives, shrugs, and gives you the client’s number
Case Study 2
Case Study 2
Case Study 2
Case Study 3

Refurb of derelict Pub.

- Fire damaged building
- Developer wishes to convert to dwellings
- Principal Contractor at this stage was the demolition contractor
- No asbestos survey available at time of visit
Case Study 3
Case Study 3
Case Study 3
Case Study 4

Refurbishment of a pub

• No site manager on site
• When he does arrive he can’t demonstrate sufficient ‘SKET’
• No drawings for site
• PD has never visited site
Case Study 4
Case Study 4
Case Study 5

Development of small plot between river and a children’s playground.

• Scaffold over water had previously been in place, washed away during flooding

• Discussions with EA ongoing about acceptable replacement.
Conclusion

• Understand your legal duties.

• Pre-Construction phase is not limited to the time before any construction starts.

• Who is the most appropriate person to act as Principal Designer?

• HSE policy is, where appropriate, to ‘track back’ to designers, principal designers and clients.
Conclusion

Thank you for your attention.

More information is available at:

http://www.hse.gov.uk/construction/cdm/2015/index.htm