

## Introduction

## Guide

The CDM Regulations were substantially revised and reissued (6<sup>th</sup> April 2015, referred to in every day context as CDM 2015). The 2015 changes are substantial, with significant impact on duty holder roles, thresholds for appointments, requirements for Construction Phase Plans and Project Notification. This update Guide provides a framework for CDM 2015 duty holder compliance.

Effective management of health and safety risk in any Construction Project requires an informed and adequately resourced Project Team. To ensure effective cooperation and coordination at all stages of the Project, CDM duty holders should familiarise themselves with the roles and responsibilities of other CDM duty holders.

Reference documents mentioned can be found on our [Construction safety and CDM compliance intranet](#) page or <https://www.fife.gov.uk/CDM> for external contractors.

## About the CDM Client

CDM Client duties are given at Table 1 overleaf. Please read in conjunction with Guide OHS-C-16.G1 and the General CDM duties given in that document.

The CDM Client has a major influence over the way a project is procured and managed. The CDM Client has contractual control, appoints designers and contractors, and determines the money (often in conjunction with the in-house customer or wider Council), time and other resources available for the Project.

Particularly for larger, more complex projects, the CDM Client should consider:

- a) who makes up the project team as well as determining the resources available;
- b) the arrangements for managing and co-ordinating the work of the Project Team;
- c) the level of cooperation required between members of the Project Team;
- d) the adequacy of information available at the planning or pre-construction phase; and
- e) the style and tone of communications used throughout the project.

Whilst CDM2015 extends duties to domestic Clients, this is not expected to impact on Fife Council. Council Housing Tenants are not "Clients" for the purposes of CDM. Where Fife Council undertakes Project work on private domestic dwellings (e.g. adaptations or extensions for supported or independent living) we will normally retain responsibility for all relevant General and CDM Client duties.

Table 1: CDM Client Responsibilities	
CDM 2015 requirements: ALL PROJECTS	Notes and guidance
<b>General Duties</b>	The “General Duties” given in <b>OHS-C-16.G1</b> apply
<b>Management Arrangements</b>	
The CDM Client must make, maintain and review suitable arrangements for the Project	This includes the allocation of sufficient time, competent people, including specialist and administrative support staff. Other resources typically include Project Management Systems, Databases, Contractor Procurement and Evaluation and associated systematic monitoring and review (including post-Project evaluation) systems and systems for the effective communication of key Project information between Project Duty Holders.
Protecting the health and safety of persons affected by the Project	Routinely achieved by the appointment and performance monitoring of competent contractors, designers, Principal Contractors and Principal Designers and the application of the principles of prevention by those duty holders. CDM Clients should also ensure that the Project safeguards others, e.g. Tenants, Members of the Public and others in buildings which remain occupied during the construction work.
Providing pre-construction information	The client has the main duty for providing pre-construction information. This must be provided as soon as practicable to each designer (including the principal designer) and contractor (including the principal contractor) who is bidding for work on the project or has already been appointed.  See also <b>OHS-C-16.G8</b> “Pre-Construction Information”.
Ensure a construction phase plan is drawn up	The Client is not required to scrutinise or approve a Construction Phase Plan, but he must be reasonably satisfied that an appropriate and proportionate Plan is in place before the construction work starts. For routine and repetitive work (such as that covered by Measured Term Contract or similar) it will be sufficient to ensure that overarching systems, resources, site-rules and systems for managing foreseeable risk are in place at the beginning of the Contract; thereafter the Client should undertake periodic review in conjunction with the Contractor or Principal Contractor. Review should include a consideration of an agreed representative sample of the Contractor’s own records of Site Inspection, incident data and any Audit findings.
Ensure adequate welfare is provided and maintained	Again, the Client must be assured that appropriate welfare arrangements will be in place and maintained for the duration of the Project. This can be confirmed via acceptance of contract terms and specific priced elements. For longer Projects the Client can be assured via the Contractor’s records as discussed immediately above. The Client need not necessarily visit the Site,

	<p>but if he does he should make specific enquiry to confirm agreed welfare arrangements are in place.</p> <p>HSE Guidance Document <a href="#">CIS 59</a> describes the acceptable levels of welfare for both fixed and transient construction sites. Additional Welfare arrangements will apply for some specialist works – e.g. asbestos removal.</p>
Revise and manage the H& S File	<p>Clients must keep the Health and Safety File for the Structure secure and ensure it is made available to those who may need to refer to it. The File may be maintained and communicated electronically. It can also be maintained as part of a ‘Building Manual’, provided key health and safety information does not become obscured.</p> <p>Where Fife Council disposes of interest in any property the CDM Client must ensure the File is passed to the new owner. (Not applicable to Housing Stock)</p> <p>See also Guide <b>OHS-C-16.G10</b> “Health and Safety Files”.</p>
<b>Additional Client Duties for CDM Projects with more than 1 contractor</b>	
<p>Appoint a <b>Principal Designer</b>, and</p> <p>Appoint a <b>Principal Contractor</b></p>	<p>CDM2015 has a new ‘trigger’ for additional appointments. ALL Projects which involve, or likely to involve more than one contractor working on the construction phase of the Project at any time (concurrent or non-concurrent) requires the written appointment of a Principal Designer and a Principal Contractor. For CDM Client Services this need not involve a slavish and overly bureaucratic or Project by Project approach. The preferred status of in-house operational/business Units (Building Services and Roads Operations) may be expressed in a once-and-for-all published statement. Principal Designer appointments can be identified by reference to Organisational Charts and Job Descriptions with a readily identified scope of Project Work, or a formal presumed approach of the Project Contract Administrator as the presumed Principal Designer.</p>
<b>Additional Client Duties for Notifiable CDM Projects</b>	<p>The CDM Client is responsible for notifying (to the Health and Safety Executive) any Project which will ( or will foreseeably) have a construction phase</p> <p>(i) lasting longer than 30 working days <b>and</b> have more than 20 workers working simultaneously at any point; or</p> <p>(ii) exceed 500 person days.</p> <p>Weekends, holidays etc. do not count unless it is intended that they be worked.</p> <p>Projects which later exceed the above thresholds should be notified retrospectively.</p> <p>Fife Council Notifiable Projects must be Notified via the HSE Construction Project <a href="#">F10 Notification Portal</a> as soon as practicable before the construction phase begins. This means at the earliest possible opportunity – usually at the detailed design stages or earlier.</p>