



**CONSTRUCTION (DESIGN & MANAGEMENT)
REGULATIONS POLICY**

POLICY NO. 30

Date of Review	November 2023
Date of Next Review	November 2028
Regulatory Standards of Governance and Financial Management	Regulatory Standard 1: <i>The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users</i> Guidance: 1.3

1. INTRODUCTION

The [Construction \(Design and Management\) Regulations 2015 \(CDM\)](#) are the latest update on the EU Directive and are aimed at improving the safety record of the construction industry. They continue to apply.

They have significant implications for all parties involved in a construction project and Glen Housing Association has a duty to comply with the Regulations. Failure to do so could lead to a criminal prosecution.

The Regulations apply to any construction work which is defined as:

' the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance de-commissioning, demolition or dismantling of a structure.'

This includes the provision of a repairs service, with guidance advising that if it looks like construction work, requires construction skills and uses construction materials, then it is construction work.

If such works will take longer than 30 days, have more than 20 people on site or will involve more than 500 person days of construction work then the project is 'notifiable' and the Health & Safety Executive must be informed using the appropriate paperwork.

CDM arrangements for new build development works through the Fife Housing Association Alliance will be project specific and the Association will ensure the correct people and arrangements are in place prior to a project starting.

2. KEY ROLES AND DUTIES

The following outlines the key roles and responsibilities for those involved in our repairs and maintenance activities in ensuring the health, safety and welfare of workers carrying out repair activities for the Association.

The CDM regulations identify the main roles as Client, Principal Designer and Principal Contractor.

The roles of Principal Designer and Principal Contractor will normally be undertaken by the contractor awarded any work, with input from the Association. It is therefore the contractor that will have the main responsibilities in relation to health and safety whilst carrying out repairs and maintenance activities instructed by the Association.

Glen Housing Association, as the Client, will have a number of key duties to fulfil as follows.

2.1 Appoint the right people at the right time:

For general repair works, the Association's repairs contractor will take the role of the Principal Designer and Contractor. On works involving more than one contractor, the Association will appoint the Principal roles to a main contractor, and this will be marked on the works orders.

The Association will ensure that the people appointed have the right skills and experience to undertake these roles. This may be demonstrated through experience of similar work, references, or memberships of professional or trade bodies.

2.2 Ensure that arrangements are in place for managing the works:

The Principal Designer or Contractor should be able to plan work to minimise risks.

2.3 Provide information relevant to the Contractor / Principal Designer:

This must be done as early as reasonably practicable, generally when orders are raised. Glen Housing Association will give all information that is known to them to identify hazards or risks with any works orders issued. This will set the standard for managing health and safety.

2.4 Ensure a Construction Phase Plan is in place:

The responsibility of ensuring a Construction Phase Plan is in place rests with the Contractor. It is not feasible to prepare a plan for every repair order, but a proportionate arrangement is for each contractor to prepare a general plan for repair works which can be added to, with location specific risks added to each works order. The Association will ensure all repairs and maintenance contractors have a plan in place for carrying out repair works.

2.5 Ensure that the Health and Safety file is available for inspection after the project is completed:

The Association maintains Health and Safety files containing, as-built drawings; instruction manuals for appliances (e.g. boilers, fans, heaters); any hazards which continue to exist and measures taken to minimise any hazards which may affect the eventual demolition of the building.

The existing Health and Safety files are available to contractors carrying out work in our properties. In the main, contractors will not need all the details for every job but will be advised of any site-specific risks on each works order.

Any further alterations or works carried out to the structure or fabric of the building which may have Health and Safety implications will be added to the file.

2.6 Communication:

Effective communication before, during and after the works will ensure that any issues that may arise are dealt with and works are carried out in the safest possible manner.

The Association enters into Partnering Agreements with its main contractors, which are designed to facilitate good working relationships and enhance communication between the partners.

2.7 Guidance

Further guidance around roles and responsibilities in CDM 2015 can be accessed on the following websites:

- Health & Safety Executive (HSE):
<http://www.hse.gov.uk/Construction/cdm/2015/index.htm>
- Construction Industry Training Board (CITB):
<http://www.citb.co.uk/health-safety-and-other-topics/health-safety/construction-design-and-management-regulations/cdm-guidance-documents/>

3. RISKS

Failure to comply with CDM 2015 could mean that the operation of our repairs and maintenance activities may put workers, tenants and others at risk of serious harm or injury.

Work undertaken without observing proper Health and Safety practice may result in a substandard finish, requiring additional work and therefore not giving best value for money for the Association and its tenants.

Serious breaches of Health and Safety legislation could lead to prosecution by the Health and Safety Executive which could have a significant financial and reputational impact on the Association.

4. COMPLAINTS

As per our Complaints Handling Procedure, Glen Housing Association is committed to providing high-quality customer services. However, if anyone does wish to raise a complaint, this can be done so in person at any of our offices, by telephone, in writing, by email or using our complaints form on www.glenhousing.co.uk

5. OUR COMMITMENT TO EQUALITY & DIVERSITY

Glen Housing Association is committed to promoting fair and equal treatment for all and is opposed to any form of unlawful discrimination. We operate an Equality & Diversity Policy which informs all aspects of our business and ensures we adhere to the Equality Act 2010.

In line with our commitment and upon request, the Association can make this Policy available, free of charge, in a variety of alternative formats including large print, audio, Braille and community languages.

6. GENERAL DATA PROTECTION REGULATIONS

The Association will treat all personal data in line with its obligations under the current data protection regulations and its own Privacy Policy. Information regarding how personal data will be used and the basis for processing it is provided in the Association's Fair Processing Notice.

7. REVIEW

This Policy will be reviewed on a five yearly basis unless there is a requirement to review earlier in response to new legislation/policy guidance. Reviews will consider changes to legislation, regulations, performance standards and good practice.