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Sankey Canal Restoration Society

Construction (Design & Management) Regulations 2015 Policy

1. Statement Of Intent

The Society's policy:

- Is valid from the Issue Date until such time as an updated version is published.
- Will be reviewed every three years or sooner if required by changes to the Society's activities, to legislation or to best practice guidance.
- Applies to all SCRS Members and Non-Members who are carrying out activities for, or on behalf of the Society, paid or unpaid. The Society does not currently employ any staff.

The Society's intention is to:

- Prevent accidents and injuries to Members, Non-Members and Others.
- Promote good health and wellbeing.
- Manage health, safety and environmental risks when carrying out the Society's activities.
- Provide instructions, information and training (where appropriate).
- Ensure that suitable clothing, footwear and personal protective equipment is worn when necessary.
- Provide, maintain and securely store any tools, equipment, substances and materials.
- Ensure that activities are carried out in a safe and healthy working environment and that arrangements are in place in case of an emergency.
- Consult with Members on matters affecting their health, safety and wellbeing.

2. Introduction

The Construction (Design and Management) Regulations 2015 is the main set of regulations for managing the health, safety and welfare of **construction work**:

- Their aim is to reduce the number of fatally injured construction workers and workplace injuries (mainly falls from height, manual handling and slips, trips & falls) and cases of work-related illness.
- They can apply to all building & construction activities including new build, demolition, refurbishment, extensions, conversions, repair and maintenance work, no matter how big or small, short or long or who the work is for.
- The CDM Regs require:
 - The planning and co-ordination of all activities.
 - Co-operation and communication by competent people, to do the right things at the right time.
 - Risk assessments, risk reduction measures and safe methods of work.

The Society is not currently undertaking any site excavation or construction works but some of its maintenance activities could be classed as construction work. As a responsible organisation the Society will seek to follow

the principles of the CDM Regs based on a proportionate response to the risks and complexity of the activities being undertaken.

3. Definition of Construction Work (also see Appendix 1)

- Any building, civil engineering or engineering construction work including the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance (including cleaning, using pressurised water or an abrasive or corrosive or toxic substances), de-commissioning, demolition or dismantling of a structure.
- The maintenance, repair or removal of fixed services within or on a structure, for example mechanical, electrical, gas, compressed air, hydraulic, computer cables and telephone systems.

Maintenance activities that involve construction processes, require construction skills or use construction materials and tools are likely to be classed as 'construction work'.

General maintenance and facilities management activities such as adjusting or lubricating existing equipment or replacing parts are unlikely to be classed as 'construction work'.

The following activities do not normally come under the CDM Regs unless they are part of a larger project:

- Tree works, vegetation clearance and grounds maintenance
- Commercial cleaning e.g. floor cleaning, pressure washing of steps and cleaning of display panels
- Inspection, testing and fault finding of utility services e.g. an electrical lighting circuit
- Switching activities in electrical substations or water meter repair work
- Maintenance and servicing of plant and equipment e.g. to gas boilers and ride-on lawn mowers
- Minor internal or external repairs e.g. to fences, gates, doors, floors and walls

4. Dutyholders

The CDM Regs intend to make construction work safer by placing legal duties on people where they can provide the most benefit; **Clients, Designers and Contractors** must all be involved with the planning and management of construction work to eliminate risks wherever possible.

The dutyholders are explained on the next page.

CDM Dutyholders* <i>Who are they?</i>	Main Duties <i>What does the dutyholder need to do?</i>	SCRS Duties <i>What will SCRS do?</i>
<p>Commercial Client</p> <p>An individual or organisation that has construction work carried out for them as part of their business or operational activity.</p>	<p>Make suitable arrangements for managing a project including:</p> <ul style="list-style-type: none"> • Appoint other dutyholders. • Provide sufficient time & resources. <p>Make sure that:</p> <ul style="list-style-type: none"> • Pre-construction info is provided to other dutyholders. • The Principal Designer & Principal Contractor carry out their duties. • Site welfare facilities are provided. 	<ul style="list-style-type: none"> • SCRS will be the Client for any construction works initiated and controlled by SCRS. • A competent Member can act as the Client's representative. • Specialist help can be obtained from Others e.g. architect or canal engineer.
<p>Domestic Client**</p> <p>An individual or a group of people that has construction work carried out to their own property or a family member's property (not done as part of a business or operational activity).</p>	<p>Included in the scope of CDM 2015 but duties are normally transferred to:</p> <ul style="list-style-type: none"> • The Contractor, for a sole Contractor project. • The Principal Contractor, for a project with two or more Contractors. <p>Domestic Client can agree in writing for the Principal Designer to carry out Client duties.</p>	<p>Not applicable</p>
<p>Designer</p> <p>A competent individual or organisation engaged by the Client or Principal Designer. A Designer is anybody who produces, reviews or modifies a design for a structure, system or activity relating to construction work.</p> <p>More than one Designer can be engaged (controlled by the Principal Designer).</p>	<p>Share info with members of the project team to help them with their duties.</p> <p>When producing or modifying a design the Designer must eliminate, reduce or control any foreseeable risks during:</p> <ul style="list-style-type: none"> • The construction phase. • The maintenance & use of the structure after completion. • The de-commissioning & demolition of the structure. 	<ul style="list-style-type: none"> • A competent SCRS Member can be a Designer for SCRS' own construction works. • Any designs received from Others are to be assessed by a competent SCRS Member.
<p>Principal Designer (PD)</p> <p>A competent individual or organisation appointed in writing by the Client where a scheme involves / is likely to involve, two or more Contractors.</p>	<p>Plan, manage and co-ordinate H&S in the pre-construction phase:</p> <ul style="list-style-type: none"> • Identify, eliminate & control risks. • Ensure Designers carry out their duties • Provide info to other dutyholders. • Help the Principal Contractor to plan & manage the construction phase. 	<ul style="list-style-type: none"> • A competent SCRS member can be PD for SCRS' own construction works. • Any designs received from Others are to be assessed by a competent SCRS Member.

CDM Dutyholders* <i>Who are they?</i>	Main Duties <i>What does the dutyholder need to do?</i>	SCRS Duties <i>What will SCRS do?</i>
<p>Contractor</p> <p>A competent individual or organisation engaged by the Client or Principal Contractor. A Contractor is anybody who manages construction work or engages Workers.</p> <p>More than one Contractor can be engaged (under the control of the Principal Contractor).</p>	<p>Plan, manage and co-ordinate the construction work including checking that Workers under their control are trained & competent.</p> <p>For a sole Contractor project:</p> <ul style="list-style-type: none"> Duties mostly as per the Principal Contractor. <p>For a project involving two or more Contractors:</p> <ul style="list-style-type: none"> Co-ordinate their activities with Others. Comply with the directions of the PD or PC. 	<ul style="list-style-type: none"> SCRS can be a Contractor for its own construction work (with a competent Member to lead the task). SCRS to produce a Construction Phase Plan. Any construction requests received from Others are to be assessed by a competent SCRS Member.
<p>Principal Contractor (PC)</p> <p>A competent individual or organisation appointed in writing by the Client where a scheme involves / is likely to involve, two or more Contractors.</p> <p>The PC should be appointed as soon as possible, and before the construction phase begins.</p>	<p>Plan, manage & co-ordinate H&S during the construction phase:</p> <ul style="list-style-type: none"> Liaise with the Client & PD. Produce the Construction Phase Plan. Ensure co-operation between Contractors. Co-ordinate site activities. <p>Ensure that:</p> <ul style="list-style-type: none"> The Client is aware of their duties. Site specific inductions are provided for workers & visitors. Action is taken to prevent unauthorised site access. Workers are consulted and engaged in health, safety & welfare matters. Suitable welfare facilities are provided. 	<ul style="list-style-type: none"> SCRS can be PC for its own construction works (with a competent Member to lead the task). Any construction requests received from Others are to be assessed by a competent SCRS Member.
<p>Workers</p> <p>People engaged by or under the direction of a Contractor to build, alter, maintain or demolish something.</p>	<p>Workers must:</p> <ul style="list-style-type: none"> Be consulted about H&S and welfare. Take care of their own and Others' H&S. Only undertake tasks for which they are skilled / experienced to do. Report any H&S or welfare concerns. Co-operate with the Contractor, colleagues and other dutyholders. 	<ul style="list-style-type: none"> SCRS Members and Non-members will be Workers. For any construction work initiated / controlled by Others, the reporting arrangements for SCRS Workers must be agreed with SCRS.

* Organisations or individuals can fulfil multiple dutyholder roles if they have relevant skills, knowledge, experience & capability.

** CDM Regs 2015 applies if work is carried out by somebody on behalf of the Domestic Client. Work carried out by the householder themselves is classed as Do It Yourself work and CDM Regs 2015 does not apply.

Appendix 1

When Do The CDM Regulations 2015 Apply? 3 Steps To Determine If An Activity Is 'Construction Work'

Step 1 - Does the activity fall within any of these main categories of work? (see section 3 above)

1. Building work
2. Civil engineering work
3. Pre-fabricated engineering construction work

Step 2 - If yes, does it fall within any of these activities as defined by the CDM Regs?

Site Preparation (but not surveys or archaeological investigations)

- Site clearance, excavation & investigation
- Demolition or dismantling of a structure
- Clearance or preparation of the site or structure for use at its conclusion

Construction Tasks

- New build of a structure
- Alterations & conversions to structures
- Fitting out & commissioning
- Renovation
- Repair, upkeep & redecoration
- Other maintenance work

Maintenance Tasks

- Repair, upkeep & redecoration
- Other maintenance work

Assembly of Prefabricated Elements

- Assembly on site of prefabricated elements to form a structure
- Dis-assembly on site of the prefabricated elements which previously formed a structure
- Removal of a structure, or of any product or waste resulting from the demolition or dismantling of a structure

Installation Tasks (including commissioning, repair or removal of equipment)

- Mechanical & electrical
- Gas & compressed air
- Hydraulic
- Telecommunications & computers
- Similar services which are normally fixed to or within a structure

Working at Height and On or In a Structure

- Any scaffold or structure designed or used to provide support / access during construction
- Any work on towers, masts & pylons

Underground and Earthworks

- Tunnels or shafts
- Chambers
- Pipes or pipelines
- Cables
- Earthworks
- Underground tanks

Water Works

- Dock, harbour & inland navigation
- Bridge, viaduct & waterworks
- Reservoirs & river works
- Drainage & sewage works
- Channels & culverts
- Any earth retaining structures

Specific Workplace and Locations

- Roads, railways & airfields

Step 3 – Decide if the CDM Regulations 2015 apply

The Regulations provide a reasonable definition of ‘construction work’ but it can still be difficult to decide if the work is covered by the CDM Regs especially in relation to minor maintenance and repair work.

It is recommended that any proposed activities be discussed with the Executive Leadership Committee and to seek advice from competent specialists to agree how the work will be managed.

Here are some examples of activities carried out by the Society:

a) Litter picking and general tidying along the tow path by SCRS Members

- This activity is not considered to be a CDM Regs job.
- However the activity might involve a group of people with differing abilities walking on uneven ground or working near water. Sharp objects, animal waste or live utility services might be encountered. The activity must still be planned and all reasonable site safety precautions must be taken.

b) Repairing of loose fence rails by SCRS Members

- This is a maintenance activity and is unlikely to be a CDM job.
- However if the work is to replace extended lengths of fencing by digging out old posts, excavating for new posts and constructing new fencing then it could be considered to be construction work under the CDM Regs.
- Likewise if the scale and complexity of the fencing activity increases, for example because work is required along the top of an embankment or because of the manual handling of construction materials, then it is more likely to be considered construction work under the CDM Regs.

c) Tree cutting, pruning of shrubs & mowing of grass by a Contractor

- If SCRS hires a Contractor to do grounds maintenance work, it will not be a CDM job.
- However if the work is being done to allow access ahead of digging out an old canal structure, then it is part of a bigger construction project and the CDM Regs will apply.
- If a Borough Council hires a Contractor to do the work and SCRS Members provide assistance on site, the Borough Council will be the Client with responsibility for complying with the CDM Regs. SCRS Members will be managed on site and comply with the Contractor’s health and safety requirements.

d) Repainting of a pedestrian bridge over the canal and replacement of decking timbers by SCRS Members

- The work is a maintenance task to renovate and repair a structure over water and the work will create a hazard to bridge users. This is likely to be a CDM job.
- Other factors could include working at height, exposure to dust from rubbing down old lead paint and a water pollution risk.
- If SCRS as Client intends to hire one Contractor to shot-blast the bridge framework and a second Contractor to install new railings, it will need to appoint a Principal Designer to control the pre-construction phase and a Principal Contractor to control the construction phase. Or SCRS could take on the PD & PC duties itself if it has a competent person(s) available.

Appendix 2

CDM Regulations Guidance '10 Golden Rules'

Golden Rule 1 – CDM applies to every construction job even if the work only takes an hour!

- CDM Regulations were introduced in 1994 and revised in 2007 and 2015. The overall aim is still to improve health and safety in construction. Construction is a high-risk activity with over 30 fatalities each year and thousands of people injured or made ill. Proper planning of the work and careful assessment of the hazards is vital.

Golden Rule 2 – Anyone appointed to a role must have the skills, knowledge and experience to carry it out

- There are duties placed on everyone involved in construction work especially key members of the team known as dutyholders; Client, Designer, Principal Designer, Contractor, Principal Contractor and Workers.

Golden Rule 3 – Know your duties; CDM is a team effort and everybody must work together

- Each role holder has their own duties and they must help other role holders too - each role holder must co-operate and co-ordinate with the other people involved in the work. Different people might take charge at different stages of the work, e.g. the Principal Designer is in overall control of the pre-construction phase.

Golden Rule 4 – Appoint a Principal Designer & Principal Contractor when there are two or more Contractors

- On most projects the Client needs to appoint a Principal Designer and a Principal Contractor. These appointments should be made in writing. Failure to appoint these roles means the Client by default has appointed themselves.

Golden Rule 5 – Client can only appoint one Principal Designer & one Principal Contractor at any one time

- A Client might not be an expert in construction. If no appointments are made by the Client, the Designer in control of the pre-construction phase is the Principal Designer and the Contractor in control of the construction phase is the Principal Contractor.

Golden Rule 6 – CDM documents are required in addition to any other documents required under other regulations e.g. risk assessments, methods of work, environmental consents and site inductions

- Work that lasts for more than 500 person-days (or 30 working days with more than 20 workers) needs to be notified by the Client to the Health & Safety Executive using form F10 before construction work starts on site.
- Some CDM-specific documents are needed at different stages of the work and for different reasons e.g. Pre-Construction Information, Construction Phase Plan and Health and Safety File.

Golden Rule 7 – Client to provide Pre-Construction Information (PCI)

- PCI is information that the Client has or can easily obtain about the activity, site or building. It provides the project team with crucial facts about any hazards or risks they need to plan for and control.
- On large projects the Principal Designer will assist the Client in producing and sharing the PCI.

Golden Rule 8 – Client to ensure that a Construction Phase Plan (CPP) is produced by the sole Contractor or the Principal Contractor (specific, relevant & sufficient for the activity being undertaken)

- Contractor to plan the job, co-operate with Others and produce a CPP prior to starting construction work.
- CPP includes location details, main hazards, key dates & key activities.

Golden Rule 9 – Principal Designer to create a Health & Safety File to hand over to the Client at the end of the job

- H&S File is developed through the life of the project and contains information to ensure the safety of those using, cleaning, maintaining or demolishing the structure.

Golden Rule 10 – Know and apply the general requirements for construction sites to your work

- Site works must be planned; Part 4 of the Regulations includes general construction site requirements. This covers a variety of activities ranging from excavation and demolition works to traffic management and lighting.

- End -