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## **The Construction (Design and Management) Regulations 2015 [CDM 2015] – Principal Designer Brief**

On Thursday 29th January the new the [Construction \(Design and Management\) Regulations 2015](#) [CDM 2015] were tabled in the House of Commons. 40 days from this date, if there are no objections from either house, the regulations will be waived through and become law on the 6th April 2015.

The regulations apply to all construction work whether commercial or domestic.

Where there is, or may be, more than one contractor working on a project at any time, the client must appoint a Principal Designer [PD] and Principal Contractor [PC]. The PD is defined as “the designer” appointed to undertake the role.

The PDs will replace the current role of CDM Co-ordinator. On current projects where a CDM Co-ordinator has been appointed, there is a 6 month transition period before a PD needs to be appointed. Most other duties apply on the date the regulations come into force.

CDM 2015 is drafted to make client and designer prosecutions easier. Duty holder ‘must’ carry out most duties. It is generally only the effect of actions which is tempered by the phrase ‘so far as is reasonably practicable’.

The PD’s responsibility will be to ‘plan, manage and monitor the pre-construction phase and coordinate matters relating to health and safety during the pre-construction phase to ensure that, so far as is reasonably practicable, the project is carried out without risks to health or safety.’ The “pre-construction phase” is any time during which design or preparatory work is carried out and may continue during the construction phase. The PD’s duties includes:

- identifying, eliminating or controlling foreseeable risks;
- ensuring all designers carry out their duties;
- ensuring all persons working in relation to the pre-construction phase cooperate with the client, the principal designer and each other preparing and providing pre construction information document [PCI];
- assist the client in the provision of the PCI;
- liaising with the principal contractor to help in the planning, management, monitoring and coordination of the construction phase.

The [HSE’s Draft Guidance on CDM 2015 \[L153\]](#) suggests that the PD must have the necessary organisational capability to carry out the role and their designers must have the necessary skills, knowledge and experience. Organisational capability is described as the policies and systems that an organisation has in place to set acceptable health and safety standards which comply with the law, and the resources and people to ensure the standards are delivered.

### **CDM Advisor Services**

To assist designers in undertaking their duties as Principal Designer Safetymark are able to:

- advise designers on their duties under the Construction (Design and Management) Regulations 2015;
- assist designers with the development of suitable policies and systems;
- advise on the requirements for pre-construction information;
- collate, manage and communicate pre construction information document;
- facilitate hazard and risk review meetings and workshops;
- maintain a project / design risk register and manage implementation of remedial action;
- audit compliance against the agreed standards and/ or “client CDM compliance brief”;