



Construction (Design and Management) Regulations 2015 (CDM 2015) Policy

Overall purpose of policy

The policy sets out the responsibilities and duties of managers, or their delegated officers, and provides a summary of the Construction (Design and Management) Regulations 2015 (CDM 2015).

Implementation of the policy

Detailed roles and responsibilities are documented in Section 2 of this policy. These will be detailed specifically in each Construction Phase Plan and associated operational guidance.

Performance measures, targets and triggers

Performance targets will be detailed in individual Construction Phase Plans and reported to Board and appropriate Committees.

Date Approved by Strategic Compliance Group:
Date Due for Review:
Responsible Officer:

25 April 2022
25 April 2025
Compliance Manager

Construction (Design and Management) Regulations 2015 (CDM 2015) Policy

1 Statement of intent

1.1 We, **Wakefield and District Housing Limited (WDH)**, will ensure arrangements are in place enabling us to operate in line with CDM 2015, and that good health, safety and welfare management is carried out on all construction projects under our control. This includes:

- the identification of our specific responsibilities under the CDM 2015;
- employee training to provide the guidance on the implementation of commitments contained in this policy;
- the creation of individual Construction Phase Plans;
- the key activities (for example, planned works) we undertake;
- maintaining competent employees and contractors;
- communication internally and with customers and other stakeholders; and
- how our Board, as duty holder, will delegate responsibility for the implementation of this policy, monitor its effectiveness and receive assurance of compliance.

1.2 The scope of this policy includes:

- our duty to follow the CDM 2015 when taking on the role of Client, Principal Contractor, Principal Designer or contractor;
- legal guidance for all involved under CDM 2015, explaining how to comply with the law;
- designing and building, repair, renovation, maintenance, redecoration, and even some types of cleaning work; and
- to assist us with a sound understanding of industry practice, helping us to deliver construction projects safely.

1.3 We will comply with all current and relevant statutory obligations, primarily as detailed in the following:

- Construction (Design and Management) Regulations 2015 (CDM 2015);
- Health and Safety at Work etc Act 1974;
- Management of Health and Safety at Work Regulations 1999;
- HSE – Industry guidance for Principal Contractors, CDM 2015;
- HSE Guidance L153 – Managing health and safety in construction (Construction (Design and Management) Regulations 2015); and
- WDH Health and Safety Policy.

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- 1.4 We take the view that delivery of the commitments within this policy will ensure that the requirements of other legislation, such as the Health and Safety at Work etc Act 1974 and Landlord and Tenant Act 1985, will also be met.
- 1.5 We will maintain a Construction Phase Plan for each construction project, and associated operational guidance which will:
 - Provide additional guidance on how the commitments outlined within this policy will be implemented.
 - Provide clear lines of responsibility for the management of CDM 2015.
 - Set out key operational processes.
 - Ensure that a clear and consistent process is in place to obtain access to properties where this is required. This will include proactive assessment of available data for relevant information about the customer, to help gain access (disability, vulnerability, local connections and so on). Tenancy enforcement action will be used where required.
 - Maintain a process for dealing with unsafe situations or incidents.
- 1.6 All employees who have roles identified in the Construction Phase Plan will receive associated training appropriate to their role which will be defined in the business training matrix.

2 Outline of service

Roles and responsibilities

- 2.1 Detailed roles and responsibilities will be documented within the Construction Phase Plan and associated operational guidance. Our Board and Chief Executive are responsible for ensuring that this policy is implemented.
- 2.2 The duty holders under CDM 2015 are as follows:

Client

Organisations or individuals who a construction project is carried out for.

Principal designer

Designers appointed by the client in projects involving more than one contractor. They can be an organisation or individual with sufficient knowledge, experience and ability to carry out this role.

Designer

Those who, as part of a business, prepare or modify designs for a building product or system relating to construction work.

Principal contractor

Appointed by the client to manage the construction phase of a project where it involves more than one contractor. This will involve liaising with the client and principal designer throughout the project.

Contractor(s)

Those who do the actual construction work and can be either an individual or a company.

Workers

The people who work for or under the control of contractors on a construction site.

General duties

- 2.3 In line with Regulation 8 of CDM 2015, all designers (including principal designers) and contractors (including principal contractors) appointed to work on a project must have the skills, knowledge and experience necessary to fulfil the role they are appointed to undertake, in a manner that secures the health and safety of any person affected by the project.

A designer or contractor must not accept an appointment unless they fulfil the conditions stated above.

We are responsible for appointing a designer or contractor onto a project and must take reasonable steps to satisfy ourselves that the designer or contractor fulfils the conditions stated above.

All persons with duties under CDM 2015 must cooperate with others involved with the project or any project on an adjoining site. Health and safety must be a priority for all concerned and should involve communicating with others to achieve understanding of what they are doing and in what sequence, for example, holding progress meetings.

Everyone involved in a project (including workers) has a duty to report instances where they or others are working in a way that puts them or anyone else in danger. Any instances must be reported through the correct channels. Workers should be encouraged to stop work and report dangerous conditions when they see them.

Anyone with a duty under CDM 2015, to provide health and safety information or instructions to anyone, must ensure that it is easy to understand. Information about hazards is essential to all involved in the project to make sure they understand the risks associated. Instructions on required control measures are necessary and must be followed to prevent or minimise those risks.

Client responsibilities and duties

- 2.4 The responsibilities and duties of the client are to:
- check competence and resources of all appointees;
 - ensure there are suitable management arrangements for the project, including welfare facilities; and
 - provide pre-construction information as soon as is practicable, to designers and contractors and allow sufficient time and resources for all stages of the project; this may include:
 - keys dates such as planned start and finish dates;
 - location of any asbestos present, known underground or overhead services, fuse boards or stop cocks and any other information relevant to the works;
 - site restrictions such as site / ground conditions, parking or delivery requirements, location of welfare and any structural requirements;

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- ensure that the principal contractor or contractor has prepared a Construction Phase Plan (CPP) before the construction phase begins; and
- check the CPP adequately addresses the arrangements for managing risks throughout the duration of the project (the contractor must review this regularly).

If more than one contractor will be working on the project:

- Appoint a principal designer and a principal contractor and ensure they both comply with their duties.
- Ensure the principal designer produces a health and safety file. Once received, the file should be retained and made available as pre-construction information when planning future construction projects.

Principal designer responsibilities and duties

2.5 The principal designer must plan, manage, monitor and coordinate health and safety in the pre-construction phase of a project, so far as reasonably practicable. Their duties involve:

- identifying, eliminating or controlling foreseeable risks through design and at various stages of the work;
- ensuring designers comply with their duties;
- estimating the period required to complete the work or work stages;
- ensuring all persons working in relation to the pre-construction phase cooperate with the client, the principal designer and each other;
- assisting the client in the provision of the pre-construction information;
- liaising with the principal contractor to help in the planning, management, monitoring and coordination of the construction phase; and
- preparing, reviewing and updating the health and safety file as projects progress before handing over to the client.

Principal contractor responsibilities and duties

2.6 In summary, the principal contractor must plan, manage, monitor and coordinate the construction phase of a project. Please see below:

Liaise with other duty holders

The principal contractor must:

- liaise and cooperate with other duty holders;
- talk to the client to better understand job requirements; and
- before and during the construction phase, share relevant information with the principal designer to enhance worker health and safety during the design development.

Manage the construction phase

Managing the construction phase involves planning, monitoring and coordinating.

Planning the construction phase is necessary to identify health and safety risks, control measures and resources to reduce or eliminate them. The principal contractor must consider the following:

- What does the work involve?
- What needs to be done and when?
- How can it be done?
- Who do I need to do it?
- What other resources do I need?
- How will site health and safety standards be monitored?
- Client requirements and any other information provided by the principal designer.

Consideration of health and safety risks must be given to all those affected or likely to be affected. The principal contractor should identify the hazards and evaluate the risk involved to select and implement the appropriate control measures. Most importantly, the principal contractor must know what to do to make their site safer and healthier. The general principles of prevention should be used in this instance.

Prepare the CPP

The principal contractor must draw up a CPP describing how health and safety will be managed during the construction phase. Pre-construction information received from the principal designer and the client will help complete the CPP.

The CPP should be:

- proportionate to the size and nature of the work and risks involved;
- workable and realistic;
- sufficiently developed to allow work to start; and
- regularly reviewed and amended as new trades start work.

Ensure welfare facilities are provided

The principal contractor is responsible for ensuring welfare facilities are suitable and sufficient for the size and nature of the site. They must be available as soon as the work starts and remain until construction work is completed. The welfare facilities must include:

- lit and ventilated toilets (suitable for men and women);
- lit and ventilated washing facilities next to the toilets, including hot, cold or warm running water, soap or hand cleaner, towels or means of drying hands;
- supply of drinking water and cups;

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- facilities for rest (tables and chairs); and
- where required, changing rooms and lockers.

The facilities must be regularly cleaned and cater for the expected number of workers on site.

Provide a site induction

A suitable site induction must be provided to every site worker and visitor. The induction should cover all relevant site information and risks and should relate to the size and scope of the work.

Secure the site

The principal contractor must take reasonable steps to prevent unauthorised access to the site.

- cooperation should be achieved when working in or near to occupied or shared premises;
- site boundaries must be clearly marked out using suitable means such as signage;
- consideration to others, such as local residents, schools, shops, public roads and footpaths;
- sites must be left in a safe condition at the end of the day and existing occupiers must not be put at risk while work is in progress; and
- occupiers must be aware of and cooperate with the principal contractor's plans.

Appoint contractors and workers

The principal contractor must ensure all contractors and workers have the necessary skills, knowledge, training and experience to carry out the planned work to the desired safety standard.

When employing workers, they must:

- have the necessary competence, skills, knowledge, training and experience to do the job safely;
- be supervised and given clear instructions;
- have the right tools, equipment, plant, materials and protective clothing;
- be communicated to about the health and safety issues; and
- undergo health surveillance where required.

When appointing contractors, the principal contractor must:

- check their health and safety capabilities, qualifications, accreditations, risk assessments / method statements and so on;
- check their insurance details are up to date and covers the intended work activities;
- give them the health and safety information they need for the work;

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- talk about the work with them before they start;
- provide everything they agreed, for example, plant, scaffolding, welfare facilities and so on; and
- monitor their performance and remedy any shortcomings.

Provide the right management and supervision

The principal contractor must ensure those managing and supervising the work have the right blend of skills, knowledge, training and experience and there is an adequate number of supervisors, according to risk.

Engage contractors and workers

Key health and safety information should be shared with contractors and communicated with workers through the induction process and other means such as site rules, toolbox talks, posters and so on.

There must be regular consultation with workers to achieve good health and safety management on site. Engagement with contractors is essential in ensuring everyone knows:

- what must be done and what is expected of them;
- when it will be done; and
- how it will be done safely and without risks to health.

Collaboration with workers will help:

- hazard and risk identification;
- ensure controls are used / adhered to; and
- increase levels of commitment to working in a safe and healthy way.

Monitor the risks on site

The principal contractor must:

- monitor health and safety standards through regular checks / inspections; and
- ensure control measures remain effective.

Contribute to the health and safety file

The principal contractor should pass any relevant information to the principal designer in preparation of the health and safety file.

On projects where the principal designer appointment finishes before the end of the construction phase because all design work has finished, the principal contractor will take responsibility for the health and safety file and for handing it over to the client.

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Providing information to other duty holders

The principal contractor should provide the client and principal designer with:

- feedback on construction methods and health and safety improvements, through regular communication before and during the project;
- details of any changes relating to design (this should also be provided to the designers); and
- information relevant to the health and safety file.

The principal contractor should provide contractors with:

- details of specific requirements and lead-in time;
- details of unusual or significant risks and sequence constraints;
- details of who is in charge of the site;
- any relevant pre-construction information;
- any relevant parts of the CPP;
- appropriate site rules and a suitable site induction;
- details of the welfare facilities;
- procedures to be followed if there is serious and imminent danger; and
- arrangements for reporting unsafe behaviours or conditions.

The principal contractor should provide workers with:

- information about the risks to their health and safety and how these should be controlled; and
- clear instructions about what to do in the event of serious and imminent danger.

Contractor's responsibilities and duties

- 2.7 Contractors must 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, contractors must coordinate their activities with others in the project team and, in particular, comply with directions given to them by the principal designer or principal contractor.

For single-contractor projects, the contractor must prepare a CPP.

Designer's responsibilities and duties

- 2.8 It is the designer's responsibility when preparing or modifying designs, to eliminate, reduce or control foreseeable risks that may arise during:
- construction; and
 - the maintenance and use of a building once it is built.

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Designers must provide information to other members of the project team to help them fulfil their duties. They must take account of pre-construction information the client or principal designer provides when making decisions about the extent to which they can eliminate foreseeable risks through design.

Health and safety risks should be considered alongside other factors that influence design, such as cost, fitness for purpose, aesthetics and environmental impact.

The level of detail in the information provided must be proportionate to the risks involved.

Workers' rights, responsibilities and duties

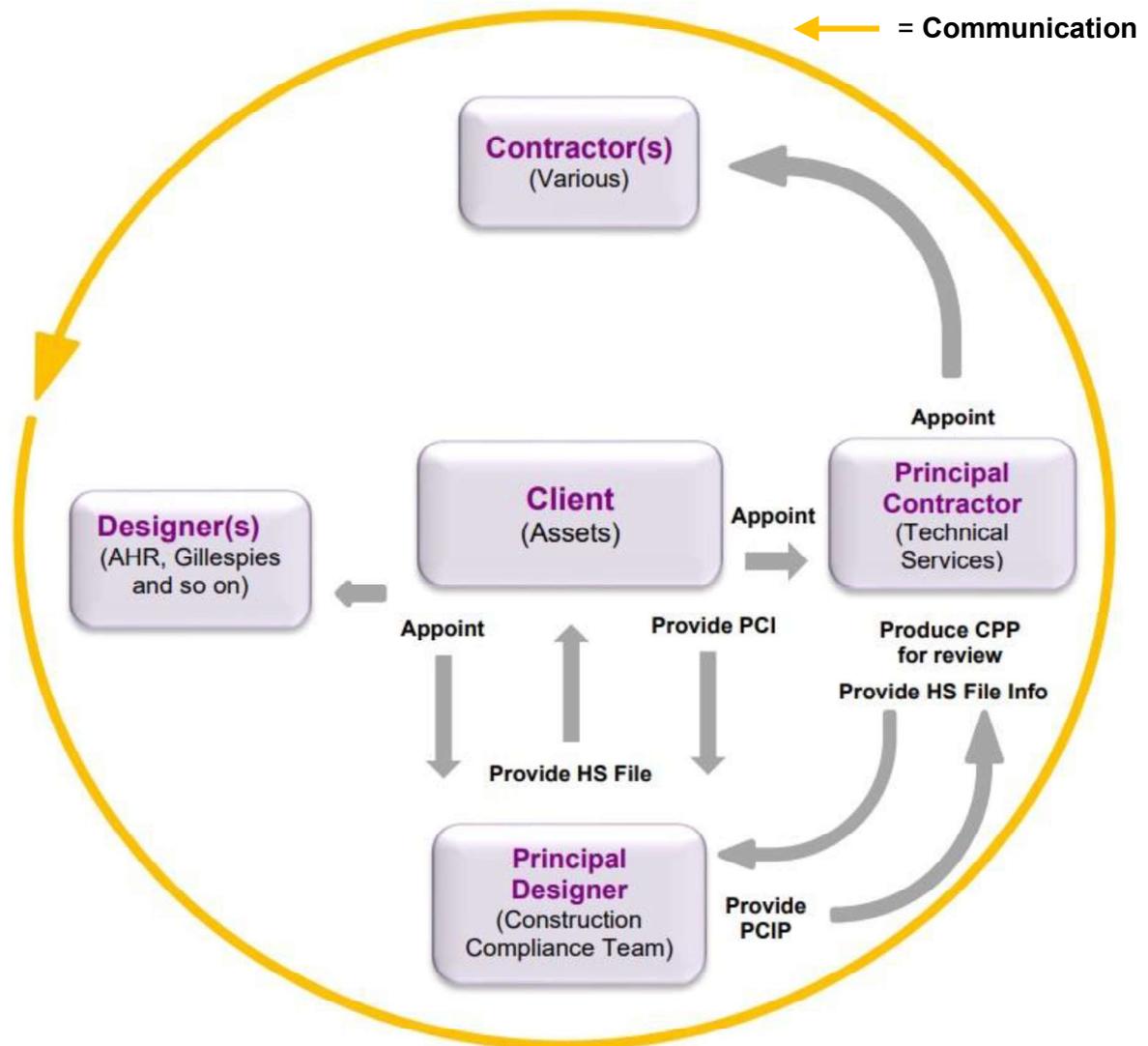
2.9 Workers must:

- be consulted about matters which affect their health, safety and welfare;
- take care of their own health and safety and 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; and
- cooperate with their employer, fellow workers, contractors and other duty holders.

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CDM structure

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



Key documentation

Pre-construction information

- 2.11 Pre-construction information (PCI) provides the health and safety information needed by designers and contractors who have been appointed to work on the project. This should be issued by the client. For our projects, it is used by the principal designer when producing a pre-construction information plan (PCIP).

PCI assists both the designers and contractors when planning, managing, monitoring and coordinating the work. The information must be relevant to the project, have an appropriate level of detail and be proportionate to the health and safety risks involved.

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Pre-Construction Information Plan

- 2.12 The PCIP provides a basis for the preparation of the CPP and some material may also be relevant to the preparation of the health and safety file. This is completed by the principal designer / client and is given to the principal contractor in preparation of the CPP.

CPP

- 2.13 The CPP is produced by the principal contractor or contractor and sets out the arrangements for securing health and safety for the construction phase. The CPP must be sufficiently completed before any works can begin. It must consider the pre-construction information produced by the principal designer and any other information obtained from other designers.

During the construction phase, the principal contractor must ensure the plan is appropriately reviewed, updated and revised.

Health and safety file

- 2.14 The health and safety file must contain relevant information about the project that should be considered when any construction work is carried out on the building after the current project has finished.

The file is only required for projects involving more than one contractor. The principal designer / principal contractor has primary responsibility for preparing the file, reviewing, updating and revising it as the project progresses. If their appointment continues to the end of the project, they must also pass the completed file to the client to keep.

3 Specific needs

- 3.1 We will take into account the specific needs of all employees, customers and other stakeholders which may arise in line with this policy. These needs relate to taking account of all differences, whatever they maybe. We will particularly promote equality and inclusiveness, in line with our Diversity and Inclusion Policy, based on the nine protected characteristics. During the review and development of this policy an equality assessment has been completed to consider those with protected characteristic and mitigate any impact on them from delivery of this policy.

4 Consultation

Internal

- 4.1 Relevant WDH3 managers have been consulted in the review of this policy.

External

- 4.2 This policy is based on legislative and regulatory requirements and as such consultation with customers or external stakeholders has not taken place.

5 Responsibility for implementation

- 5.1 Our Board and Chief Executive are responsible for ensuring that this policy is implemented.
- 5.2 Under the delegated authority contained within our [Standing Orders](#) it is the responsibility of all employees and those working on our behalf to ensure that their work is carried out in line with this policy and any related procedures.
- 5.3 We are committed to the highest standards of customer care and will apply this policy in line with the standards published in our Customer Charter Standards. If customers are dissatisfied with the service they have received or with the application of this policy, they should refer to our Complaints Policy.

6 Monitoring

- 6.1 SCG will receive regular monitoring reports to evaluate the effectiveness of this policy in meeting customer expectations.
- 6.2 Where relevant information is available we will benchmark our performance against other organisations to ensure the highest standards of service delivery.

7 Review

- 7.1 We will undertake a review of this policy whenever there are any relevant changes to legislation, regulatory requirements, case law or good practice that would impact on this policy or in the light of any required service improvements identified through internal audits, service reviews, learning from complaints or regulatory judgements. Considerations will also be made where performance against the policy's measures and targets meet or are forecasted to hit the triggers identified.
- 7.2 We will regularly review service provision and will undertake reviews, when appropriate, to ensure continuous improvements and value for money in the delivery of our services.
- 7.3 Our Board and / or the Corporate Management Board will be responsible for ensuring that reviews of this policy are carried out and that the policy contributes to, and complements, our strategic objectives.
- 7.4 In carrying out any such review account will be taken of our commitment to diversity and inclusion. For further information please refer to our Diversity and Inclusion Policy.

8 Risk

- 8.1 The potential risks relating to this policy have been identified and are being managed in line with our Risk Management Policy.

GLR1 – Ineffective leadership and governance, and arrangements to ensure regulatory compliance.

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HS1 – Not meeting our compliance requirements as a landlord.

HS2 – Failing to ensure the health and safety of employees and stakeholders.

8.2 The Risk Appetite (April 2021) set by our Board includes several overriding risk tolerances that this policy should seek to mitigate. The Risk Appetite states that in delivering our operational activities and priorities from the Business Strategy, we will not knowingly accept risks that could:

- compromise achievement of our Business Strategy;
- result in a legal or regulatory breach, which might knowingly lead to intervention, prosecution, or sanction;
- result in prolonged loss or disruption to service to a significant number of customers;
- lead to permanent or significant injury or death to any tenants, employees, or any other person;
- result in a significant financial exposure or loss, which could compromise our ongoing viability or put social housing assets at risk; or
- cause a loss of public confidence, or irreparable damage to our brand and reputation.

8.3 The Risk Appetite Statement states that Health and Safety and Property Compliance are 'risk averse' areas where we maintain a zero-tolerance attitude regarding risk taking that may impact on the health and wellbeing of customers, colleagues and other persons to which we have a duty of care. We will take all reasonable measures to avoid health and safety risks and achieve associated compliance.