Small Projects Differently

CDM 2015: The regulator’s experience to date

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Thoughts for Conference and Beyond

• Understanding and embedding CDM 2015 must be an industry imperative
• Accepting and acknowledging the diversity, agendas, politics and aspirations of all the industry is essential
• Interpreting the law correctly and consistently is a responsibility of us all
• Working together across associations, disciplines, professions and focussing on and supporting the hardest to reach must be our goal.
• APS and its members have a key role to play in fulfilling these needs.
And to Mr President (s)

- We acknowledge APS as a partner
- We acknowledge and thank Richard for his leadership and direction and support for CDM 2015 as his presidency ends.
- We welcome Bobby to the future presidency and invite him to continue to help us build a united industry that really commits to improving health and safety in a sensible and pragmatic manner.

The Next 40 mins or so

- A reminder of why CDM2015 is here
- A skip through the functions of dutyholders
- The lessons learnt and messages for the future
- Enforcement expectations
- Closing messages
Background

- **Why we changed the Regulations**
  - UK Government policy on reducing burdens on business
  - Compliance with EU TMCSD Directive
  - **Improving standards on small projects**
  - Reduce bureaucracy
  - reform approach to dutyholder competence
  - Improve co-ordination in pre construction

What is CDM 2015 about?

CDM applies to all construction work
- requirements for managing risk on construction PROJECTS
- standards to be achieved BUT NOT how to achieve them
- a flexible framework
- compliance strategies will vary dependant on the project risk profile

A project is more than a construction site
Philosophy and objectives

• Integrate health and safety into project management
  – Risk management not an after-thought or bolt-on extra
  – Improve communication and co-ordination

• Encourage all involved to work together to:
  – Plan and manage from the outset, identify hazards early on
  – Target effort where it can do most good
  – Discourage unnecessary bureaucracy

• Benefits:
  – Reduced delays
  – Improved reliability of costings and completion targets
  – Improved quality of the finished product

CDM 2015 – philosophy and objectives

• Effort on planning and management should be in proportion to project risk and complexity

• Associated paperwork should help communicate and manage the risk

• Paperwork which adds little is a WASTE OF EFFORT and a distraction from real risk management
CDM 2015 – philosophy and objectives

• It’s about providing;

The right information,
for the right people
at the right time and
acting upon it

Raising standards on small projects and supporting SMEs

• objective of government
• objective of CDM 2015
• objective of HGBWW strategy
• objective for industry initiatives
How can APS support the agenda

**APS strategy 2015-2019 is clear;**

- Improve and promote the professional practice of design and construction health and safety risk management, by

  - Setting standards
  - Raising performance
  - Providing guidance
  - Educating and training
  - Working in partnership with others with similar objectives

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How can APS support the agenda

**HSE supports the APS strategy and hopes that strategy will help to;**

- Support smaller projects to understand and apply CDM 2015
- Work with others to provide consistent standards for designers and principal designers of the future
- Provide support and assistance to CDM dutyholders where they need that in the shorter term
- Through education, training and guidance – reduce the industry on industry bureaucracy which is still all too common
- Promote a proportionate and consistent approach to construction risk management.
Understanding CDM

If we are going to embed CDM and support dutyholders, all players, MUST

Understand the objectives of CDM
Understand the requirements of CDM
Interpret the requirements correctly and consistently
Provide information that is correct and consistent.

CDM 2015

The structure of the Regulations is simplified
The Triangle of Control

client

PD

PC

Pre-construction phase

Construction phase

The commercial client

- Decides what will be constructed
- Commissions the design contractors
- Initiates the construction work (or pulls the plug!)
- Is at the head of the procurement chain
- Makes appointments, eg Principal Designer and Principal Contractor
- Greatest influence as standard-setter
The Client role – strengthened in CDM 2015

- Make **suitable arrangements** for managing a project including the allocation of sufficient time and other resources to:
  - Maintain and review these arrangements
  - Provide PCI
  - Ensure CPP is drawn up
  - Ensure PC and PD comply.

Areas of inconsistency

- Purpose and functions of the PD
- Competence vs SK(T)E
- Notification of projects
- Role of the domestic client
- Construction phase plans
The Principal Designer

• Born out of necessity
• CDM-C role was not working
• An organisation rather than individual.
• The PD Should
  – Strengthen design risk management and co-operation
  – Mirror the PC role in achieving co-ordination
  – Ensure information flow

PD role – main duties

• Role is to plan, manage and monitor the pre-construction phase
  – To co-ordinate the health and safety
  – Pre-construction is defined any period which design or preparatory work is carried out

• PD must:
  – assist the Client in identifying, obtaining and collating the pre-construction information
  – provide pre-construction information to Designers, the Principal Contractor and Contractors
  – ensure that Designers comply with their duties and co-operate with each other
  – liaise with the Principal Contractor for the duration of the appointment
  – prepare the Health and Safety file (possible handover)
PD role – what do we want industry to achieve?

• Designers taking responsibility for coordination and information flows, and health and safety
  – Mirror role to the Principal Contractor
  – Ability to influence the Client and PC
  – More strategic approach on a project
  – Proactively eliminating and mitigating risks
  – An integral part of design – not separate
• Added value
  – Reduced number of dutyholders
• Change accountability
  – No delegation of H&S to consultant
  – Remove the non-notifiable behaviours

PD role – industry needs to focus on?

- Ex-CDMC’s supporting rather than taking on PD
- None currently
- Training started i.e. Consultants Forum, RIBA, ICE
- Industry guidance
- Support
- Guidance
- Encourage & Build Confidence
- Skills, Knowledge & Training
- Case Studies
PD role – what has been the impact so far?

- Designer definition in CDM is wide ranging
- Design community unsure of the role (ex-CDM-C’s & Insurance)
- Active vs Non-Active Designers (ex-CDM-C’s) – same criteria as PC role

Who can be a PD?

- Must be a designer with relevant SKE
- Must be In control of pre-construction phase
- Can be an organisation or individual – but most usually an organisation (mirror the PC)

- No alternatives exist
PD or Lead Designer?

- The lead designer directs and co-ordinates other designers in the consultant team as well as any specialist designers that are appointed. This role might include:
  - Co-ordinating site surveys.
  - Co-ordinate the preparation of information for the project brief.
  - Co-ordinating the preparation of designs and specifications.
  - Integrating different aspects of the design and their interfaces into the overall design.
  - Co-ordinating internal and external consultations and design reviews.
  - Defining the form and content of design information to be prepared.
  - Reporting to the client on design matters and seeking approvals.
  - Co-ordinating the preparation of schedules of inspections, tests, mock ups and samples.
  - Co-ordinating consultations, negotiations and submissions to planning authorities and other statutory and non statutory authorities.
  - Co-ordinating the preparation of tender documentation and reviewing submissions.
  - Co-ordinating quality control systems.
  - Co-ordinating the issue of production information to contractors and the review of designs prepared by contractors.
  - Co-ordinating procedures for inspections, commissioning, testing and client training.

Is there a fit?

The PD - messages

- PD does not have to be designer engaged in design work, although
- Expected that PD will usually be lead designer – but not required
- No requirement for CDM adviser for PD or client

Its up to the client and project team to decide the configuration. Its FLEXIBLE!!
Skills Knowledge Training and Experience (SKTE)

• **Skills** - The ability to do something well; expertise: a particular ability

• **Knowledge** - Facts, information, and skills acquired through experience or education; the theoretical or practical understanding of a subject: The sum of what is known:

• **Training** - The action of teaching a person a particular skill or type of behaviour

• **Experience** - Practical contact with and observation of facts or events:

CDM 2015 For the individual

Skills, knowledge (training if individuals) & experience

• The General Duty in Reg 8
  – Designers (including PD’s)
  – Contractors (including PC’s)

• Duty on Contractors in Reg 15 includes training and allows development of SKTE on site under supervision.

Not a tool to prevent workers working and developing
For professionals

• SKE must include
  – The “General Principles of Prevention”
  – Knowledge of CDM 2015
  – Relevant health and safety standards
• Professional Institutions – eg RIBA, ICE, I Struct E, CIOB, RICS etc MUST lead the development of standards for their communities

Notification

Required if project meets threshold.

• 30 days and more than 20 workers simultaneously at any point in the project
  OR
• 500 person days.

Stand alone provision. Does not give rise to additional requirements
Domestic clients

- Duties deemed to contractor or PC
- Duties can be taken on by designer or PD where the client wishes
- No PC? – enforce against duty holder creating risk

Construction Phase Plans

- Contractors must draw up CPP for before setting up a construction site, no matter how small.
- record the arrangements for managing risks communicating them to those involved.
- The CPP is for the construction phase as a whole not individual tasks.
- CPP should be proportionate to the project – simple projects only need simple plans. CDM Wizard
Enforcement expectations

- Nothing different about approach to be taken
- Technical standards remain the same
- Risk based, justifiable and pragmatic
- Smaller projects – continued focus on physical standards
- No change when inspecting domestic projects – focus largely on physical standards
Enforcement expectations

• For larger construction projects - regulation of the project, not just construction sites.
• Where failures, focus on immediate and underlying cause ie Beyond the Site Gate dutyholders - clients, principal designers and designers as well as training
• Construction phase plan

To sum up

• There’s work to do;
• Unite as an industry to embed CDM2015 in all projects
• Lead the way in supporting the PD in all projects – in all their diversity
• Support the professions in setting standards for their future professionals
• Support the SMEs and non professionals to understand and deliver a safer construction industry
The End

Thank you for listening

Any questions?