

Construction (Design and Management) Regulations 2015

Important Information for Deacons' Courts

The Construction (Design and Management) Regulations 2015 (CDM 2015) came into force on 6 April 2015, replacing CDM 2007. They apply to virtually all construction works, from the concept design stage through to project completion and building occupation. This note is intended as a brief introduction, to raise awareness of the CDM 2015 Regulations and their importance for congregations. Detailed guidance on the Regulations has been published by the Health and Safety Executive (HSE) and is available on its website as noted below.

The Regulations require all those involved in construction projects to consider health and safety issues, regardless of the size, duration and nature of the work involved. They apply to any form of construction work being undertaken on church owned buildings, such as churches, halls and manses.

The Regulations impose duties on clients, designers and contractors, and create the appointments of **principal designer** and **principal contractor**. All projects where there is, or is likely to be, more than one contractor require a principal designer and a principal contractor to be appointed in writing. The principal designer is required to plan, manage and coordinate the planning and design work. The principal contractor is required to plan, manage and coordinate the construction work. Each has a duty to influence and manage health and safety matters relating to the design and construction of the building, and each must follow the "principles of prevention" in respect of managing health and safety risk.

The Regulations also emphasise the duties of the **client**. The Deacons' Court will be the client in respect of a construction project undertaken in respect of congregational property and may wish to appoint one or 2 of its members to act on its behalf.

The objectives of the Regulations are to ensure better planning and design of construction projects, which in turn should lead to a reduction in accidents and incidents of ill health within the industry.

Because of the potentially serious consequences of failure to comply with the Regulations, Deacons' Courts are strongly advised not to commence any construction project without first having read and considered the following HSE publication, which provides guidance on the legal requirements for CDM 2015, namely:

"Managing health and safety in construction

Construction (Design and Management) Regulations 2015" (L153) This can be found at <http://www.hse.gov.uk/pubns/priced/l153.pdf>.

Advice should also be sought from a Registered Member of the Association for Project Safety prior to the commencement of any construction project.

What other legislation applies to the construction industry and its projects?

Deacons' Courts should also be aware of and bear in mind the following health and safety legislation which can be applied to construction projects:

- Health and Safety at Work etc. Act 1974
- Health and Safety (First Aid) Regulations 1981
- Electricity at Work Regulations 1989
- Noise at Work Regulations 2005
- Personal Protective Equipment Regulations 1992
- Manual Handling Operations Regulations 1992
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Control of Vibration at Work Regulations 2005
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Confined Spaces Regulations 1997
- Provision and Use of Work Equipment Regulations 1998
- Lifting Operations and Lifting Equipment Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Regulatory Reform (Fire Safety) Order 2005
- Control of Asbestos Regulations 2012
- Control of Lead at Work Regulations 2002
- Control of Substances Hazardous to Health Regulations 2002
- Work at Height Regulations 2005
- Corporate Manslaughter and Corporate Homicide Act 2007

Finally, please do not hesitate to contact the Free Church Offices should you have any questions.