

4warned

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The new CDM Regulations – What will change?

As changes in legislation go – this is a big one! The proposed change means that the Construction (Design and Management) Regulations 1994 (CDM) and the Construction (Health, Safety and Welfare) Regulations 1996 (CHSW) will be consolidated into one set of regulations. Industry consultation ended in August 2005 and the one set of regulations are expected to come into force in October 2006 or April 2007, unless they are subject to further review by the EU.

Why the need for change?

Since CDM came into force in 1994, several problems have been highlighted with the current regulations:

- The role of the Planning Supervisor – many view this role as ineffective and still often appoint too late in the job
- Too much paperwork – or more specifically, paperwork which is not USED. All too often, safety plans simply gather dust on shelves, rather than being viewed as a useful document.
- Client's duties – there is still an unwillingness from clients to allow sufficient time for health and safety matters due in part to a lack of clarity in their duties. Yet the clients influence in safety matters should be felt throughout the project.

OUT...

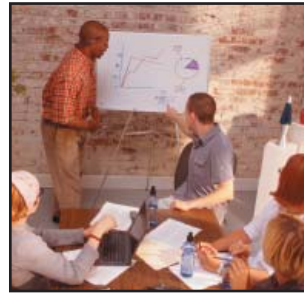
Construction (Design and Management) Regulations 1994
Construction (Health, Safety and Welfare) Regulations 1996

IN...

CDM Regulations 2006



Proposed Key Changes



It is proposed that notification will need to be made at commencement of design work, rather than later in the project which is the case now. Clearly, the exact timing of this notification needs to be clarified as questions have been raised as to how this will work practically.

The role of the Planning Supervisor will disappear, replaced by a "coordinator". The coordinator will be responsible for ensuring design work is coordinated properly, ensuring the competence of those involved and playing a more hands-on role in obtaining project information. The coordinator will need to be appointed at concept stage – before design work begins, even if commitment to a particular scheme is not yet confirmed.

The client will also have a general duty to ensure suitable project management resources and arrangements are in place. This is one of a number of measures designed to aid cooperation throughout the life of a project. Often, key risks are missed at present due to lack a central coordination from any one party – this measure will seek to ensure such measures as when to appoint, who will monitor health and safety and the information required by all parties is duly considered and actioned.

Documentation – the Pre-Tender Health and Safety Plan will likely be replaced with an "information pack", a wider-ranging duty to ensure all necessary information is provided to those who matter in good time, to enable them to consider the issues in design and planning.

What Do I Need to Do?

The revisions to CDM are largely motivated by the need to plan design and construction work more effectively. The future role of the coordinator should clearly highlight that effective communication on health and safety matters is vital to the success of a project from concept onwards.

Whilst the regulations are not yet finalised or in place, all current duty holders (Clients/Designers/Contractors) should consider the principles of health and safety at an early stage to ensure risks are highlighted effectively.

For more information on this or any other issue, please contact us on... 01908 255909 or enquiry@4seerisk.com

