

CDM 2015

Client Duties & Refresher Update



Futures for Somerset Ltd (Local Education Partnership)

Introductions

Hadleigh Wells - background

General Manager, Futures for Somerset Ltd.

- MSc Engineering Project Management
- PGDip Strategic Leadership & Management
- Prince2 & MSP Practitioner
- Gateway Reviewer
- Experienced Programme & Project Manager
 - Large Scale Capital Projects
 - Change Management Programmes
 - Efficiency Projects & Programmes

Futures for Somerset Ltd.



Futures for Somerset (FfS) is an award-winning, long-term strategic partnership established by Somerset County Council (SCC), Amber Investments and BAM PPP.

We work beyond the boundaries of Somerset...

CDM 2015 – What is it?

- Construction Design Management (CDM) Regulations 2015 are the main set of regulations governing Health & Safety and Welfare of construction projects.
- The regulations do apply to maintenance and construction activity within schools, Academies and MATs (seen as commercial sites by the HSE).
- CDM Regulations were first introduced in 1994 following an EU Directive (92/57/EEC) on minimum health & safety standards for construction sites.
- CDM Regulations were revised and updated in 2007 & 2015

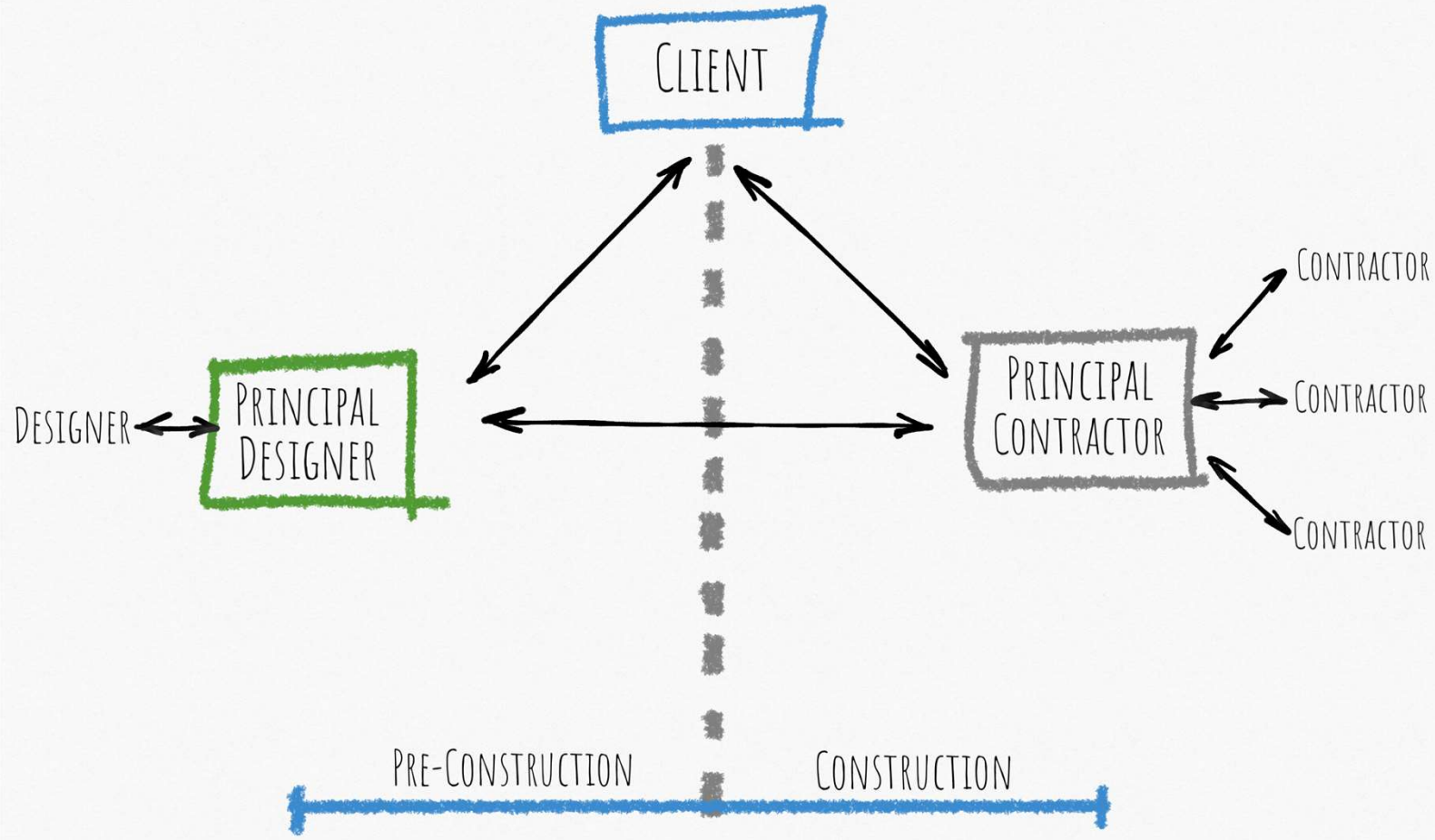
CDM 2015 – Why Update?

- Perception that regulations had been over interpreted (leading to complacency)
- Belief that co-ordination and pre-construction phase was seen as a bureaucratic ‘add-on’ rather than being integral to the project (resulting in lack of value)
- The persistence of unacceptable standards, practice and adoption of regulations (particularly with smaller projects, sites, clients and contractors)

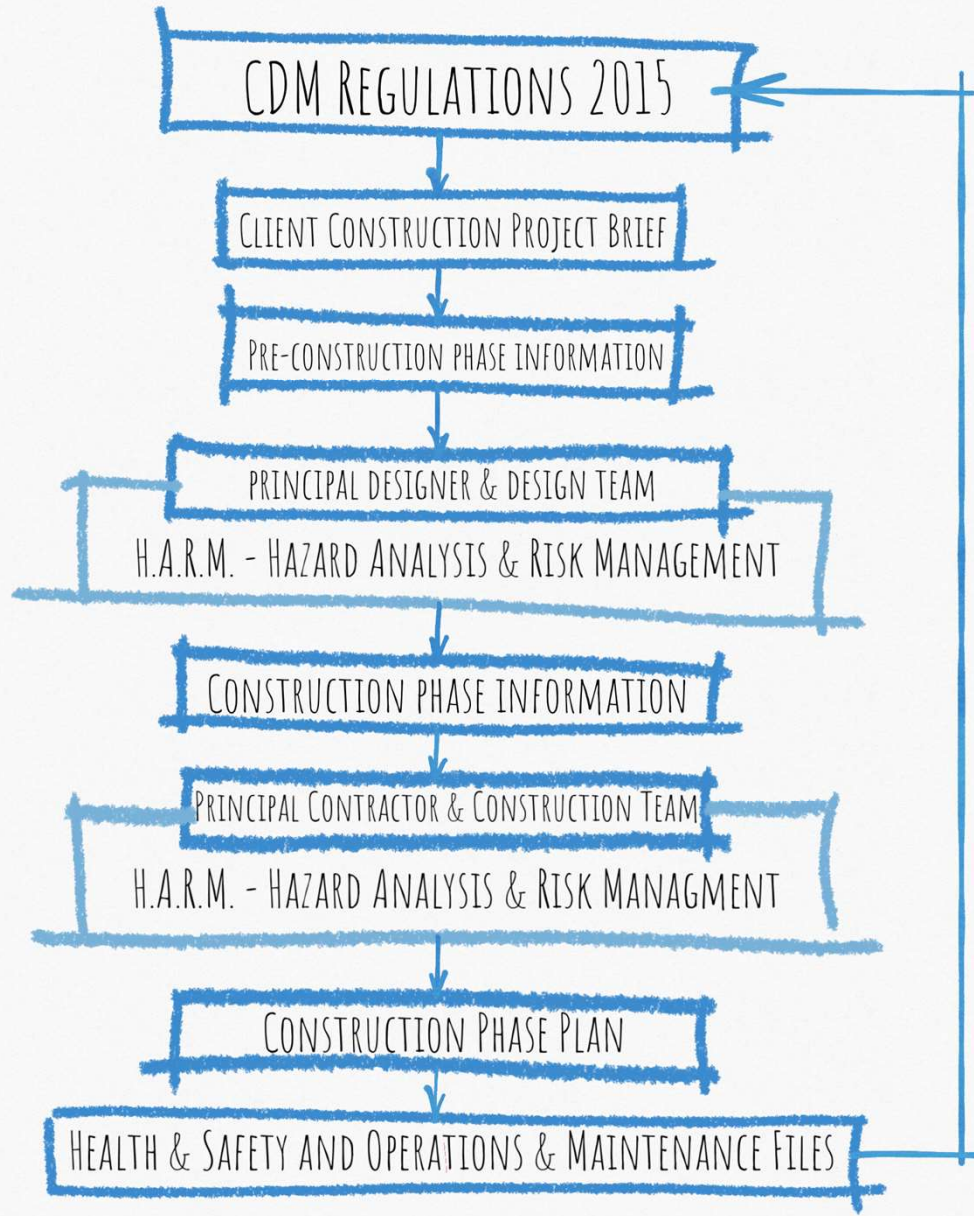
CDM 2015 – Main Changes

- Structural Simplification
- **Client – Greater Responsibility**
- Replacement of ACOP with targeted guidance
- **Planning Supervisor (pre-2007) —> CDM co-ordinator (2–7-2015) —> Principal Designer (post-2015)**
- Introduction of ‘Competent’ persons (SKET)
- Removal of exemption for domestic clients
- Change in the thresholds for appointment of Principal Designer & Principal Contractor roles (capturing an additional c. 1 million projects per year)
- Separation of HSE notification (F10) for works that:
 - last longer than 30 working days, and have more than 20 workers simultaneously at any point; or
 - Exceed 500 person days.

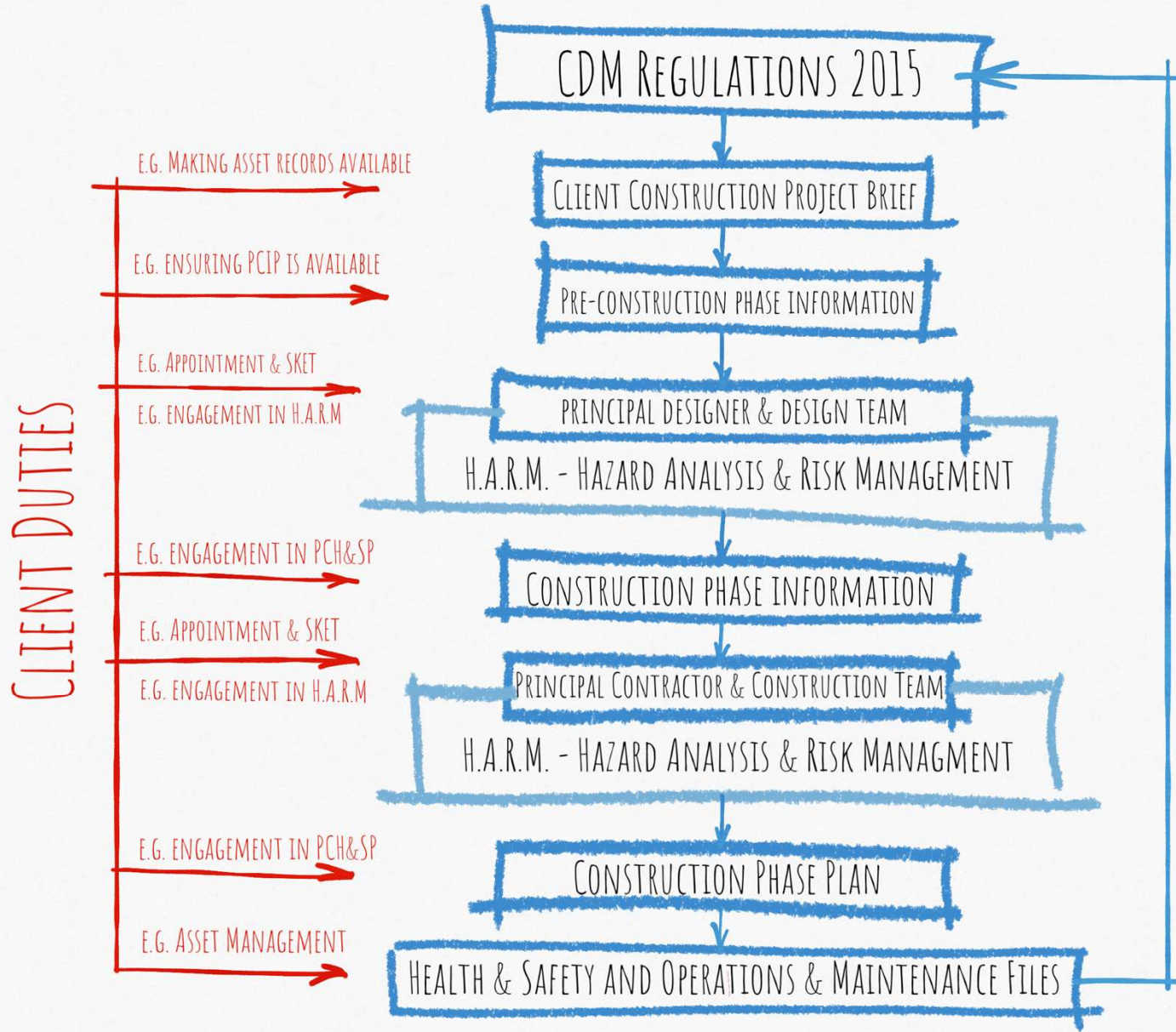
CDM 2015 – Main Structure



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CDM 2015 – Client Duties - Generally

- Client shall make suitable arrangements for managing a project, including making sure:
 - Other duty holders are appointed as appropriate
 - Sufficient time and resources are allocated
- Client shall remain responsible for:
 - Ensuring **relevant information** is prepared and provided to other duty holders (i.e. designers and contractors)
 - That a competent Principal Designer is appointed
 - Competent Principal Contractor is appointed
 - That the Principal Designer and Principal Contractor carry out their duties
 - That appropriate welfare facilities are provided

~~COMPETENCY~~

S = SKILLS

K = KNOWLEDGE

E = EXPERIENCE

T = TRAINING

CDM 2015 – Client Duties – F10

- Client responsibility to ensure project is notified.
- Project is notifiable for works that:
 - last longer than 30 working days, and have more than 20 workers simultaneously at any point; or
 - Exceed 500 person days.
- Notification to be submitted as soon as practicable prior to Works beginning.
- Notification must state full duration of works, intended working days and be updated if necessary (i.e. not lapse)
- The Client may request someone else to raise the F10 on their behalf (e.g. Principal Designer or CDM Advisor)

CDM 2015 – Client Duties – Failures

- Application of CDM to other work streams (e.g. IT, Facilities Management etc).
- Failure to notify HSE of Works
- Failure to appoint a Principal Designer
- Failure to appoint a Principal Contractor
- Failure to provide appropriate and timely information

CDM 2015 – Enforcement

- Construction Design Management (CDM) Regulations 2015 are the main set of regulations governing Health & Safety and Welfare of construction projects.

Examples (there are many more):

- A Client failed to appoint a Principal Contractor has been prosecuted under the CDM Regulations 2015 13(1) and H&S at Work Act 1974 33(1)G and fined £50,000 an investigation found that the company had failed to put in place appropriate measures to control risks from risk on site including fire, asbestos and falls from height.
- A Client was found guilty of breaching Regulation 6 (2), Regulation 6(3) and two breaches of Regulation 4 of the CDM Regulations 2015. The Client was fined £76,000 and ordered to pay costs of £14,651.64. Due to the workforce being exposed to risks that included falls from height, electrocution, inhalation of silica dust.

Where a Client fails to appoint a Principal Contractor or Principal Designer they assume the role themselves...do you have the right SKET?

CDM 2015 – Reducing the Burden

- Appointment of Project Manager and/or Employer's Agent (as appropriate)
- Appointment of CDM Advisor (CDMA)
- Use of pre-approved frameworks
- Project Meetings (embed the CDM theme throughout)

CDM 2015 – Summary

- Be engaged
- Seek the right advice
- Appoint experienced and professionally qualified experts
- Procure safe, qualified and experienced builders to deliver your scheme
- Understand your obligations: Legal, H&S, Planning, Building Regs, Safeguarding
Avoid taking unnecessary risks and making costly mistakes
- Always begin with the end in Mind
Consider the educational benefits of any building work you plan
Consider the staff resources/time you need to plan and develop a building project
Manage inevitable changes...even well planned projects can still come unstuck

CDM 2015 – Further Reading

<https://www.futures4somerset.co.uk/hs>

Futures for Somerset Ltd.



The scope of the services which we are exceptionally well placed to deliver through direct arrangements with established supply chains includes:

- **Programme & Project Development & Delivery**
- Property Design & Construction (including Feasibility Studies)
- **Property Facilities Management (inc. Compliance & Peer Review)**
- Property Services Supply Chain Integration & Management
- Leisure Property Management and Delivery Services
- Business Case & Benefits Analysis
- **Bid Management**
- Change Management in Education Community Development
- Supporting ICT Managed Services
- **Strategic Estate Management**

