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Services Ltd



**OVER 25 YEARS PROVIDING EFFECTIVE AND EFFICIENT
HEALTH AND SAFETY ADVICE AND TRAINING TO THE
CONSTRUCTION INDUSTRY AND OTHERS**

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CDM2015 | Construction (Design & Management) Regulations 2015

IS CDM2015 APPLICABLE TO FACILITIES MAINTENANCE?

The Construction (Design and Management) Regulations 2015 (CDM2015) require facilities maintenance and repair work to be compliant with the duties and requirements of CDM2015. These duties apply to the client, the designers and the contractors involved in facilities maintenance. These duties are NOT OPTIONAL, and non-compliance can result in criminal prosecutions of any or all of the duty holders, including Facilities Managers.

APPLICATION OF CDM2015

The normally understood definition of construction of new build and major refurbishment work of facilities also applies to ongoing maintenance and repair of buildings, building services, utilities and other fixed plant and systems.

The definitions of structure and construction contained within Regulation 2(1) of CDM2015 are shown below:

“structure” means—

(a) any building, timber, masonry, metal or reinforced concrete structure, railway line or siding, tramway line, dock, harbour, inland navigation, tunnel, shaft, bridge, viaduct, waterworks, reservoir, pipe or pipeline, cable, aqueduct, sewer, sewage works, gasholder, road, airfield, sea defence works, river works, drainage

works, earthworks, lagoon, dam, wall, caisson, mast, tower, pylon, underground tank, earth retaining structure or structure designed to preserve or alter any natural feature, and fixed plant;

(b) any structure similar to anything specified in paragraph (a);

(c) any formwork, falsework, scaffold or other structure designed or used to provide support or means of access during construction work, and any reference to a structure includes part of a structure;

“construction work” means the carrying out of any building, civil engineering or engineering construction work and includes—

(a) the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure, or the use of corrosive or toxic substances), de-commissioning, demolition or dismantling of a structure;

(b) the preparation for an intended structure, including site clearance, exploration, investigation (but not site survey) and excavation (but not pre-construction archaeological investigations), and the clearance or preparation of the site or structure for use or occupation at its conclusion;

(c) the assembly on site of prefabricated elements to form a structure or the disassembly on site of the prefabricated elements which, immediately before such disassembly, formed a structure;

(d) the removal of a structure, or of any product or waste resulting from demolition or dismantling of a structure, or from disassembly of prefabricated elements which immediately before such disassembly formed such a structure;

(e) the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are

normally fixed within or to a structure.

Taking the above definitions into account, works performed on behalf of Facilities Managers, such as repairs to the building fabric, repairs and maintenance of building services and other plant will fall under the definition of construction and must therefore be performed in compliance with CDM2015 requirements.

The following extract from Q&A Briefings – Construction Division - Construction (Design and Management) Regulations 2015 further explains the Health and Safety Executive's interpretation of what is construction.

Q1. DOES CDM 2015 APPLY TO ALL MAINTENANCE WORK?

The definition of maintenance work has not changed. If the task in hand looks like construction work, requires construction skills and uses construction materials, it is construction work. General maintenance of fixed plant which mainly involves mechanical adjustments, replacing parts or lubrication is unlikely to be construction work.

If the maintenance work is construction work, and there is only one contractor, no PC or PD appointment is required. If more contractors are brought in, then a PC and PD need to be appointed for that particular project.

All construction work under CDM 2015 requires planning, but the plan for smaller jobs should be simple, short and proportionate to the risks.



The following table provides some guidance on what is, and is not, construction

CONSTRUCTION WORK	NOT CONSTRUCTION WORK
Replacing or repairing a light fitting	Replacing the lamp in a lamp fitting
Replacing or repairing a lift motor	Periodic maintenance of a lift motor
Cleaning or replacing dust filters in air conditioners	Replacing a dust filter housing within an air conditioner
Installing, repairing, replacing fixed cabinets or shelving	Moving non-fixed office furniture
Installing, repairing, replacing a plumbed-in water cooler	Periodic maintenance of a plumbed-in water cooler
Cleaning ducts or pipework using a solution with corrosive or toxic substances	Window cleaning and general office cleaning
Installation, repair or removal of equipment that is permanently electrically connected or plumbed in with a screwed, soldered or or brazed connection	Installation, repair or removal of portable equipment that is electrically connected with a plug or joined to the water supply with a 'quick connector'
Installation, repair, removal or moving of partition walls	Moving of portable desk screens
Installation, repair or removal of any fixed electrical, IT or plumbing equipment or systems	Placing computers onto desks and connection to an internal network
Installation, repair or removal of doors and door furniture	
Re-decoration	Wiping down of walls, etc.
Floor or wall tiling	Carpeting or installation of carpet tiles

CDM2015 applies to any construction work performed for both commercial and domestic clients, and is not dependent on the time taken for the work or the number of persons performing the work.

APPOINTMENTS AND THE HEALTH AND SAFETY FILE

The appointments of the principal designer (PD), replacement for the CDM coordinator, and the principal contractor (PC), and the requirements for a health and safety file, only apply where the project may involve more than one contractor for the delivery of the project. A contractor is any organisation performing construction work, including the client's personnel performing construction work, main contractors, specialist contractors and sub-contractors.

Example: Replacing the light fitting by a client employee (maintenance technician), with an electrical contractor employed to perform the electrical isolations and the work, would be two contractors and would require the appointment of a principal designer and principal contractor and the production of a health and safety file.

NOTIFICATIONS

Notification of a construction project is now a stand-alone part of the regulations, and does not cause any other parts of the regulations to apply. These notifications are now required to be performed electronically, through the Health and Safety Executive (HSE) website by the client, or on the client's behalf.

Fewer notifications will now be required than were required under CDM2007, as the notification criteria now is that the construction phase(s) include 30 working days, and at some point more than 20 persons working or involve over 500 person days/shifts. The 20 persons is the changed requirement, and will result in fewer projects being notified.

Example: If the project involves 100 working days with an average of 4 persons working and at no time more than 20 persons working, the project is not notifiable.



PRE-CONSTRUCTION INFORMATION

The client must provide the pre-construction information, which is then utilised by the designers in the performance of their designs and the principal contractor and contractors, or contractor on a project with only one contractor, to plan and manage the work.

The pre-construction information is information about the facility, services, plant and equipment that is relevant

to the work, e.g. service drawings, asbestos management survey reports and asbestos management plans. This will also include any specific facility management and emergency arrangements and other specific information such as what welfare facilities are available to the contractor(s), access routes, parking areas, materials storage areas, etc.

Client Name
Project Number and Title
Pre-Construction Information Register



note that the register below is arranged according to needs in the first column, therefore the same document may well be referenced a number of times during the document to meet various information

Information Contents	Documents & Drawings			Distribution				Required for HSF
	Number	Issue/Rev	Title					
<i>Add project-specific details or refer to documents containing those details in the next column</i>	<i>Insert list of documents that pertain to PCI items</i>							
Description of project								
Programme Details								
Team Contacts								
Existing records, plans, drawings and reports								
Planning and management - Meetings								
Project health and safety goals								
Arrangements for communication and liaison								
Site security and hoarding arrangements								
Welfare Provisions								
Traffic management arrangements								
Any 'no-go' or authorisation areas								
Any areas the client has designated as confined spaces								
Identified parking restrictions								

The pre-construction information does not have to be a specific document, and is likely to be contained within a number of documents and drawings. Some form of document control system or issue register would be reasonable as per the example above.

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DESIGN AND DESIGNERS

Design is any decision regarding materials and equipment, and how and where they will be installed, and would include drawings, design details, specifications, bills of quantities and calculations prepared for the purpose of a design.

Designers are any person (possibly including a client or contractor) who prepares or modifies a design or arranges for, or instructs, any person

under their control to do so, relating to a structure, to a product or a mechanical or electrical system.

The designers must coordinate their designs with other designers and stakeholders, including the client and the users. This will not only have health and safety benefits, but should also assist with delivering the project on time and on budget. A method of controlling design interfaces, providing minutes of meetings and clear action points is shown below.

Design Interface Review Meeting - Actions									
No.	Title	Notes	Actions	Responsible Organisation	Responsible Person	Date Action Agreed	Deadline	Status	Update
305	Syphonic Drainage	3D model has now been issued by D&B3	Design clash to be rectified. D&B1 to redesign as necessary.	D&B1	RK	29-Jul-14	12-Aug-14	Closed	12th August '14 - D&B3 to provide section detailing ducting clash with drainage arrangement by Fri 15th Aug 9th September '14 - D&B3 to finalise check on fitting of ballcock paddles and to check space requirement for changing filter. D&B1 to keep pipe tight to underside of slab. 7th October '14 - down pipes above dust filter removed.
325	Corrosion RDD	Response received from [redacted] requiring more info	Response to be issued to D&B1 to action	D&B1	TW	09-Sep-14	20-Jan-15	Open	7th October '14 - ongoing. Awaiting details from D&B1 in relation to LCC comments. 9th December '14 - D&B1 collecting data for additional column. deadline 19/12/14 13th Jan '15 - 85% - 90% complete. D&B1 waiting for responses from subcontractors. Provide further detail for external materials only. Deadline 23/01/15
344	Welfare Block Steelwork Design	Clashes with MPT steelwork and MPT welfare block.	Propose solution design and state load points for this design.	D&B3	RK	10-Nov-14	13-Jan-15	Open	9th Dec '14 - D&B3 redesigning to provide loads and calculations. Ongoing. Outlined reasons necessary for redesign ultimately caused by the oversight to support the conveyor on the welfare roof, by D&B1. 13th Jan '15 - design and load info to be provided for additional platform, to pass to D&B1
350	WWP Kiosk	Kiosk for the Waste Water Pit, does it need to be the size that it currently designed to be. JV to review and send to [redacted] as soon as possible as NMA needs to go in by the end of the month would like it to be secure and well ventilated. Currently this is be made from GRP. (Also need the elevations for waste water pit as a matter of urgency for NMA)	Kiosk for the Waste Water Pit, does it need to be the size that it currently designed to be. JV to review and send to Veolia as soon as possible as NMA needs to go in by the end of the month would like it to be secure and well ventilated. Currently this is be made from GRP. (Also need the elevations for waste water pit as a matter of urgency for NMA)	D&B2 D&B1	LS	18-Nov-14	09-Dec-14	Open	9th December '14 - Drawing issued to Client but position of kiosk needs to be changed, could effect position of diesel tank. Addition of a gate required to platform above WWP (access to pumps, maintenance, etc) to be issued 12/12/14 13th Jan '15 - WWP issued to LPA, need construction drawing to be updated to reflect

The designers must apply the general principles of prevention to provide designs that have eliminated or reduced risks by their design decisions to everyone potentially affected by the design, so far as is reasonably practicable, and then supply information about their design and residual significant risks to anyone effected.



CONSTRUCTION PHASE PLAN

Under CDM2007 a construction phase plan was only required to be prepared and managed by the principal contractor on notifiable projects. CDM2015 requires all construction work to be performed under the control of a construction phase plan, whether the project is notifiable or not, how long the project will take or how many people or contractors are involved or whether a principal contractor is appointed. If only one contractor is to work on the project, the contractor must prepare the construction phase plan.

Example: Replacing the light fitting by a client employee (maintenance technician, electrically qualified), without any other contractors involved will still require a construction phase plan to be produced by the client, who is also the contractor for this project.



Construction Phase Plan Reactive Maintenance and Minor Works

Project:		Location:	
Client		Representative	<i>Enter Name</i>
Contractor		Representative	<i>Enter Name</i>
Date		Start Time:	Finish Time:
Refer to the Health and Safety File and the Building & Equipment Information File for the Pre-Construction Information .			
Any additional Pre-Construction Information supplied by the Client/Designer:			
Work Hazards/Risks		Controls (<i>Enter safe system of work or N/A</i>)	
Work within public areas (internal or external)			
Work at height and/or on roof			
Work below floor or in a confined space			
Work on live electrical equipment/system			
Work close to hot equipment/surfaces			
Work involving cutting/drilling into building fabric (dusts/asbestos/lead paint)			
Work involving hot work			
Work requiring changes to the fire plans (disabling fire detection/blocking escape routes)			
Work causing tripping or slipping hazards or manual handling of more than 25kg			
Work involving Fgas			
Other (<i>specify</i>)			
Is a Hazardous Work Permit required?		<i>If yes, attach Permit</i>	
Contractor	<i>Signature approving CPP</i>	Client	<i>Signature acknowledging CPP</i>
Contractor	<i>Signature verifying work complete</i>	<i>Any notes on concerns regarding the performance of the work and this CPP to be added to the rear of this sheet</i>	

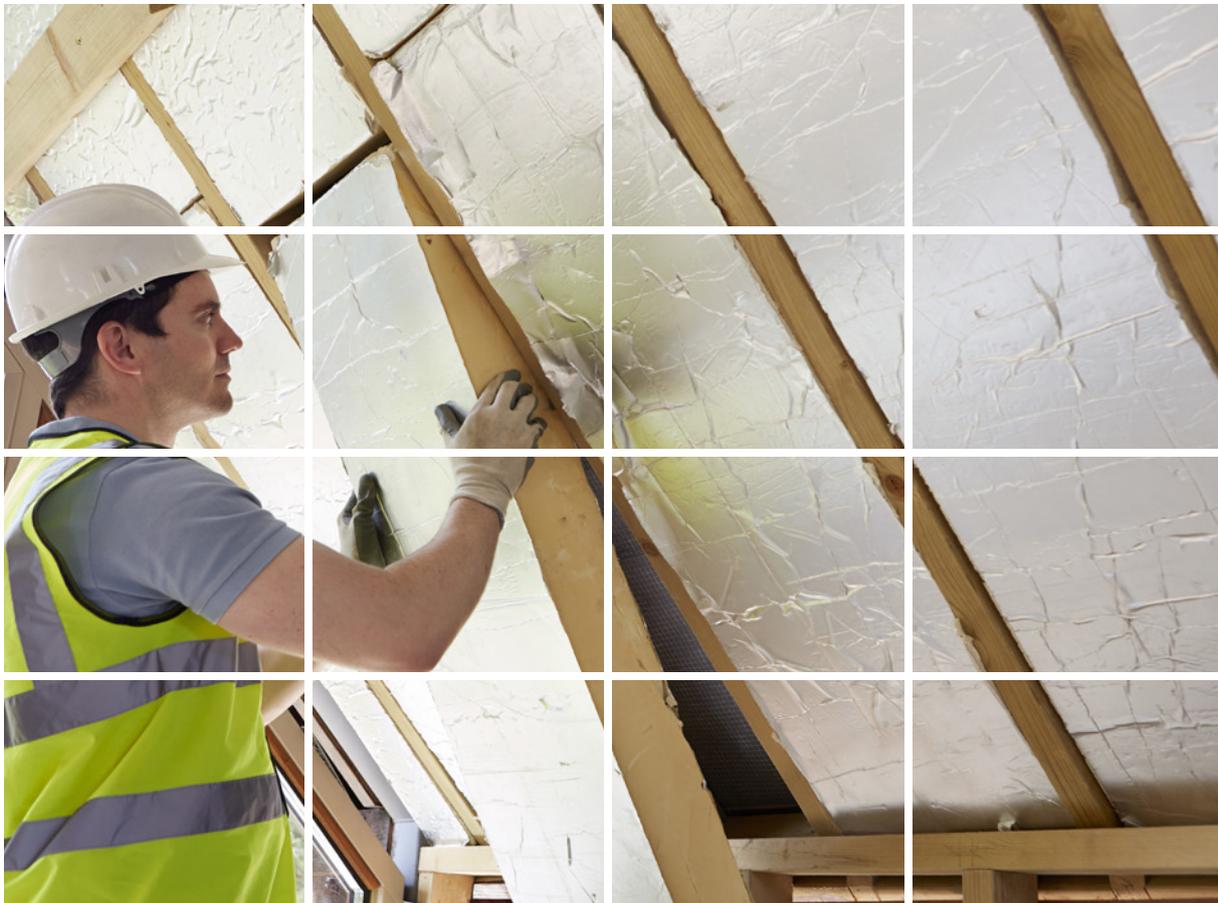
ADDITIONAL CLIENT DUTIES

CDM2015 places more significant duties on client than were placed on them under CDM2007. The client is now much more involved in the health and safety management of projects and must ensure that the appointed principal designer and principal contractor are complying with their duties. The client must also ensure that the health and safety file is compliant with the regulations.

These additional requirements on clients have been imposed by CDM2015 whilst at the same time the client's advisor under CDM2007 (CDM coordinator) has been removed. The principal designer does not have any duties to advise

and assist the client with the client duties, except with regards to the pre-construction information.

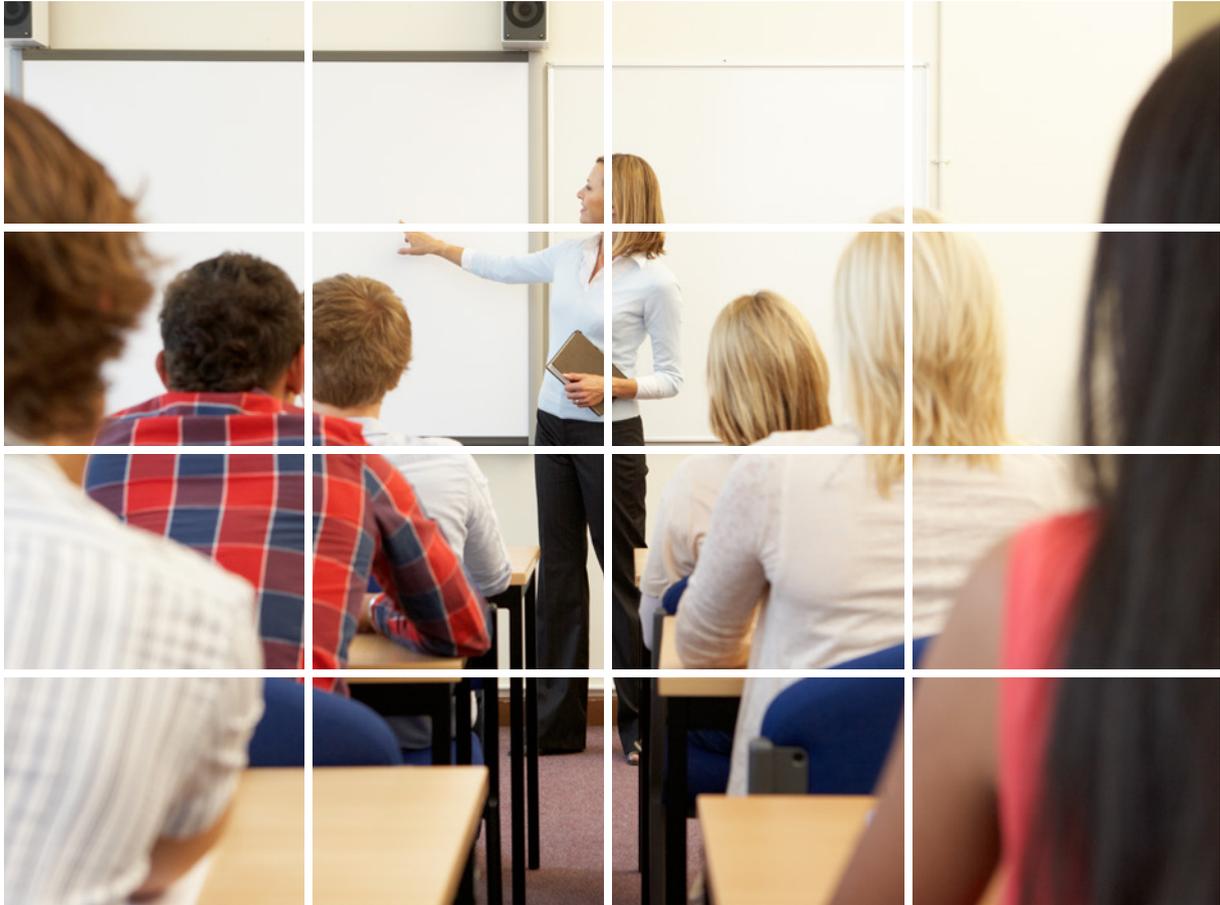
The HSE have stated that this advice and assistance could be provided by the client's health and safety advisor, required by the Management of Health and Safety at Work Regulations 1999. The HSE have also stated that if that person or persons are not skilled, knowledgeable, experienced in construction health and safety management and CDM, or do not have the time and resources to provide this advice and assistance, the client could engage an external organisation to provide this service. These organisations are calling themselves CDM advisors or CDM consultants.





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SUMMARY

The answer to the article question, 'is CDM2015 applicable to facilities maintenance?' is a definite 'YES'. The client (Facilities Manager), the designers (Facilities Managers and/or external designers and/or external contractors) and the contractors (Facilities Managers and/or external contractors) all need to take CDM2015 into account and manage the work in full compliance.

This will not only provide for a legal undertaking and should prevent unwelcome attention by the Health and Safety Executive and potential criminal penalties, but should also provide for:

- A healthier and safer project and facility
- A project that delivers what was needed (technical, quality and layout)
- A project that is delivered on time and on budget, with the minimum disruption

ADVICE, ASSISTANCE AND TRAINING

If you need external advice and assistance you should talk to Callsafe Services Limited, who provide these services, also being appointed as principal designer and CDM advisor by our clients. We also offer both accredited and non-accredited training in the requirements of the CDM2015, including a course entitled **CDM2015 for Facilities Managers**.

CDM2015 FOR FACILITIES MANAGERS 1 DAY COURSE

This non-accredited course is designed to provide Facilities Managers, their designers and contractors, with an understanding of their duties under the CDM Regulations 2015. Larger fit-out and refurbishment projects will be discussed as well as planned maintenance and reactive repair activities.

On completion of the course, delegates should:

- Understand the need and application of the CDM regulations;
- Understand the duties and responsibilities of the client, principal designer, designers, principal contractor and contractors; and
- Appreciate the extent that Facilities Managers will attract CDM2015 duties.

This course is available as an in-house course, where the trainer provides the course within the client's premises, for a maximum of 16 delegates at a lump sum price of £1,300.00, plus VAT, per course, including all expenses.

The course is also available as a public course, for individuals to attend. The currently planned courses are as follows:

24 March 2016 (Staffordshire)

(Ref: CDMF160324)

£290.00

per delegate, plus VAT

28 April 2016 (London)

(Ref: CDMF160428)

£300.00

per delegate, plus VAT

02 June 2016 (Staffordshire)

(Ref: CDMF160602)

£290.00

per delegate, plus VAT

28 June 2016 (London)

(Ref: CDMF160628)

£300.00

per delegate, plus VAT

Details of these and other courses can be seen on our website:

www.callsafe-services.co.uk





Are you sure that you understand the duties and requirements of CDM2015 and/or other health and safety requirements?

Have you amended your policies and procedures to reflect the current legislation and practice?

Are your employees competent to perform their duties?

Do you select capable organisations to work with you?

Do you manage your organisation and projects without copious amounts of paper?

If the answer to any of the above questions is no, you need to consider training and advice to achieve legal compliance and develop best practices.

CONTACT THE EXPERTS

CDM 2015 & BIM

THE BENEFITS OF INCORPORATING HEALTH AND SAFETY INTO BIM

IDENTIFY RISKS EARLIER IN
THE PROJECT PROCESS

REDUCES THE RISK
OF HUMAN ERROR

INCREASE COST SAVINGS IN
DESIGN AND PRACTICAL USE

CONTRACTORS HAVE AN
UNDERSTANDING OF PROJECT

ISSUES / CLASHES RESOLVED
BEFORE PROJECT IS LIVE ON SITE

ALLOWS FOR CLEAR AND DEFINED
MANAGEMENT OF THE PROJECT

**REMOVE
RISK AND
HAZARD
IN DESIGN**

**1 DAY
COURSES
AVAILABLE
NOW**