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CONSTRUCTION DESIGN AND MANAGEMENT POLICY

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1. INTRODUCTION

Construction (Design and Management) Regulations

The Construction (Design and Management) Regulations 2015 came into force on 6 April 2015, replacing CDM 2007. MHA's CDM Policy takes full account of the revised regulations that came into force 2015. The Policy seeks to outline the Association's relevant duties in line with CDM 2015. In this Policy, MHA is referred to as "we", "us" or "our".

Scope

This Policy applies to all appropriate staff members and relevant contractors on behalf of the Association.

2. THE LEGAL FRAMEWORK

General

Due to the nature of this Policy, references are made throughout the document with regards to the relevant, legal obligations. The Association is committed to meeting all legal requirements in its role as a 'client' and 'duty-holder' under CDM 2015.

3. OVERARCHING OBJECTIVES AND IMPLEMENTATION

Overarching Objectives

Our primary aim is to ensure that the Association in its role as a 'client' and 'duty-holder' will comply with its legal duties under CDM 2015. In order to achieve this aim, the Association will make suitable arrangements for managing a project, including making sure:

- Other duty-holders, such as Designers, Principal Designers, Principal Contractors, and Contractors are appointed at the appropriate time.
- Sufficient time and resources are allocated at all stages of a project.
- Relevant information is prepared and provided to other duty-holders in accordance with the Regulations.
- The Principal Designer and Principal Contractor carry out their duties.
- Welfare facilities are provided by the Principal Contractor or Contractor.

The Association will also take account of other health and safety regulations, including, but not limited to, the Work at Height Regulations 2005 and the Control of Asbestos Regulations 2012.

Implementation

Application/Client Duties

CDM 2015 applies to all construction work commissioned by the Association. In this respect, the Association will take full cognisance of Regulation 4 "Client duties in relation to managing projects", Regulation 5 "Appointment of the Principal Designer and the Principal Contractor", Regulation 6 "Notification", Regulation 8 "General Duties", Regulation 12 "Construction Phase Plan and Health and Safety File", and Regulation 37 "Transitional and Savings Provisions".

In complying with these Regulations, the Association will have a major influence over the way a project is procured and managed and regardless of the size of the project, the Association will have contractual control, appoint designers and contractors at the appropriate stages and determine that the money, time, and other resources are available at the right time.

Assembling the Project Team

The Association will only appoint consultants and contractors who have the necessary skills, knowledge, experience, and organisational capability to manage the health and safety risks associated with each individual project.

A Principal Designer will be appointed where appropriate, as early on as possible in the design process and be able to demonstrate that they have the technical knowledge of the construction industry relevant to the project as well as the necessary skills, knowledge, and experience to understand, manage, and coordinate the pre-construction phase, including any design work carried out after construction begins. The Principal Designer's role will include coordinating the works of other consultants within the project team to ensure that significant and foreseeable risks are managed throughout the design process and that they assist the Principal Contractor in preparing the Construction Phase Plan by supplying all relevant, known information.

Only consultants who can demonstrate that they have the necessary skills, knowledge of the construction industry, experience, and resourcing capabilities relevant to the project will be appointed. All designers will be required to comply with Regulation 9 "Duties of Designers".

Only Principal Contractors will be appointed who have demonstrated that they possess the skills, knowledge, experience, and organisational capability to carry out their role effectively given the scale and complexity of the project, including the nature of the health and safety risks involved. The Association recognises that good management of health and safety on site is crucial to the successful delivery of a construction project. During the procurement process, the Principal Designer will be required to comment on the necessary skills and knowledge of any Principal Contractor being considered, prior to any appointment being made, including assessing contractors as part of the Safety Schemes in Procurement (SSIP) Forum. Any Principal Contractor will require complying fully with Regulation 13 "Duties of a Principal Contractor in relation to Healthy and Safety at the Construction Phase" and Regulation 14 "Principal Contractor's Duties to Consult and Engage with Workers". All Contractors, including Principal Contractors, will be required to comply fully with Regulation 8 "General Duties" as they apply to Contractors.

Notification

Under CDM 2015, the Health and Safety Executive (HSE) will be notified of the project in accordance with Regulation 6 "Notification". A project is considered notifiable if the construction work is scheduled to:

- Last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project, or
- Exceed 500 person days.

The Asset Team will request the Principal Designer to update HSE on any modifications or updates, making clear that they relate to an earlier notification. Notification, including any updates will be made electronically using an F10 notification form. The Association will request any Principal Contractor to display the up-to-date copy of the notice in the construction site office.

Pre-Construction Information

Under Regulation 12 of CDM 2015, the Association will provide pre-construction information to the Design Team, including the Principal Designer, as well as the Principal Contractor or Contractor as soon as practicably possible and prior to any works commencing on the site. This will include, for example, relevant details from the Association's Asbestos Register.

Construction Phase Plan and Health and Safety File

Regulation 12 of CDM 2015 also relates to the Construction Phase Plan and Health and Safety File. The Association will ensure that the Principal Contractor has a suitably developed Construction Phase Plan before the construction phase begins and that the Plan outlines the health and safety arrangement, site rules and specific measures concerning any work involving the particular risks listed in Schedule 3 of CDM 2015. The plan should allow for any emerging risks to be considered, including Covid-19, and these should be addressed as an appendix to the main document. The Principal Designer will be expected to assist the Principal Contractor in developing a suitably developed Construction Phase Plan.

Throughout the construction phase, the Principal Contractor will be expected to review, update, and revise the Plan with the Principal Designer being responsible for preparing a health and safety file appropriate to the characteristics of the project. The Principal Contractor will be expected to provide the Principal Designer with any information relevant to the Health and Safety File for inclusion therein.

The Association, as Client, will retain the file and ensure that it is available to anyone who may require it throughout the lifetime of the building. The file may be in electronic paper, film, or any other durable form.

General

The above is not intended to be exhaustive or highlight all of the duties of the Association as Client and Duty-holder. The CDM Regulations 2015 will be referred to and complied with in relation to the whole construction process and on all construction projects, from conception to completion to ensure that the projects are carried out in a way that secures health and safety.

4. REVIEW OF STANDARDS AND REPAIRS SERVICES POLICY

This policy will be reviewed by the Services Committee every 3 years – or sooner to reflect any updates to the CDM Regulations – to ensure that the appropriate amendments are made. All staff and relevant third parties will be informed. Continuously subjecting our Policy to review will ensure that its effectiveness is maintained, and that feedback can be acted upon in a reasonable time frame.