

A simple guide to The CDM Regulations (NI) 2016

The Construction (Design and Management) Regulations (NI) 2016 came into force on **01 August 2016**, replacing CDM 2007. This information sheet provides guidance on the legal requirements for CDM 2016.

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**ALL
PROJECTS
MUST HAVE**

- ☒ Competent workers with the correct skills, knowledge, experience and training required to carry out the task
- ☒ Contractors who must plan, manage and monitor construction work under their control
- ☒ A written **construction phase plan** (see Appendix 3 of HSE L153 for more detail)



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Projects where
**MORE THAN
ONE CONTRACTOR**
is involved
(domestic or non-domestic)

Section 1 plus....

- ☒ Appoint a Principal Designer and Principal Contractor
- ☒ Prepare a **health and safety file**



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NOTIFICATION

If the works will last longer than **30** working days and have more than **20** workers working **simultaneously at any point** in the project

OR exceeds **500** person days.

Then the Client must notify the project to HSENI:

www.hсени.gov.uk/services/notification-new-construction-project-ni10

Who is a client?

CDM 2016 defines a client as anyone for whom a construction project is carried out. The Regulations apply to both domestic and commercial clients.

A commercial client is an organisation or individual for whom a construction project is carried out in connection with a business.

You are a domestic client if you are having work carried out which is not connected with a business. Usually, this means arranging for work to be carried out on the property where you or a family member lives. The only responsibility a domestic client has under CDM 2016 is to appoint a principal designer and a principal contractor when there is more than one contractor. However, if you do not do this, your duties as a domestic client are automatically transferred to the contractor or principal contractor. You should however inform them that this is your intention.

What do clients need to do?

Many clients, particularly those who only occasionally have construction work done, are not necessarily experts in construction work. Although you are not expected to actively manage or supervise the work yourself, you have a big influence over the way the work is carried out. The decisions you make have an impact on the health, safety and welfare of workers and others affected by the work, because you determine the money, time and other resources available. You may also need to notify the work to HSENI.

1 Appoint a Principal Designer and Principal Contractor

If more than one contractor will be involved, you will need to appoint (in writing) a principal designer and a principal contractor. A principal designer is required to plan, manage and coordinate the planning and design work. A principal contractor is required to plan, manage and coordinate the construction work. Appoint the principal contractor as early as possible so they are involved in discussions with the principal designer about the work.

2 Ensure there are arrangements in place for managing and organising the project.

The principal designer should understand these types of risks and try to avoid them when designing your project. The principal contractor or builder should manage the risks on site. Discuss with your designer and builder before work starts and throughout the build how these risks should be managed.

3 Allow adequate time.

Work that is rushed is likely to be unsafe and of poor quality. Allow enough time for the design, planning and construction work to be undertaken properly.

4 Provide information to your designer and contractor.

Your designer and builder will need information about what you want built, the site and existing structures or hazards that may be present such as asbestos, overhead cables, and buried services. Providing this information at an early stage will help them to plan, budget and work around problems. Your principal designer can help you gather this information.

5 Communicate with your designer and building contractor.

You, your principal designer and principal contractor need to discuss issues affecting what will be built, how it will be built, used and maintained when finished. Meeting with your designer and contractor as the work progresses gives an opportunity to deal with problems and discuss health and safety. This will help to ensure that the work progresses as planned.

6 Ensure a construction phase plan is in place.

The principal contractor (or contractor if there is only one contractor) has to draw up a plan explaining how health and safety risks will be managed. This should be proportionate to the scale of the work and associated risks and you should not allow work to start on site until there is a plan.

7 A health and safety file.

You must ensure that the principal designer gives you a health and safety file. You should keep the file, make it available to anyone who needs to alter or maintain the building and update it if circumstances change.

