



## What is CDM ?

The Construction (Design & Management) Regulations (CDM) when first introduced in March 1995, were intended to ensure that health and safety issues are properly considered during a projects development so that the risk of harm to those who have to build, use and maintain the structure is reduced.

Since CDM'94, the Regulations have gone through two revisions with the current version being CDM'15, coming into force on 6<sup>th</sup> April 2015.

The current CDM'15 Regulations resulted from the perception across industry that they had not been implemented as the HSE had intended;

- the previous CDM Regs had been over-interpreted by some leading to excessive paperwork and 'form-filling'
- a belief that the co-ordination function in the pre-construction phase was often a bureaucratic add-on and that the role was not embedded into the early design stages of projects, resulting in cost with little added value, and
- the persistence of unacceptable levels of safety and health standards, particularly across smaller construction projects.

The present day CDM'15 Regulations therefore made the following changes;

- The application of CDM'15 applies to all Construction work, whether you are about to alter, extend or demolish a building or structure, or you are thinking of building a new one.
- the structural simplification of the layout of the regulations to make them easier to interpret
- the replacement of the Approved Code of Practice (ACOP) with duty-holder targeted guidance documents.
- the introduction of a new duty-holder role, the Principal Designer
- by splitting competence assessment into its component parts of skills, knowledge, training and experience, and, if it relates to an organisation, the organisations' collective capability.
- removing the exemption for domestic clients, but passing their CDM duties to the contractor and lead designer, and
- changing the threshold for appointment of the Principal Designer (PD) and Principal Contractor (PC), where there is foreseen to be more than one contractor involved on a construction project.

These changes also separate the threshold for the notification of the works to the HSE (the F10 notice). The HSE 'must be notified where construction works is likely to last longer than

30-working days and have more than 20 workers working simultaneously at any point, or exceed 500-person days'.



The most significant change implemented by CDM'15 was the introduction of the Principal Designer (the PD).

The reason for the change was to give responsibility for CDM during the pre-construction design phase to an individual (or organisation) that has an ability to influence the h&s management of the design. The pre-construction phase meaning any time that design work is taking place and could continue into the construction phase of a project.

Essentially, the PD duty-holder role is one of health & safety planning and management rather than the aesthetics, programme or budget constraints, which are the focus of other consultants on a construction project.

The PD 'ensures' for the effective planning, management and monitoring to coordinate health & safety in the pre-construction phase, as well as to provide guidance, advice and information to the client and his/her team during the construction phase of a project.

As a CDM Client, if you don't appoint either a PD or a PC you will be legally liable for their duties and will be deemed to be carrying them out. You could also leave yourself open to potentially expensive legal action (enforcement intervention), and, you could face criminal prosecution by the HSE.

Emerald Health & Safety Services, our consultants are able to demonstrate vast cross-sector project experience since 1999. We provide independent and objective advice to assist you to achieve your project goals, taking account of commercial and timescale pressures, all whilst keeping you in line with the various Acts and Regulations governing the construction industry.

If you have a CDM project to manage and you require clarification over your duties, then please don't hesitate to get in touch with us.

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