



CDM2015

The Construction
(Design and Management)
Regulations 2015

Industry guidance for
Clients



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1 Introduction

1.1 General introduction

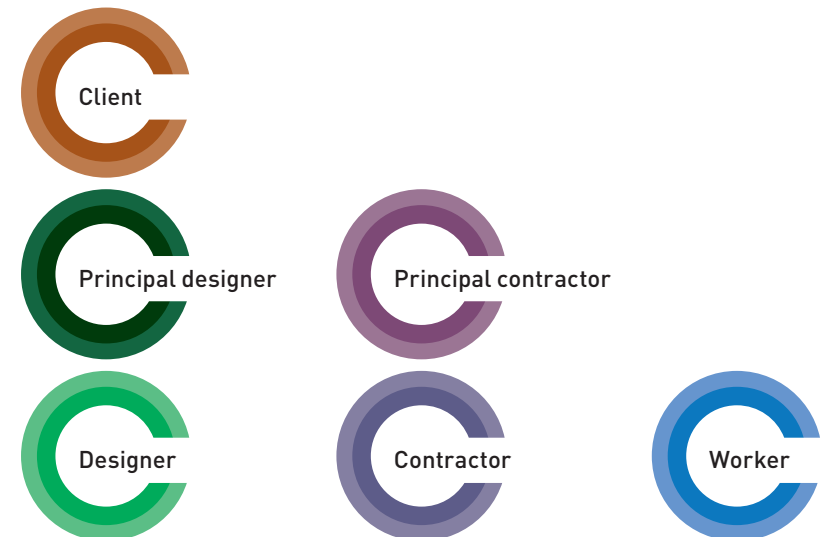
The Construction (Design and Management) Regulations (CDM 2015) are the main set of regulations for managing the health, safety and welfare of construction projects.

CDM applies to all building and construction work and includes new build, demolition, refurbishment, extensions, conversions, repair and maintenance.

This guide is based on sound industry practice and will particularly help small businesses and organisations deliver building and construction projects in a way that prevents injury and ill health.

There are six guides: one for each of the five duty holders under CDM and an additional one for workers.

The six guides are:



These guides should help you better understand your role, and that of other duty holders.

The Health and Safety Executive (HSE) has produced the CDM L-series to offer further guidance. It is downloadable from the HSE website: www.hse.gov.uk/construction.

1.2 Who is the client?

CDM 2015 defines a client as anyone for whom a construction project is carried out. The regulations apply to both **domestic** and **commercial** clients.

This guidance is aimed at commercial clients.

A **commercial** client is an organisation or individual for whom a construction project is carried out in connection with a business, whether the business operates for profit or not. Examples of commercial clients are schools, retailers and landlords.

This guidance has been written for small or infrequent clients. Regular construction clients may wish to refer to the further guidance and advice offered by the Construction Client Group of Constructing Excellence, which can be contacted via: <http://ccg.constructingexcellence.org.uk>.

Domestic clients are those having work carried out which is not connected with running a business. Usually, this means arranging for work to be carried out on the property where you or a family member lives.

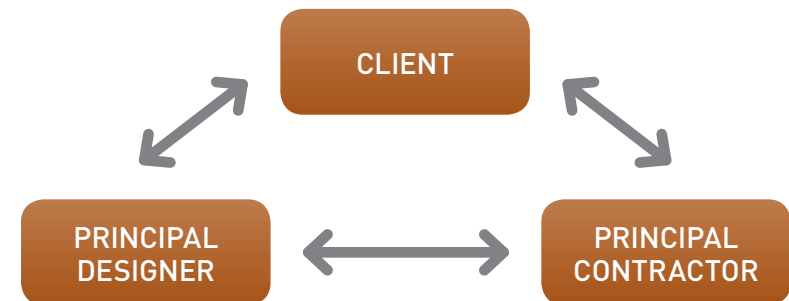
Domestic clients should refer to separate guidance produced by the HSE, *Want construction work done safely?* (INDG411(rev1)), which can be downloaded for free from www.hse.gov.uk/pubns/indg411.pdf.



1.3 What is the client's role?

The CDM Regulations place responsibility for managing the health and safety of a construction project on three main duty holders.

The client has overall responsibility for the successful management of the project and is supported by the principal designer and principal contractor in different phases of the project. For the successful delivery of a project, good working relationships between the duty holders are essential from the start.



- **The client** ensures that the construction project is set up so that it is carried out from start to finish in a way that adequately controls the risks to the health and safety of those who may be affected.
- **The principal designer** manages health and safety in the pre-construction phase of a project. The role extends to the construction phase through the principal designer's duties to liaise with the principal contractor and ongoing design work.
- **The principal contractor** manages the construction phase of a project. This involves liaising with the client and principal designer throughout the project, including during the pre-construction phase.

Depending upon the nature of the project, the principal designer and principal contractor may be supported by designers, contractors and workers.

1 Introduction



There are two important phases of a construction project: before and during construction or building work. This guide refers to them as:

- **the pre-construction phase:** the inception, design and planning stage of a project (before the construction or building work starts), although it is acknowledged design and planning continues into and through the construction phase
- **the construction phase:** the start-to-finish stage of the construction or building work.

Designers and contractors should be appointed at the earliest opportunity to help prepare and plan your project. You should also get involved so you can give your views as and when required.

Experience has shown that, when designers and contractors are involved early in the project, everyone is better able to plan ahead and solve problems together to deliver a more successful project.

Even the simplest tasks, such as arranging routine maintenance or minor building work, require adequate time to plan and manage the work safely.

A summary of all duty holders and their roles can be found in Annex A.



2 Preparation: the client brief

A client brief explains to others what your project is about and your requirements before, during and after the build.

2.1 What is a client brief?

One way of explaining what you want, as well as helping you to carry out your duties under CDM, is to develop a client brief.

As the client, you will have requirements and expectations that will assist those designing, constructing or using the structure or building. Sharing these at an early stage can help shape how each duty holder approaches, plans and accommodates your requirements.

The client brief may take the form of verbal discussions or it could be a written document drafted by you or by a designer or contractor after you have discussed your requirements with them.

A clear brief is essential to the success of your project. It sets out key requirements, outlines your vision of the project and communicates your aims and aspirations.

2.2 What should the client brief include?

The brief should:

- describe the main function and operational requirements of the finished building or structure
- outline your motivation for initiating the project
- give your expectations during the project, including how health and safety risks should be managed
- explain the design direction you have in mind
- establish a single point of contact for any client queries or discussions during the project
- set a realistic timeframe and budget.

Whilst the initial client brief sets out your general requirements and expectations for the project, it is also important that it outlines your health and safety expectations.



Preparation: the client brief



As a client, you have a significant role to play. Clients set standards and ensure work is carried out without risking the long-term health and safety of those on site.

You may ask the principal designer to help you develop your client brief.

Further information on how to write a client brief can be found on the RIBA website: www.architecture.com/FindAnArchitect/Workingwithanarchitect/Howdouluseanarchitect.aspx.



3 What do you have to do in the pre-construction phase?

The pre-construction phase is defined as any period during which design or preparatory work is carried out for a project.

As the client, you must ensure that construction work is properly planned, resourced and managed to protect the health, safety and welfare of those carrying out work on, or who may be affected by, your project.

3.1 Make suitable arrangements for managing the project

As the client, you must make suitable arrangements to ensure that, throughout the planning, design and construction of a project, adequate consideration is given to the health, safety and welfare of all those affected and involved in the construction work.

Your arrangements should be appropriate to the nature of the work and enable other duty holders to carry out their work without risk to themselves or anyone else who may be affected.

The management arrangements should:

- include requirements for how the project is to be run, taking into account any risks to the public
- explain how you will select and appoint designers and contractors to ensure they have the necessary capabilities for the work they are required to do
- allocate sufficient time and resources to each stage of the project, from concept through to completion
- ensure suitable welfare facilities are in place before works start.

For projects involving more complex work and significant risks, the management arrangements will also need to cover:

- what is expected of the design team to ensure that they consider health and safety risks for the construction phase, as well as when maintaining and using the building once it is built
- the arrangements for procuring the design and construction team, including establishing that designers and contractors are adequately trained, and have the right skills and experience of health and safety
- the arrangements for monitoring designers' and contractors' performance, for example by arranging progress meetings with the principal designer and principal contractor to ensure that the project runs in line with your expectations and meets legal requirements. The meetings also give you the opportunity to take action where that is not the case
- the format for the health and safety file or a building manual that incorporates the health and safety file.

3.2 Select the project team and formally appoint duty holders

If more than one contractor will be working on your project then, as the client, you must appoint a principal designer and a principal contractor in writing. If you do not do this then you take on these roles and associated legal duties yourself.

One of your main duties is to ensure that those you propose to appoint are able to demonstrate that they can deliver the project for you in a way that secures health and safety.

This means that they should:

- have the necessary capabilities and resources
- have the right blend of skills, knowledge, training and experience
- understand their roles and responsibilities when carrying out the work.

You may need to make specific enquires about their basic health and safety knowledge when carrying out the job in question. This can be done in a number of ways.



- For smaller jobs, you should look for straightforward evidence from previous construction work.
- The Public Available Specification PAS 91 provides a set of health and safety questions that can be asked by construction clients and those who appoint designers and contractors as part of the pre-qualification process.
- You could use a Safety Schemes in Procurement (SSIP) member-assessed scheme to find designers or contractors who have been assessed and confirmed by a SSIP Forum member as meeting acceptable health and safety standards.

Only make enquiries for information that will address the anticipated risks and capability of the supplier – excessive or duplicated pre-qualification and other paperwork should be avoided because it can distract attention from the practical management of risks.

3.3 Provide information to help with design and construction planning

As the client, you must provide relevant information which you may already have, or that can be obtained by sensible enquiries, for example any surveys or the results of other investigations.

It is important to pass on all this **pre-construction information** at the earliest opportunity as it will help the others, such as designers and contractors. It will also inform them of any risks that may have an impact on the design of the building or structure, as well as on its construction and future use.

A list of suggested pre-construction information can be found in Annex B.

For projects with more than one contractor, you can expect to receive help from the principal designer in drawing this information together. They have a duty to assist you in this.

You will also need to discuss and agree with the principal designer what information you will need to keep at the end of the project to help you and others safely use and maintain the completed building. This information is known as the **health and safety file**.



What do you have to do in the pre-construction phase?



More information about the health and safety file can be found in Annex C.

As a client, you may already have contractors or in-house contractors who are engaged on fixed-term facilities management contracts or similar work. If so, you will need to make the principal designer and principal contractor aware of these contractors so they can involve them in the design, planning and management of the construction works.

3.4 Notify the project to the enforcing authorities, where required

If your project is expected to last longer than 30 working days **and** have more than 20 workers working on the project at any one time, or exceed 500 person days, you will need to make sure that your project is notified to the relevant enforcing authority.

The easiest way to notify any project to the HSE, the Office of Rail Regulation (ORR) or the Office for Nuclear Regulation (ONR) is to use the online notification form F10 on the HSE's website.

Further information on how to notify construction work can be found at www.hse.gov.uk/construction/cdm/faq/notification.htm.

3.5 Ensure the management arrangements are working

As the client, you are required to ensure the arrangements made for managing health and safety during the pre-construction phase are working successfully.

You should take reasonable steps to ensure that the principal designer is complying with their duties. This could be achieved by participating in regular progress meetings. These are also a good way of ensuring that the project runs in line with your expectations and meets legal requirements.

3.6 Pre-construction client checklist

You may find this checklist useful as an aide memoire.

1	Are you clear about your responsibilities?	
2	Have you made your formal appointments?	
3	Have you checked that the principal designer or designer has the capability and necessary skills, knowledge, training and experience to fulfil their duties?	
4	Have you checked that the principal contractor or contractor has the capability and necessary skills, knowledge, training and experience to fulfil their duties?	
5	Have you checked that the project team is adequately resourced?	
6	Has a project or client brief been issued to the project team?	
7	Has the project team been provided with information about the existing site or structure (pre-construction information)?	
8	Do you have access to project-specific health and safety advice?	
9	Are suitable arrangements in place to manage health and safety throughout the project?	
10	Has a schedule of the key activities for the project been produced?	
11	Has sufficient time been allowed to complete the key activities?	
12	Where required, has an online F10 notification form been submitted to HSE to notify them of commencement of work?	
13	Have you checked that a construction phase plan has been adequately developed before work starts on site?	
14	Are you satisfied that suitable welfare facilities have been provided before work starts on site?	
15	Have you agreed the format and content of the health and safety file?	

4 What do you have to do in the construction phase?

There are a number of things that you should do while the construction work is being carried out.

4.1 Ensure the construction phase plan is in place

The principal contractor is required to produce a plan of how they will manage health and safety on site during the construction phase.

Before the work starts on site you will need to satisfy yourself that a construction phase plan is prepared. You do this by checking with the principal contractor that the plan is relevant and meets the requirements of the job.

The plan should be project-specific, take into account the pre-construction information provided, and its contents should be proportionate to the site risks.

4.2 Ensure welfare facilities are in place

You must ensure suitable welfare facilities are provided on site.

You should check that they are in place from the very start of the site work by:

- agreeing that your existing welfare facilities are made available to those carrying out the work
- carrying out a site visit
- asking for confirmation from the principal contractor (or contractor on a single contractor project) of what facilities are being provided.





What do you have to do in the construction phase?



More details about the construction phase plan and the provision of welfare facilities can be found in the *Industry guidance for principal contractors* (CDM15/5).

4.3 Ensure the management arrangements are working

As the client, you are required to ensure that the arrangements made for managing health and safety during construction are working successfully. You will need to take reasonable steps to ensure that the principal contractor is complying with their duties. This may be carried out through face-to-face progress meetings or via written updates.

You are not required to undertake routine monitoring of construction phase activities.

4.4 Check completion and handover arrangements

As the project nears its end, you should check any arrangements made for its completion and handover. This could include a phased handover, such as you taking partial possession of finished parts of the building and checking that agreed measures are in place to ensure the health and safety of those in the areas that have been handed over.

4.5 Co-operate with the principal contractor

During the construction work, the responsibility for the site is handed over to the principal contractor.

Your staff, or any contractor you have named or nominated (for example a facilities management team) must comply with the principal contractor's requirements.



5 The health and safety file

At the end of the project, you must ensure that the principal designer provides you with the health and safety file. On projects where the principal designer's role has finished before the end of the project, the principal contractor will have taken on responsibility for the file and for handing it over to you.

5.1 Check that the health and safety file has been prepared

The health and safety file contains the information needed to ensure the health and safety of anyone carrying out any future construction, demolition, cleaning or maintenance work on your building or structure.

You and the principal designer should identify and agree the structure, content and format for the health and safety file at the beginning of the project.

Before it is passed to you, it should have been reviewed and updated to ensure it contains all the necessary information. You may wish to ask for an explanation of what the completed file contains, such as any key risks that need to be managed in the future.

5.2 Maintain and make available the health and safety file

Once the project is completed, the client or the owner of the building must keep the health and safety file. This can be in an electronic format, on paper, on film or in any other durable form.

Keep the file separate from the building maintenance manual to avoid losing information that may be required urgently.

If responsibility for the premises is passed on or shared, you must give the health and safety file to each new owner and make it available to leaseholders. You should ensure that they are aware of the nature and purpose of the file.

You must also ensure that the file is regularly revised and updated where required, and that it is available to anyone who may need it to comply with health and safety law.

For further information about the health and safety file, refer to Annex C.

6 Domestic clients

Guidance for duty holders that work for domestic clients can be found in the:

- *Industry guidance for principal designers* (CDM15/2)
- *Industry guidance for contractors* (CDM15/3)
- *Industry guidance for designers* (CDM15/4)
- *Industry guidance for principal contractors* (CDM15/5)

6.1 Who is a domestic client?

A domestic client is someone who has construction work carried out on their own home, or on the home of a family member, which is not carried out in connection with a business.

Local authorities, housing associations, charities, landlords and other businesses may own domestic properties but they are not a domestic client for the purposes of CDM 2015.

If the work is in connection with a business attached to domestic premises, such as a shop, the client is not a domestic client.

6.2 What should a domestic client do?

A domestic client is not required to carry out the duties placed on commercial clients. Where the project involves:

- **only one contractor**, the client duties must instead be carried out by the contractor as well as the duties they already have as contractor for the project. In practice, this should involve doing little more to manage the work to ensure health and safety
- **more than one contractor**, the client duties must be carried out by the principal contractor as well as the duties they already have as principal contractor. If the domestic client has not appointed a principal contractor then the duties of the client will be carried out by the contractor in control of the construction work.

In many situations, domestic clients wishing to extend, refurbish or demolish parts of their own property will, in the first instance, engage an architect or other designer to produce possible designs for them. It is also recognised that construction work does not always follow immediately after design work is completed.

If they wish, a domestic client has the flexibility of agreeing with their designer (in writing) that the designer co-ordinates and manages the project, rather than this role automatically passing to the principal contractor. Where no such agreement is made, the principal contractor will automatically take over the project management responsibilities.

Annex D is a flowchart showing the transfer of client duties from a domestic client to other duty holders.



Annex A CDM duty holders and their roles summarised



CDM duty holders* – who are they? Summary of role/main duties	
Clients Organisations or individuals for whom a construction project is carried out.	Make suitable arrangements for managing a project. This includes making sure that: • other duty holders are appointed • sufficient time and resources are allocated. Clients must also make sure that: • relevant information is prepared and provided to other duty holders • the principal designer and principal contractor carry out their duties • welfare facilities are provided.
Domestic clients People who have construction work carried out on their own home, or the home of a family member, that is not done in furtherance of a business, whether for profit or not.	Domestic clients are in scope of CDM 2015 but their duties as a client are normally transferred to: • the contractor, on a single contractor project - or • the principal contractor, on a project involving more than one contractor. However, the domestic client can choose to have a written agreement for the principal designer to carry out the client duties.

CDM duty holders* – who are they? Summary of role/main duties	
Principal designers Designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role.	Plan, manage, monitor and co-ordinate health and safety in the pre-construction phase of a project. This includes: • identifying, eliminating or controlling foreseeable risks • ensuring designers carry out their duties. Prepare and provide relevant information to other duty holders. Provide relevant information to the principal contractor to help them plan, manage, monitor and co-ordinate health and safety in the construction phase.
Designers Those who, as part of a business, prepare or modify designs for a building or product, or prepare or modify designs to systems relating to construction work.	When preparing or modifying designs, eliminate, reduce or control foreseeable risks that may arise during: • construction - and • the maintenance and use of a building once it is built. Provide information to other members of the project team to help them fulfil their duties.



Annex A CDM duty holders and their roles summarised



CDM duty holders* – who are they? Summary of role/main duties	
Principal contractors Contractors appointed by the client to co-ordinate the construction phase of a project where it involves more than one contractor.	Plan, manage, monitor and co-ordinate health and safety in the construction phase of a project. This includes: • liaising with the client and principal designer • preparing the construction phase plan • organising co-operation between contractors and co-ordinating their work. Ensure that: • suitable site inductions are provided • reasonable steps are taken to prevent unauthorised access • workers are consulted and engaged in securing their health and safety • welfare facilities are provided.
Contractors Those who do the actual construction work. They can be either an individual or a company.	Plan, manage and monitor construction work under their control so that it is carried out without risks to health and safety. For projects involving more than one contractor, co-ordinate their activities with others in the project team – in particular, comply with directions given to them by the principal designer or principal contractor. For single-contractor projects, prepare a construction phase plan.

CDM duty holders* – who are they? Summary of role/main duties	
Workers The people who work for or under the control of contractors on a construction site.	They must: • be consulted about matters which affect their health, safety and welfare • take care of their own health and safety and that of others who may be affected by their actions • report anything they see which is likely to endanger either their own or others' health and safety • co-operate with their employer, fellow workers, contractors and other duty holders.

* Organisations or individuals can carry out the role of more than one duty holder, provided they have the skills, knowledge, experience and (if an organisation) the organisational capability necessary to carry out those roles in a way that secures health and safety.

C Annex B Pre-construction information



What is pre-construction information?

1. Pre-construction information provides the health and safety information needed by:
 - a. designers and contractors who are bidding for work on the project, or who have already been appointed, to enable them to carry out their duties
 - b. principal designers and principal contractors in planning, managing, monitoring and co-ordinating the work of the project.

It also provides a basis for the preparation of the construction phase plan. Some material may also be relevant to the preparation of the health and safety file (see Annex C).

2. Pre-construction information is defined as information about the project that is already in the **client's possession or which is reasonably obtainable by or on behalf of the client**. The information must:
 - a. be relevant to the particular project
 - b. have an appropriate level of detail**and**
 - c. be proportionate, given the nature of the health and safety risks involved.
3. Pre-construction information should be gathered and added to as the design process progresses to reflect new information about the risks to health or safety and how they should be managed. Preliminary information gathered at the start of the project may not be sufficient where further design and investigation has been carried out.
4. When pre-construction information is complete it must include proportionate information about:
 - a. the project, such as the client brief and key dates of the construction phase
 - b. the planning and management of the project, such as the resources and time being allocated to each stage of the project and the arrangements to ensure there is co-operation between duty holders and that the work is co-ordinated
 - c. the health or safety hazards of the site, including design and construction hazards and how they will be addressed
 - d. any relevant information in an existing health and safety file.
5. The information should be in a convenient form and be clear, concise and easily understandable to allow other duty holders involved in the project to carry out their duties.



C Annex C The health and safety file



The health and safety file is defined as a file appropriate to the characteristics of the project, containing relevant health and safety information to be taken into account during any subsequent project. **The file is only required for projects involving more than one contractor.**

The file must contain information about the current project that is likely to be needed to ensure health and safety during any subsequent work such as maintenance, cleaning, refurbishment or demolition. When preparing the health and safety file, information on the following should be considered for inclusion.

- a. A brief description of the work carried out.
- b. Any hazards that have not been eliminated through the design and construction processes, and how they have been addressed (for example, surveys or other information concerning asbestos, contaminated land or buried services).
- c. Key structural principles (for example, bracing or sources of substantial stored energy including pre- or post-tensioned members) and safe working loads for floors and roofs.
- d. Hazardous materials used (for example, lead paints and special coatings).
- e. Information regarding the removal or dismantling of installed plant and equipment (for example, any special arrangements for lifting such equipment).
- f. Health and safety information about equipment provided for cleaning or maintaining the structure.
- g. The nature, location and markings of significant services, including underground cables, gas supply equipment and fire-fighting services.
- h. Information and as-built drawings of the building, its plant and equipment (for example, the means of safe access to and from service voids, and the position of fire doors).

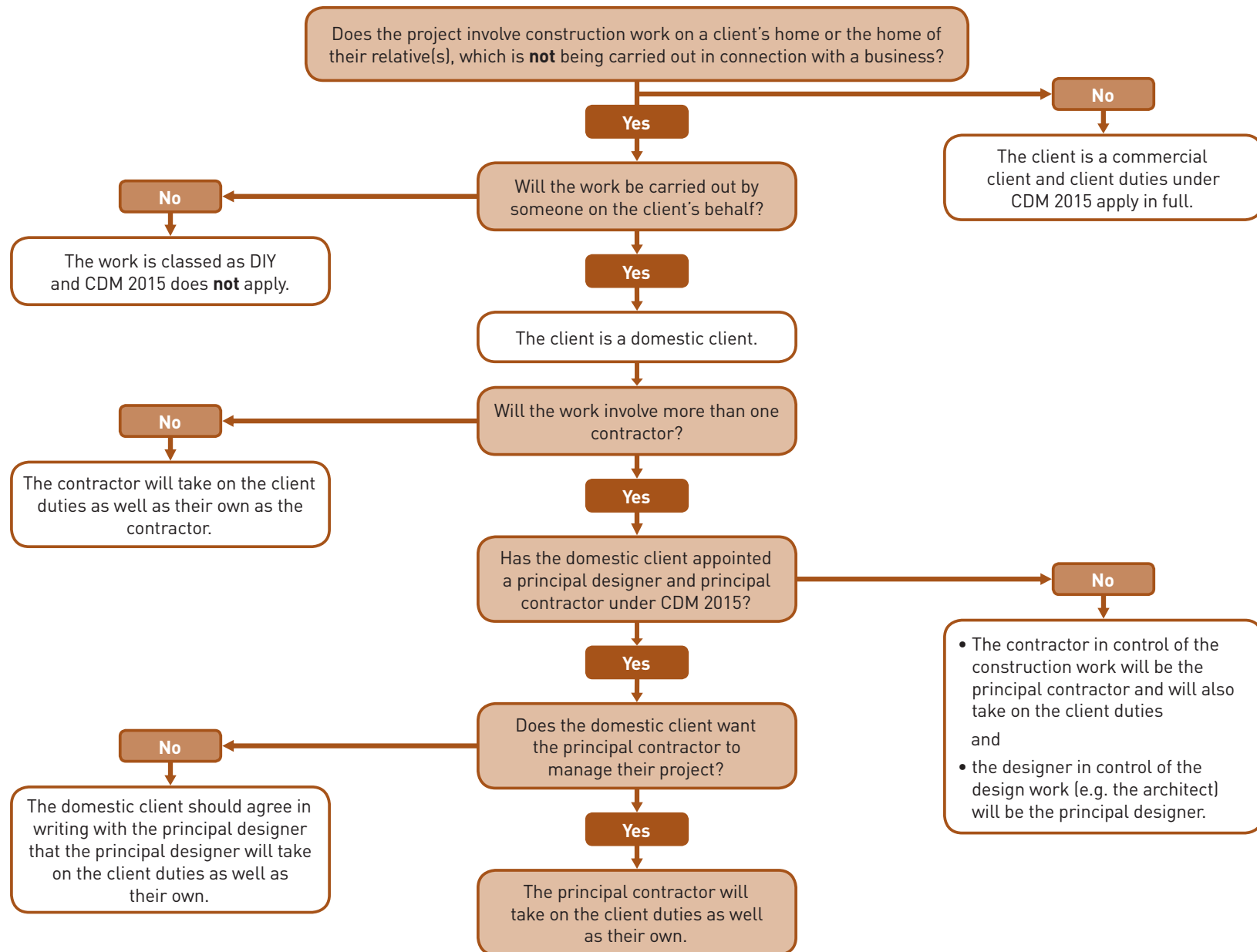
There should be enough detail to allow the likely risks to be identified and addressed by those carrying out the work and be proportionate to those risks. Information must be in a convenient form that is clear, concise and easily understandable.

The file *should not* include things that will *not* help when planning future construction work, such as pre-construction information, the construction phase plan, construction phase risk assessments or contractual documents.





Annex D How CDM 2015 applies to domestic clients



The Construction Industry Advisory Committee (CONIAC) wishes to acknowledge the assistance offered by the following organisations and people in the preparation of the CDM industry guidance.

Industry guidance group	Organisations	Company/individual
Steering group (SG)	Clients Principal designers Designers Principal contractors Contractors Workers Health and Safety Executive (HSE) Construction Industry Training Board (CITB)	Clive Johnson – Land Securities Richard Hulland – Atkins David Lambert – Kier Group plc John Scott – Morgan Sindall Group plc Paul Haxell – Bovis Homes Limited Daniel Shears – GMB Peter Wilson – UCATT Susan Murray – Unite the Union Philip White – HSE Chief Construction Inspector Russell Adfield – HSE CDM Unit Simon Longbottom – HSE CDM Unit Gordon Crick – HSE CDM Unit The Revd Kevin Fear (SG Chair) – CITB Lee Fisk – CITB
Client working group (WG)	Construction Client Group (CCG)	Clive Johnson (WG chair & SG) – CCG James McClune – AWE plc Patrick Brown – British Property Federation Gren Tipper – Construction Client Group James Preston-Hood – Grosvenor Ltd David Pyle – Heathrow Airport Limited Ian Simms – Royal Mail plc Dylan Roberts – Skanska UK plc
Principal designer working group (WG)	Consultants' Health and Safety Forum (CHSF)	Richard Hulland (WG chair & SG) Louise Page – Atkins Steve Jones – Hyder Consulting Ltd Laura Hague – Mott MacDonald Richard Habgood – APS Paul Bramley and Brian Street – AstraZeneca Andrew Norton – Formm Ltd Thouria Istephan – Foster + Partners Billy Hare – Glasgow Caledonian University

Industry guidance group	Organisations	Company/individual
Designer working group (WG)	Institution of Civil Engineers (ICE) Institution of Structural Engineers (ISE) Royal Institute of British Architects (RIBA) Designers' Initiative on Health and Safety (DIOHAS) UK Contractors Group (UKCG)	David Lambert (WG chair & SG) – ICE, UKCG Russ Charnock – Amec Foster Wheeler plc Janet T Beckett – Carbon Saver Consultancy Ltd Simon Collins – IStructE, collinshallgreen David Allsop – GSS Architecture Geoffrey Austen – Pebbles Consultancy Ltd Paul Bussey – Scott Brownrigg Ltd, RIBA, DIOHAS
Principal Contractor & Contractor working group (WG)	Civil Engineering Contractors Association (CECA) Federation of Master Builders (FMB) Home Builders Federation (HBF) National Federation of Builders (NFB) National Specialist Contractors Council (NSCC) Specialist Engineering Contractors Group (SEC Group) UK Contractors Group (UKCG)	Paul Haxell (Joint WG chair & SG) – HBF, IOSH John Scott (Joint WG chair & SG) – NSCC, UKCG Edward Fendt – SEC Group, B&ES and ECA Alan Muddiman – CECA Rob Gutteridge – FMB David Parsons – NFB Paul Reeve – SEC Group
Worker working group (WG)	Unions	Daniel Shears (Joint WG chair & SG) – GMB Peter Wilson (Joint WG chair & SG) – UCATT Susan Murray (Joint WG chair & SG) – Unite the Union