CDM 2007 REGULATIONS - SUMMARY

WHEN DID THE REGULATIONS COME INTO EFFECT?

The CDM Regulations came into force on 6th April 2007, there is no transition period.

WHERE CAN THE DUTIES BE FOUND?

The Regulations and the Approved Code of Practice set out the duties applying to all projects, followed by additional duties for Notifiable projects, both by duty holder.

The ACOP (available on Barbour Index etc; hard copies from HSE Books Ref L144) includes the Regulations in full and in one place - Appendix 1

ARE THE CONSTRUCTION (HEALTH & WELFARE) REGULATIONS STILL APPLICABLE?

These have been replaced by Regulations 25 to 45 inc of CDM 2007, and the welfare requirements are listed in Schedule 2.

WHEN DOES CDM APPLY?

CDM 2007 applies to all projects, however projects of 30 days or over, or those which involve 500 person days or more, have to be notified to the Health and Safety Executive. Notifiable projects attract additional duties for Clients, Designers and Contractors, and require the appointment of a CDM Co-ordinator (replacing the Planning Supervisor) and a Principal Contractor. Clients who do not appoint a CDM Co-ordinator (CDM-C) or a Principal Contractor (PC) in good time, are deemed to be responsible for the duties associated with those roles, during the period of the deficiency. There is no distinction between demolition projects and other projects in terms of notification, but a written method statement is required for all demolition projects.

WHAT STEPS SHOULD BE TAKEN PRIOR TO ANY APPOINTMENTS?

Duty holders must not appoint or instruct anyone to carry out any of the duties without taking reasonable steps to check competence, whilst duty holders must not accept appointments unless competent.

WHAT DO CLIENTS NEED TO BE AWARE OF?

Clients must take reasonable steps to ensure duty holders have adequate management arrangements in place, as well as have sufficient time and resources, and must ensure these remain throughout. Ensure adequate welfare facilities are in place before construction commences, and for this state to remain throughout. Contractors considered for appointment must be informed of the minimum time to be allowed for planning and preparation between appointment and start of construction, similar information must be given to other sub contractors in turn.

WHY DO YOU NEED TO BE AWARE OF OTHERS ROLES?

'Co-operation' and 'Co-ordination' appear throughout CDM 2007, so there is a need to know the roles of others, and for all duty holders to co-operate and co-ordinate with their equivalents on adjacent sites. If it is not happening, you are required to be proactive.

WHEN CAN DESIGN WORK BE UNDERTAKEN?

For all projects Designers must ensure Clients are aware of their duties, and for Notifiable projects, only 'initial' design may be undertaken, unless a CDM Co-ordinator is on board. Initial design is appraisal of project needs and objectives, and possible constraints on development, but **not** concept design, or work to RIBA stage C.

AS PART OF THE DESIGN PROCESS CONSIDERATION NEEDS TO BE GIVEN TO WHO?

As well as consideration of the health and safety of those undertaking construction, cleaning and maintenance, together with those affected, CDM 2007 requires designer's to consider those using the structure as a workplace, when specific compliance with the Workplace (Health Safety and Welfare) Regulations 1992 is required.

IS THERE A STANDARD DESIGN RISK ASSESSMENT?

There is no requirement to do this by using a traditional Design Risk Assessment albeit this is a good tool for recording and dealing with hazards, however as a minimum, written records will be required to show that duties have been discharged. Designers are required to identify hazards in their design, to take action to eliminate or reduce the risks, and to provide information regarding residual risks so they may be controlled on site.

WHAT ARE THE CDM CO-ORDINATORS CORE DUTIES?

To advise and assist the Client to discharge his duties under CDM 2007, including the checking of the Construction Phase H&S Plan, required before construction may commence. To collect information from the Client and from Designers and issue promptly as required by other Designers, and by Contractors or by the PC. (Information issued to the PC is usually as an info pack rather than a formal Pre-Construction H&S Plan). The CDM-C has to ensure suitable arrangements are made for co-operation and co-ordination of H&S measures during planning for construction. To liaise with the PC regarding information required, design development, and information for the Safety File. The CDM-C is responsible for the preparation of the Safety File.