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## Construction (Design and Management) Regulations 2007

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The key aim of the Construction (Design and Management) Regulations 2007 is to integrate health and safety into the management of construction projects at every stage. Incumbents, churchwardens and PCCs collectively have important new legal responsibilities under the Regulations when commissioning any construction or repair work to their churches. Also your church architect/surveyor needs to be involved at the same time.

The new CDM Regulations 2007 came into force on 6<sup>th</sup> April 2007, superseding the CDM Regulations 1994. They aim to help you ensure that your construction project is safe to build, safe to use, safe to maintain and delivers good value by:

- helping you to reduce bureaucracy and paperwork - making the focus planning and management, rather than the plan and other paperwork;
- simplifying the Regulations to improve clarity – so making it easier for duty holders to know what is expected of them;
- encouraging more integration - strengthening the requirements regarding co-ordination and co-operation, particularly between designers and contractors;
- simplifying the assessment of competence (both for organisations and individuals) to help raise standards and reduce bureaucracy; and
- maximising their flexibility – to fit with the vast range of contractual arrangements.

CDM 2007 also includes provisions originally called the Construction (Health, Safety and Welfare) Regulations 1996. CDM 2007 covers all forms of construction and places legal duties on virtually **everyone** involved in construction work. Those with legal duties are commonly known as 'dutyholders'.

The regulations encourage everyone involved to work together as an integrated team to:

- Improve planning and management of projects from the start
- Identify hazards early so that they can be eliminated or reduced at design and planning stage and the remaining risks can be properly managed
- Reduce bureaucracy and target effort where it can do the most good in terms of health and safety
- Encourage co-operation and co-ordination of the project

A key theme that runs throughout the Guidance is to ensure that competent appointments are made as early as possible in the life of the project.

### Dutyholders

Dutyholders under CDM 2007 are:

- **Clients** - A 'client' is anyone having construction or building work carried out as part of their business. This could be an individual, partnership or company and includes property developers or management companies for domestic properties.
- **CDM co-ordinators** - A 'CDM co-ordinator' has to be appointed to advise the client on projects that last more than 30 days or involve 500 person days of construction work. The CDM co-ordinator's role is to advise the client on health and safety issues during the design and planning phases of construction work.
- **Designers** - The term 'designer' has a broad meaning and relates to the function performed, rather than the profession or job title. Designers are those who, as part of their work, prepare design drawings, specifications, bills of quantities and the

specification of articles and substances. This could include architects, engineers and quantity surveyors.

- **Principal contractors** - A 'principal contractor' has to be appointed for projects which last more than 30 days or involve 500 person days of construction work. The principal contractor's role is to plan, manage and co-ordinate health and safety while construction work is being undertaken. The principal contractor is usually the main or managing contractor for the work.
- **Contractors** - A 'contractor' is a business who is involved in construction, alteration, maintenance or demolition work. This could involve building, civil engineering, mechanical, electrical, demolition and maintenance companies, partnerships and the self-employed.
- **Workers** - A 'worker' is anyone who carries out work during the construction, alteration, maintenance or demolition of a building or structure. A worker could be, for example, a plumber, electrician, scaffolder, painter, decorator, steel erector, as well as those supervising the work, such as foreman and chargehands.

### **When is Notification required?**

Notification will be required if the project, commonly referred to as a 'construction project' is likely to:

- Last longer than 30 days or
- Involve more than 500 persons days of construction work.

Any day on which construction work is carried out (including holidays and weekends) should be counted, even if the work on that day is of short duration. A 'person day' is one individual, including supervisors or specialist trades, carrying out construction work for one normal working shift.

There are a number of definitions such as construction work, construction phase, structure, project, construction site etc which have specific meanings in the Regulations.

### **Particulars to be notified to HSE (*using HSE Form 10rev*)**

1. Date of forwarding.
2. Exact address of the construction site.
3. The name of the local authority where the site is located.
4. A brief description of the project and the construction work which it includes.
5. Contact details of the client (name, address, telephone number and e-mail address).
6. Contact details of the CDM co-ordinator (name, address, telephone number and e-mail address).
7. Contact details of the principal contractor (name, address, telephone number and e-mail address).
8. Date planned for the start of the construction phase.
9. The time allowed by the client to the principal contractor referred to in regulation 15 (b) for planning and preparation for construction work.
10. Planned duration of the construction phase.
11. Estimated maximum number of people at work on the construction site.
12. Planned number of contractors on the construction site.
13. Name and address of any contractor already appointed.
14. Name and address of any designer already engaged.
15. A declaration signed by or on behalf of the client that he is aware of his duties under these Regulations.

*We recommend that this task is undertaken by the CDM co-ordinator.*

## Summary of duties under the CDM regulations 2007

### All construction projects (Part 2 of the Regulations)

<b>Clients (excluding domestic clients)</b>	<ul style="list-style-type: none"> <li>• Check competence and resources of all appointees</li> <li>• Ensure there are suitable management arrangements for the project</li> <li>• Allow sufficient time and resources for all stages</li> <li>• Provide pre-construction information to designers and contractors</li> </ul>
<b>Designers</b>	<ul style="list-style-type: none"> <li>• Eliminate hazards and reduce risks during design</li> <li>• Provide information about remaining risks</li> </ul>
<b>Contractors</b>	<ul style="list-style-type: none"> <li>• Plan, manage and monitor own work and that of workers</li> <li>• Check competence of all their appointees and workers</li> <li>• Train own employees</li> <li>• Provide information to their workers</li> <li>• Comply with the specific requirements in Part 4 of the Regulations</li> <li>• Ensure there are adequate welfare facilities for their workers</li> </ul>
<b>Workers/ everyone</b>	<ul style="list-style-type: none"> <li>• Check own competence</li> <li>• Co-operate with others and co-ordinate work so as to ensure the health and safety of construction workers and others who may be affected by the work</li> <li>• Report obvious risks</li> </ul>

*NOTE – Domestic clients do not have any duties under CDM 2007.*

### Additional duties for notifiable projects (Part 3 of the Regulations)

<b>Clients (excluding domestic clients)</b>	<ul style="list-style-type: none"> <li>• Appoint CDM co-ordinator*</li> <li>• Appoint principal contractor*</li> <li>• Make sure that the construction phase does not start unless there are suitable welfare facilities and a construction phase plan is in place.</li> <li>• Provide information relating to the health and safety file to the CDM co-ordinator</li> <li>• Retain and provide access to the health and safety file</li> </ul> <p>(* There must be a CDM co-ordinator and principal contractor until the end of the construction phase)</p>
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### Additional duties for notifiable projects (*continued*)

<b>CDM co-ordinators</b>	<ul style="list-style-type: none"> <li>• Advise and assist the client with his/her duties</li> <li>• Notify HSE</li> <li>• Co-ordinate health and safety aspects of design work and cooperate with others involved with the project</li> <li>• Facilitate good communication between client, designers and contractors</li> <li>• Liaise with principal contractor regarding ongoing design</li> <li>• Identify, collect and pass on pre-construction information</li> <li>• Prepare/update health and safety file</li> </ul>
<b>Designers</b>	<ul style="list-style-type: none"> <li>• Check client is aware of duties and CDM co-ordinator has been appointed</li> <li>• Provide any information needed for the health and safety file</li> </ul>

<b>Principal contractors</b>	<ul style="list-style-type: none"> <li>• Plan, manage and monitor construction phase in liaison with contractor</li> <li>• Prepare, develop and implement a written plan and site rules (Initial plan completed before the construction phase begins)</li> <li>• Give contractors relevant parts of the plan</li> <li>• Make sure suitable welfare facilities are provided from the start and maintained throughout the construction phase</li> <li>• Check competence of all appointees</li> <li>• Ensure all workers have site inductions and any further information and training needed for the work</li> <li>• Consult with the workers</li> <li>• Liaise with CDM co-ordinator regarding ongoing design</li> <li>• Secure the site</li> </ul>
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**Additional duties for notifiable projects (*continued*)**

<b>Contractors</b>	<ul style="list-style-type: none"> <li>• Check client is aware of duties and a CDM co-ordinator has been appointed and HSE notified before starting work</li> <li>• Co-operate with principal contractor in planning and managing work, including reasonable directions and site rules</li> <li>• Provide details to the principal contractor of any contractor whom he engages in connection with carrying out the work</li> <li>• Provide any information needed for the health and safety file</li> <li>• Inform principal contractor of problems with the plan</li> <li>• Inform principal contractor of reportable accidents, diseases and dangerous occurrences</li> </ul>
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The new regulations and guidance are published by HSE Books as a Code of Practice (ACOP) called 'Managing health and safety in construction' (£15).  
HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA.  
Tel: 01787 881165    [www.hsebooks.com](http://www.hsebooks.com)

*This Advice Leaflet was compiled from information taken from the Health & Safety Executive web site ([www.hse.gov.uk/construction/cdm.htm](http://www.hse.gov.uk/construction/cdm.htm)) and the Construction Skills web site ([www.cskills.org/healthsafety/cdmregulations/](http://www.cskills.org/healthsafety/cdmregulations/)) and is reproduced with permission. It is intended as a high-level overview of the new legislation and should not be regarded as a comprehensive guide. If you are embarking on a construction project of any size, we **strongly** recommend that you take advice from your church architect or surveyor.*

**Additional information and advice is available from the DAC team:**

Jim May, Pastoral and Advisory Secretary,	<a href="mailto:jmay@stalbans.anglican.org">jmay@stalbans.anglican.org</a>
Judith Calvert, Assistant Secretary,	<a href="mailto:jcalvert@stalbans.anglican.org">jcalvert@stalbans.anglican.org</a>
Debbie Cochrane, Group Secretary,	<a href="mailto:dcochrane@stalbans.anglican.org">dcochrane@stalbans.anglican.org</a>
Emma Critchley, DAC Assistant,	<a href="mailto:ecritchley@stalbans.anglican.org">ecritchley@stalbans.anglican.org</a>

Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, Herts, AL1 1HE  
Tel: 01727 818138                      Fax 01727 844469