



# Construction, Design and Management Regulations 2015 Policy

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## **1. Introduction**

- 1.1 Fife Housing Group (FHG, the Group') refers to and is the working name for Fife Housing Association and its wholly-owned subsidiary Fife Housing Group Yourplace Limited.
- 1.2 This policy statement is designed to ensure that the Group complies with the Construction (Design and Management) Regulations 2015 (CDM 2015) and supporting approved Code of Practice (ACOP) and guidance at all times.
- 1.3 The current CDM Regulations came into force on 6 April 2015, replacing the CDM Regulations 2007. They require that health and safety is taken into account and managed throughout all stages of a project, from conception, design and planning through to site work and subsequent maintenance and repair of the building. FHG must allow sufficient time for each stage and advise Designers and Contractors as to how much time they have for each stage.
- 1.4 CDM affects everyone who takes part in the construction process: FHG colleagues, the Designers and Contractors. With a standing Health and Safety Committee, the Group demonstrates the commitment at Board level to reduce health and safety risks as far as possible in everything that FHG does.
- 1.5 CDM 2015 requires that everyone who can contribute to improving site health and safety plays their part.
- 1.6 The purpose of this policy is to outline the industry guidance for FHG as a Client, whilst outlining the key duties, documents and responsibilities applicable to CDM 2015.

## **2. Application of CDM 2015**

- 2.1 CDM 2015 is the main set of regulations for managing the health, safety and welfare of construction projects. CDM 2015 applies to all building and construction work and includes new build, demolition, refurbishment, extensions, conversions, repair and maintenance.
- 2.2 A project is notifiable if the construction work on a construction site is scheduled to:
  - Last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project; and
  - Exceed 500 person days.

Where a project is notifiable, FHG must give notice in writing to the Health and Safety Executive (HSE) as soon as is practicable before the construction phase begins.

### **3. Obligations under the CDM 2015**

- 3.1 The following section outlines FHG's obligations under CDM 2015 as a Client whilst highlighting the input required to a number of key mandatory documentation.
- 3.2 FHG has a responsibility regardless of the project size, through their influence on deciding which designer and contractor will carry out the work and how much money, time and resource is available. These decisions made by the Group have an impact on the health, safety and welfare of workers and others affected by the work.

FHG will ensure:

- The appointment of the right people who have the appropriate experience, knowledge and skills to identify, reduce and manage health and safety risks. This will be carried out by establishing clear health and safety goals and targets for projects, along with arrangements for monitoring and review. The Group will have systems in place for assessing the competency/resources of designers and contractors and will evaluate competencies of all parties at the end of each project;
- There are arrangements in place for managing and organising the project;
- Sufficient time is allowed for the project to be designed, planned and constructed properly;
- Good communication with the Designer and Contractor through the project duration which will aid the efficiency;
- The Contractor has made adequate welfare facilities for their works prior to the commencement of works on site;
- An adequate Construction Phase Plan is in place which explains how health and safety risks will be managed; and
- Protective procedures are in place for visiting members of the public or colleagues from the risks of a construction site;

#### **3.3 Pre-construction information**

- 3.3.1 FHG is required to collate information already in their possession including existing health and safety files, an asbestos survey, designer drawings for the specific project or which is reasonable to obtain through sensible enquiry. The information must be relevant to the project, have an appropriate level of detail and be proportionate to the nature of the risks.
- 3.3.2 We will adhere to our main duty in 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.

- 3.3.3 For projects involving more than one Contractor, FHG as the client will expect the Principal Designer to help bring the pre-construction information together and provide it to the Designers and Contractors involved.
- 3.3.4 Pre-construction information provides the health and safety information needed by:
- Designers and contractors who are bidding for work on the project, or who have already been appointed, to enable them to carry out their duties; and
  - Principal Designers and Principal Contractors in planning, managing, monitoring and co-ordinating the work of the project. It also provides a basis for the preparation of the construction phase plan. Some material may also be relevant to the preparation of the health and safety file.
- 3.3.5 Pre-construction information must be gathered and added to as the design process progresses to reflect new information about the risks to health or safety and how they should be managed. Preliminary information gathered at the start of the project may not be sufficient where further design and investigation has been carried out.
- 3.3.6 When pre-construction information is complete it must include proportionate information about:
- The project, such as the client brief and key dates of the construction phase;
  - The planning and management of the project, such as the resources and time being allocated to each stage of the project and the arrangements to ensure there is co-operation between duty holders and that the work is co-ordinated;
  - The health or safety hazards of the site, including design and construction hazards and how they will be addressed; and
  - Any relevant information in an existing health and safety file.
- 3.3.7 The information should be in a convenient form and be clear, concise and easily understandable to allow other duty holders involved in the project to carry out their duties.

#### **3.4 Construction Phase Plan**

- 3.4.1 FHG must ensure that a Construction Phase Plan for the project is prepared before the construction phase begins. The Plan outlines the health and safety arrangements, site rules and specific measures concerning any work involving the particular risks.
- 3.4.2 For single-contractor projects, the contractor must ensure the Plan is prepared. For projects involving more than one contractor, it is the Principal Contractor's duty to prepare the Plan. Refer to section 4.6 for further detailed information.

## **4. Duty holders**

4.1 The Group has overall responsibility for the successful management of the project and is supported by the Principal Designer and Principal Contractor in different phases of the project. Depending upon the nature of the project, the Principal Designer and Principal Contractor may be supported by Designers, Contractors and workers.

### **4.2 Principal Designer**

4.2.1 The Principal Designer must be a designer on the project and be in a position to have control over the design and planning stage. The term 'Designer' is an organisation or individual that prepares or modifies a design for a construction project, including the design of temporary works, or arranges for or instructs someone else to do so. FHG is required to confirm their appointment in writing.

4.2.2 There should be a clear written commitment from Directors/Partners of any design consultancy to reducing risk throughout the design process. Companies must demonstrate a clear commitment to training and continued professional development for colleagues involved in any design work.

4.2.3 The Principal Designer is to plan, manage and monitor the co-ordination of the pre-construction phase, including any preparatory work carried out for the project. They must:

- Assist the client in identifying, obtaining and collating the pre-construction information;
- Provide pre-construction information to Designers, 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 your appointment; and
- Prepare the health and safety file.

4.2.4 The Principal Designer applies regardless of the contractual arrangements for the appointment of other designers on the project. If FHG appoints other designers, FHG is responsible for ensuring that they have the relevant skills, knowledge, training and experience to deliver their work.

4.2.5 The Principal Designer/Designer should also consider in the same way how the structure can be maintained and repaired safely once built. Examples of what designers can do to improve health and safety might include:

- Designing for non-fragile roofing materials instead of fragile ones (falls through fragile materials are a major cause of fatal and serious injuries);

- Avoiding the need for chasing for cable runs (a job which inevitably exposes works to high dust and noise levels) by embedding conduit within the wall finish;
  - When designing foundations in contaminated land, specifying a driven pile foundation (which does not bring contaminated material to the surface) instead of bored piles; and
  - Avoiding concrete blocks weighing more than 20kg (these are difficult to lift and are likely to lead to long-term injury to operatives).
- 4.2.6 If a firm provides any sort of design service to the Group, or designs temporary works, this part of the Regulations will apply to the business.

### 4.3 Designer

- 4.3.1 A Designer is an organisation or individual that prepares or modifies a design for any part of a construction project, including the design of temporary works, or who arranges or instructs someone else to do it. 'Designers' can be architects, consulting engineers, interior designers, temporary work engineers, chartered surveyors, technicians, specifiers, principal contractors and specialist contractors.
- 4.3.2 As a Designer their decisions can affect the health and safety of workers and others who will construct, maintain, repair, clean, refurbish and eventually demolish or remove the building or structure, as well as those who will use it as a completed workplace.
- 4.3.3 The design forms an important part of delivering a project safely and without risks to health. Designers must:
- Understand and be aware of significant risks that construction workers can be exposed to, and how these can arise from design decisions;
  - Have the right skills, knowledge, and experience, and be adequately resourced to address the health and safety issues likely to be involved in the design;
  - Check that clients are aware of their duties;
  - Co-operate with others who have responsibilities, in particular the Principal Designer;
  - Take into account the general principles of prevention when carrying out design work;
  - Provide information about the risks arising from their design; and
  - Co-ordinate their work with that of others in order to improve the way in which risks are managed and controlled.
- 4.2.4 Designers should ensure that when they design for construction work they consider foreseeable health and safety risks during construction and eventual maintenance and cleaning of the structure in the balance with other design considerations, such as aesthetics and cost. They should apply the hierarchy of risk control. Designers need to identify the hazards inherent in carrying out the construction work and where possible alter the design to avoid them. If the hazards cannot be

removed by design changes, the designer should minimise the risks and provide information about the risks that remain.

#### **4.4 Principal Contractor**

- 4.4.1 Principal Contractors are appointed by the Group to co-ordinate the construction phase of a project where it involves more than one contractor. The Principal Contractor is appointed to plan, manage, monitor and co-ordinate health and safety during the construction phase of the project. FHG will only appoint contractors who have a competent Health and Safety Policy and a proven track-record.
- 4.4.2 Site work must not start until the Principal Contractor has developed a Construction Phase Plan based upon information provided in the Pre-construction Plan. The plan may need to be developed during the construction phase to take account of changing conditions on site as work progresses or the design changes.
- 4.4.3 When planning the job, the Principal Contractor must identify the hazards and assess the risks of the job. To do this properly information, including method statements and risk assessments, will be needed from other contractors who will be working at the site.
- 4.4.4 The Principal Contractor must take steps to prevent unauthorised access to the site by using fencing and other controls, whilst providing welfare facilities: making sure that facilities are provided throughout the construction phase. The Principal Contractor will provide site inductions to workers, visitors and others informing about risks and rules that are relevant to the site work and their work.



## **4.5 Contractor**

- 4.5.1 The main duty of a Contractor is to plan and manage construction work under their control so that it is carried out in a way that controls risks to health and safety.
- 4.5.2 They have a range of other duties that depend on whether more than one Contractor is involved in the project. If so, their duties entail co-ordinating their activities with others involved in the project team – in particular, complying with directions given to them by the Principal Designer or Principal Contractor.
- 4.5.3 If there is only one Contractor for the work, they have responsibilities to prepare a construction phase plan and prevent unauthorised access to the site.
- 4.5.4 Where Contractors are involved in design work, including for temporary works, they will also have duties as Designers.
- 4.5.5 The Contractor is required to manage health and safety of work under their control. Those who actually do the construction work (that is, the Contractor's employees and themselves) are most at risk of injury and ill-health. As Contractor they have a key role to play, in co-operating with the Principal Contractor and other Contractors, and in planning and managing the work.

## **4.6 Construction Phase Plan**

- 4.6.1 The Principal Contractor must draw up a plan which describes how health and safety will be managed during the construction phase. Pre-construction information received and any client requirements established will help in drawing up the Construction Phase Plan.
- 4.6.2 The Plan should be:
  - Proportionate to the size and nature of the work, and the risks involved;
  - Workable and realistic;
  - Sufficiently developed to allow work to start on site; and
  - Regularly reviewed and added to as new trades start.
- 4.6.3 The plan must be developed as soon as practical before setting up the construction site and starting the work. Early issues such as mobilisation, welfare, demolition, groundworks and other high risk activities should be addressed. The nature of construction work means that some Contractors may not have been appointed before the work on site starts, so the Construction Phase Plan must be updated with this information when it is known, and before the contractors start work.
- 4.6.4 The Plan should not be cluttered with documents (such as generic risk assessments, records of how decisions were reached or detailed

safety method statements) that get in the way of a clear understanding of what is needed to manage the construction phase.

- 4.6.5 Before work on site can start the client has to ensure that the Construction Phase Plan is sufficiently drawn up.

## **5. The Health and Safety File**

- 5.1 The Health and Safety File is defined as a file appropriate to the characteristics of the project, containing relevant health and safety information to be taken into account during any subsequent project.
- 5.2 The file is only required for projects involving more than one Contractor.
- 5.3 The file must contain information about the current project that is likely to be needed to ensure health and safety during any subsequent work such as maintenance, cleaning, refurbishment or demolition. When preparing the health and safety file, information on the following should be considered for inclusion.
- A brief description of the work carried out;
  - Any hazards that have not been eliminated through the design and construction processes, and how they have been addressed (for example, surveys or other information concerning asbestos, contaminated land or buried services);
  - Key structural principles (for example, bracing or sources of substantial stored energy including pre- or post-tensioned members) and safe working loads for floors and roofs;
  - Hazardous materials used (for example, lead paints and special coatings);
  - Information regarding the removal or dismantling of installed plant and equipment (for example, any special arrangements for lifting such equipment);
  - Health and safety information about equipment provided for cleaning or maintaining the structure;
  - The nature, location and markings of significant services, including underground cables, gas supply equipment and fire-fighting services; and
  - Information and as-built drawings of the building, its plant and equipment (for example, the means of safe access to and from service voids, and the position of fire doors).
- 5.4 There should be enough detail to allow the likely risks to be identified and addressed by those carrying out the work and be proportionate to those risks. Information must be in a convenient form that is clear, concise and easily understandable.
- 5.5 FHG will make the file available to those who will work on any future design, construction, maintenance or demolition of the structure.

- 5.6 This post-construction information should be recovered in a file format that can easily be kept, maintained and updated by the Group and should, where possible, be uploadable into the FHG Asset Management system. It is important that any information that will adjust future component replacement lifecycles is captured and updated. This is to ensure accurate lifecycle, budget and business planning can correctly inform our asset management and stock investment plans.
- 5.7 Details of how the information for the file should be presented must be agreed with FHG at an early stage. This will ensure that the information for the file can be gathered in a consistent manner and the file assembled and presented in a way which will make it easy to use.

## **6. Health and Safety competence**

- 6.1 Everyone letting or subletting contracts will normally take steps to satisfy themselves that the people who will do the work are competent and resourced. CDM requires that anyone letting or subletting contracts should satisfy themselves that those who are to do the work are:
- Competent in relevant health and safety issues; and
  - Intend to allocate adequate resources, including time, equipment and properly trained workers to do the job safely and without risks to health.
- 6.2 If FHG is letting work, or a contractor is subletting work, considering the issues in this Policy will help them to decide on relevant questions to ask when assessing competence. Decide in advance what competencies will be needed to do the work safely and without risk to health and how these can be demonstrated.
- 6.3 The pre-construction information agreed with FHG should act as a guide to the significant health and safety issues associated with the project.

## **7. Roles and responsibilities**

- 7.1 The Board has overall responsibility for health and safety matters including adherence to CDM Regulations and they delegate this for operational purposes to the Leadership Teams.
- 7.2 The Group's Director of Finance, Governance and Assets is responsible for ensuring that this Policy is consulted on with Board Members and for its review.
- 7.3 The Business and Operational Leadership Teams are responsible for ensuring implementation and proper application.

## **8. Performance management**

- 8.1 This policy statement establishes the Group's responsibilities under the CDM 2015.
- 8.2 Any concerns regarding the adherence to this policy will be reported to the Board.
- 8.2 As an internal control, CDM may be subject to internal audit as determined by the internal auditors in their programming. Any subsequent report would be presented to the Audit and Risk Committee.

## **9. Review**

- 9.1 This policy (and the associated procedures underlying it) is due to be reviewed annually - or earlier if a material change requires this.

## Equality Impact Assessment (EIA)

<b>Name of policy to be assessed:</b>	Construction, Design and Management Regulations 2015 Policy	<b>Is this a new policy or a review?</b>	Review
<b>Person completing the assessment:</b>	Derek Banks	<b>Date of assessment:</b>	07/09/2023

<b>Briefly describe the aims, objectives and purpose of the policy:</b>	<p>The Group complies with the Construction (Design and Management) Regulations 2015 (CDM 2015) and supporting approved Code of Practice (ACOP) and guidance at all times.</p> <p>CDM 2015 applies to all building and construction work and includes new build, demolition, refurbishment, extensions, conversions, repair and maintenance.</p>
<b>Who is intended to benefit from the policy? (e.g. colleagues, applicants, tenants, contractors)</b>	All tenants, colleagues, contractors and visitors involved in the construction process.
<b>What outcomes are expected from this policy? (e.g. benefits to customers)</b>	A safe working environment is maintained, as responsibly possible, at all times.

**Which protected characteristics could be affected by the policy? (check all that apply)**

Age: ☐  
Disability: ☐  
Gender: ☐  
Marriage/civil partnership: ☐  
Maternity/pregnancy: ☐

Minority ethnic: ☐  
Religion/belief: ☐  
Sexual orientation: ☐  
Transgender: ☐

**If the policy is not relevant to any of the protected characteristics listed above, state why and end the process here.**

The regulations are applied regardless of any protected characteristic, and is solely intended to maintain a safe construction environment.

Describe the likely positive or negative impacts the policy could have on the groups identified above:	Positive impacts	Negative impacts
What actions are required to address the impacts arising from this assessment?		

Signed:



Date: 07/09/2023