

# CDM-C compliance

The CDM regulations 2007 put the responsibility for construction project safety on plant owner/operators. Brian Tingham reviews requirements and opportunities

## Pointers

- Current construction regs mostly require the appointment of a CDM co-ordinator
- That person must be competent and experienced with the project type
- The role is to organise communication between parties around health, safety and risk management
- Since this summer, CDM-Cs have to be on the CDM register, run by the APS
- Members of SOE gain easier entry to the register, because they have design and inspection qualifying points

Readers involved with plant projects that include construction work should already know that the Construction (Design and Management) Regulations 2007 came into force in the UK on 6 April 2007. They should also know that those regulations apply to all work, but that projects lasting longer than 30 days or involving 500 or more person-days have to be notified to HSE – which triggers several requirements, including the appointment of a CDM-C (CDM co-ordinator).

Why does this matter? Quite apart from ensuring that we operate within the law, there is the new CDM-C role. This replaces the planning supervisor under the old CDM 94 regulations, but with a new requirement that the individual appointed be (i) a competent person and (ii) experienced in the industry and project type concerned. Which is where SOE IPlantE members come in – more later.

CDM 2007 not only supersedes CDM 94, but also adds in aspects of the Construction (Health, Safety and Welfare) Regulations 1996 (CHSW). There are five parts. Part 1 deals with application of the regulations and definitions. Part 2 identifies general duties. Part 3 covers additional aspects for notifiable projects. Part 4 outlines practical requirements for all sites. And part 5 contains transitional arrangements and revocations. These are all supported by guidelines, available from the HSE website, and an ACoP (Approved Code of Practice), also available via HSE for £15.

## Sea change in safety

So much for the bare facts. The goal, however, was to deliver a sea change in attitudes to achieve badly needed improvements in construction health and safety. HSE points out that 1.75 million site workers and 450,000 professionals and consultants (8% of the working population) are involved in construction. It also notes that the vast majority work for very small companies and are constantly on the move – making it difficult to keep tabs on them.

Most important, just prior to the launch of CDM 2007 there was still a disproportionate number of fatalities and major injuries in the construction sector. For example, 32% of all worker fatalities, 15% of all major employee injuries and a staggering 7,492 over-three-day injuries to employees were recorded in 2005/06 alone. The sector was notching up 3.2 million working days lost per year.

HSE's view: CDM 94 wasn't cutting the

mustard. A 'business as usual' approach was no longer acceptable. And most significantly, industry needed to take ownership of managing health and safety risks by working in partnership with all involved – rather than concerning itself primarily with bureaucracy.

That meant putting effective planning, risk management, competence and communication at the top of the agenda. Substantive projects on plant needed the right people for the right job at the right time to manage risks on site. Paperwork had to be reduced and teamwork encouraged. And key to that was redefining ultimate responsibility for safety as resting largely with the customer (in our terms, the plant owner/operator) and, to a lesser extent, with the main contractor – as opposed to vice versa, which had become common practice.

## Communication

Hence the CDM-C – a formal position whose holder is primarily responsible for ensuring and documenting communication between the client, the designer and the principal contractor, particularly in relation to health, safety and risk management. As Paul Winstanley, technical director of compliance services firm ASAP Comply, suggests: "The role is to organise the communication between all relevant parties – to provide advice and assistance and to ensure that it actually happens. It's not about ensuring compliance. It's about: notifying the HSE, using an F10 form; writing the health and safety plans, liaising with the principal contractor regarding ongoing design; identifying, collecting and passing on pre-construction information; and producing and updating the health and safety file."

All well and good. But, given the 'competent person' requirements, there's not a huge pool of talented engineers with adequate qualifications – which could mean some interesting opportunities.

"Under the CDM ACoP rules since this summer, CDM-Cs must be on the CDM register, which is run by the APS [Association for Project Safety]. Individuals have to provide documentary evidence of their experience and complete an online examination to prove currency. However, if they are members of SOE, entry is easier, because they gain design and inspection qualification points. Also, if they have been involved in project management, it's a very simple process. There is room for a substantial number of plant engineers here and I would urge them to register." **PE**

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