

## **E BUILDING WORKS      5 The Construction (Design & Management) Regulations 2007**

**1**      These CDM Regulations apply to all construction work undertaken in connection with a 'business' or 'undertaking' - which includes churches. Amongst other obligations churches are required to ensure that only competent people undertake construction work. This applies to 'professionals' and 'non-professionals'.

The Regulations were originally introduced in 1994 in an attempt to reduce the high accident rate in the construction industry, and were revised in May 2007. Work covered by the Regulations is often categorised as:

- 'notifiable work' - when work will last for more than 30 days or will involve more than 500 person days of work - the Health and Safety Executive must be informed of this proposed work;
- other construction work - no matter how long the work lasts and how many workers are involved on site;
- all demolition work.

**The following are not covered by the Regulations:**

- erection / dismantling of marquees and tents
- tree planting and horticultural works
- positioning and removal of lightweight partitions
- general maintenance of fixed plant

**2**      The Regulations apply to any organisation or individual involved in a construction project. All construction work on church premises (churches, manses) is likely to fall within the Regulations, whether the work is carried out by a contractor or by members of the church.

**3**      On larger projects churches should seek advice from competent professionals - including advice on how to meet their obligations under these Regulations. The Regulations aim to ensure (without unnecessary paperwork or bureaucracy) the safety of people who may be affected by the construction, operation, maintenance and demolition of 'structures' or other civil engineering works (including excavations). However, the basic principles (sharing of information, use of competent people and co-operation with others to ensure safety of all) should be applied proportionately to all construction work.

**4**      Any significant construction work will almost certainly fall within the scope of paragraph 2 of Schedule 2 Part 1 of the United Reformed Church Act and it will therefore be necessary for the Trust to be involved in the signing of Building Agreements and other ancillary documents. However, the local Church (through its Elders' meeting) will remain in day to day charge of the arrangements and, along with the Trust, and will be obliged to fulfil the duties of the 'Client' under the CDM Regulations (see para 6 below).

**5**      The Regulations require all parties to a construction project to accept their individual and joint responsibilities in relation to the safety of everyone involved in the work. The Regulations set out duties for various organisations / individuals involved in a project:

- 'Clients' - those who initiate, commission or pay for the work.
- 'CDM Co-ordinators' – **required to be appointed in relation to 'notifiable projects'** to co-ordinate and advise on the safe planning and execution throughout the life of the project
- 'Principal Contractors' – **required to be appointed in relation to 'notifiable projects'** to co-ordinate safe execution of the work.
- 'Designers' – anyone involved in the design or specification of the project.
- 'Contractors' – all contractors involved in any construction work
- 'Everyone' – all parties involved in any relevant construction work.

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### **6 Churches will need to fulfil the responsibilities of 'Clients' which include:**

#### **For all projects**

- Check the competence and resources of all appointees (designers, contractors et al) – to ensure that the work can be safely executed. This is especially important when 'non-professionals' are undertaking work on church premises.
- Ensure there are suitable management arrangements for the project including welfare facilities.
- Allow sufficient time and resources for all stages.
- Provide pre-construction information to designers and contractors.

#### **For 'notifiable projects' (see para 1 above)**

- Appoint a CDM Co-ordinator.
- Appoint a Principal Contractor .
- Make sure that the construction phase does not start unless there are:
  - i. Suitable welfare facilities
  - ii. Construction phase plan in place.
- Provide information relating to the health and safety file to the CDM Co-ordinator.
- Retain and provide access to the health and safety file.

### **7 Clients are obliged to provide information likely to be needed (by designers, contractors or others) to plan and manage the work safely.** It is best to discuss the information required with designers, contractors or others involved.

A record of relevant information can be developed over time and should be kept up to date following any construction work, surveys or inspections. Useful information could include:

- Record of any asbestos or its removal
- Point of entry of services (gas, electric, water) and location of these within the premises.
- Electrical wiring diagrams and isolation points
- Access restrictions or hazards e.g. fragile roof, confined space
- Hazards identified during other projects
- Any other information known to the Church which may not be apparent to contractors or others working on the premises. (e.g. concealed voids, shallow services, unusual structural or service details).

### **8 The above is a brief summary of the Regulations and is intended to alert those responsible at the local church to the need to take certain steps in preparation for any construction work. Further information and advice can be obtained from:**

- The Health and Safety Executive ( [www.hse.gov.uk](http://www.hse.gov.uk) ) / 0845 345 0055
- Construction Industry Training Board - which has developed advice for 'Small, One-off and Infrequent Clients':

[www.citb-constructionskills.co.uk/healthsafety/cdmregulations/guidance/clients.asp](http://www.citb-constructionskills.co.uk/healthsafety/cdmregulations/guidance/clients.asp)

- Any competent professionals (Architects, Engineers, Contractors).