

## CDM 2015

The Construction (Design and Management) Regulations (CDM) are the main set of regulations for managing the health, safety and welfare of construction projects. The regulations came into force on 6th April 2015 (replacing CDM 2007) and apply to Great Britain and to certain premises and activities outside Great Britain by virtue of the Health and Safety at Work Act 1974.

The CDM regulations apply to **all** construction projects. Where there is more than one contractor, the client (this being anyone for whom the work is being done) must appoint in writing a **CDM coordinator, principal designer and principal contractor** before the work begins. The CDM also states that if the construction work is scheduled to last longer than **30 working days**, has more than **20 workers simultaneously on site** or **exceeds 500 person days** then the work is considered to be notifiable and it is the responsibility of the CDM coordinator to notify the Health and Safety Executive.

### Compressed Air Systems - first time installation or replacement of existing systems

If a compressed air system is being installed as part of a major construction project and the work meets any of the above criteria then compliance with the CDM is required. For projects outside this scope, such as the replacement of existing systems, the H&SE advises that *'if the task in hand looks like construction work, requires construction skills and uses construction material, it is construction work.'*

On this basis, the factors you would need to consider to establish if CDM regulations are applicable would include any potential adverse effects on the structural integrity of the building and the risks to personnel. In assessing the latter there is no requirement to consider the technology itself, only how it is integrated into the building.

In either case it is highly unlikely that you will be taking on the responsibility of the nominated CDM personnel as they would either already be appointed, or for existing buildings/installations someone will already be established in the H&S role. Your involvement would therefore usually only be as a sub-contracted party and the following would apply:

On all projects, contractors will need to:

- Plan, manage and monitor their own work and that of their workers
- Check the competence of all their appointees and workers
- Train their own employees
- Provide information to their workers
- Ensure that there are adequate welfare facilities for their workers

In addition, where projects are *notifiable* under the Regulations, contractors must also:

- Check that the client is aware of their duties, check that a CDM coordinator has been appointed and ensure the H&SE has been notified before the work starts
- Cooperate with the principal contractor in planning and managing work, including reasonable directions and site rules
- Provide details to the principal contractor of any contractor engaged in connection with carrying out work
- Provide any information needed for the health and safety file
- Inform the principal contractor of any problems with the plan
- Inform the principal contractor of reportable accidents, diseases and dangerous occurrences

### Compressed air systems - maintenance and minor work

The H&SE advises that *"general maintenance of fixed plant which mainly involves mechanical adjustments, replacing parts or lubrication is unlikely to be construction work"*. In this case the CDM regulations would not apply and your responsibilities would be in accordance with the Health & Safety at Work Act 1974, as per existing normal practices.

### Summary

- Where the construction work has been notified to the H&SE, you will be required to liaise with the appropriate nominated personnel and comply with CDM regulations.
- If the work affects the integrity or structure of the building then compliance with CDM regulations may be required.
- If the work is deemed to be system maintenance or minor in nature and does not affect the integrity of the building then it is 'business as usual'.

You are encouraged to read CDM15/3 Industry Guidance for Contractors, which can be found at:  
<http://www.citb.co.uk/health-safety-and-other-topics/health-safety/construction-design-and-management-regulations/cdm-guidance-documents/>

More information and resources can be found on the H&SE website at <http://www.hse.gov.uk/construction/cdm/2015/index.htm>