

CDM 2015: What the British Safety Council said

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The British Safety Council submitted its detailed comments to HSE on the proposed changes to the Construction (Design and Management) Regulations 2007 (CDM).

Our members, some 1,700 of whom are in the construction and property sectors, had a major influence in shaping our thinking and determining what we said to HSE.

Our Construction sector interest group, chaired by Grant Findlay of Sir Robert McAlpine and Phil Coutts of Mace, was instrumental in weighing up the views of our members and framing our answers to some thorny questions, for example, on the proposed withdrawal of the CDM ACoP.

Many of our members had contributed to the earlier review of CDM 2007. We and our members were supportive of the main conclusions of that review – including the need to simplify and clarify the responsibilities of duty holders. There was a recognition, for example, in relation to competence that the goal of reducing bureaucracy had not been met; and that the role and responsibilities ascribed to the CDM Co-ordinator had not been a success.

In our response to the CDM 2015 consultation we made clear that we and our members were concerned about the proposed withdrawal of the ACoP and uncertain whether the planned seven sets of guidance would fill the gap left by the removal of the ACoP.

We said in our response that we supported the changes concerning competence. Regulations alone are not the appropriate vehicle to deliver competence. The CDM 2007 requirements concerning individual and collective competence in construction had not helped reduce bureaucracy, if anything, the opposite had taken place over the last seven years.

We expressed our concern about the roles ascribed to both the designer and the principal designer. Our members do not believe that many designers have the knowledge and understanding concerning the principles of prevention – a key responsibility that is proposed for CDM2015. In this respect, the planned CDM 2015 guidance is key, as accessible and understandable guidance and persuasive messages will need to be put in place speedily to address this problem.

CDM 2015 will regulate domestic projects – a change necessary to comply with EU law and avoid infraction proceedings. The evidence is clear. There is a far higher incidence of injury on small scale domestic and refurb projects. The laws that seek to ensure the health and safety of workers on such projects is often ignored or misunderstood. Again the planned guidance, and additionally awareness building, has a central role to play if CDM 2015 is to meet its objectives.

Co-ordination among all of the duty holders is vital. We argued in our submission that the regulations and planned guidance need clarity concerning roles and responsibilities. Without that clarity the new regulations simply will not deliver.

We will make our full response to HSE available shortly.