

Construction (Design and Management) Regulations 2015 (CDM)

Guidance Note 3

1.0 Introduction

The Construction (Design and Management) Regulations 2015 (CDM 2015) came into force on 6 April 2015, replacing CDM 2007.

Having been exempt the events industry now falls within the scope of CDM 2015.

The enforcement body for CDM is the Health & Safety Executive (HSE) and you can download comprehensive general guidance on the regulations, free of charge here:

<http://www.hse.gov.uk/pubns/books/l153.htm>

MUTA have worked with the HSE to produce specific guidance regarding CDM in relation to marquees, tents and other temporary structures.

To simplify the guidance we have created four scenarios:

1. A wedding marquee erected in a private garden by a MUTA marquee contractor
2. A main marquee and a catering marquee constructed for an event at a hotel where an electrical engineer is also employed to provide light and power
3. A number of marquees procured by the organiser of a County Show
4. Marquees erected on a plot at a showground rented out to a private company

With each scenario we have shown a flow chart to explain the various CDM roles and duties. We have also provided some suggested pro-forma documents which will help MUTA members to prepare their own documentation to fulfil their responsibilities under CDM.

It is important to understand the CDM roles and duties and these are shown using the same wording as on the HSE website in the next section of this guidance note.

Please note:

This is generic guidance and you should carefully consider each project you undertake to ensure your planned activities are compliant with CDM.

2.0 CDM Roles and Duties

The following table is a summary of duties CDM 2015 and is quoted verbatim from the HSE website: <http://www.hse.gov.uk/construction/cdm/2015/summary.htm>

CDM Dutyholders* – Who are they?	Main duties – what they need to do
<p>Commercial Clients</p> <p>Organisations or individuals for whom a construction project is carried out that is done as part of a business.</p>	<p>Make suitable arrangements for managing a project, including making sure:</p> <ul style="list-style-type: none"> • other dutyholders are appointed as appropriate • sufficient time and resources are allocated <p>Make sure:</p> <ul style="list-style-type: none"> • relevant information is prepared and provided to other dutyholders • the principal designer and principal contractor carry out their duties • welfare facilities are provided
<p>Domestic Clients</p> <p>People who have construction work carried out on their own home (or the home of a family member) that is not done as part of a business.**</p>	<p>Though in scope of CDM 2015, their client duties are normally transferred to:</p> <ul style="list-style-type: none"> • the contractor for single contractor projects • the principal contractor for projects with more than one contractor <p>However, the domestic client can instead choose to have a written agreement with the principal designer to carry out the client duties.</p>
<p>Designers</p> <p>Organisations or individuals who as part of a business, prepare or modify designs for a building, product or system relating to construction work.</p>	<p>When preparing or modifying designs, eliminate, reduce or control foreseeable risks that may arise during:</p> <ul style="list-style-type: none"> • construction • the maintenance and use of a building once it is built <p>Provide information to other members of the project team to help them fulfil their duties.</p>
<p>Principal Designers</p> <p>Designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role.</p>	<p>Plan, manage, monitor and coordinate health and safety in the pre-construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • identifying, eliminating or controlling foreseeable risks • ensuring designers carry out their duties <p>Prepare and provide relevant information to other dutyholders.</p> <p>Liaise with the principal contractor to help in the planning, management, monitoring and coordination of the construction phase.</p>

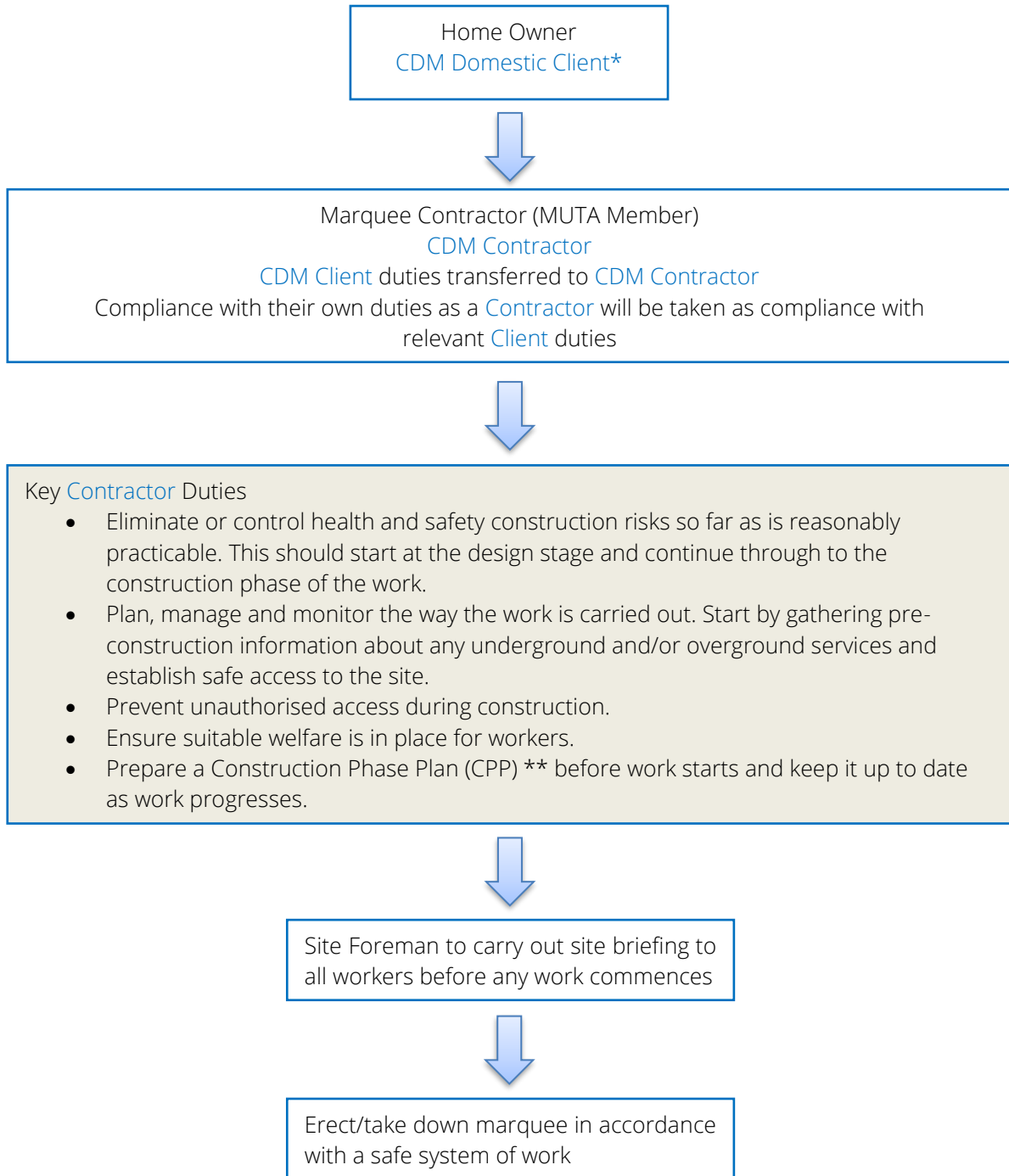
CDM Dutyholders* – Who are they?	Main duties – what they need to do
<p>Principal Contractors</p> <p>Contractors appointed by the client to coordinate the construction phase of a project where it involves more than one contractor.</p>	<p>Plan, manage, monitor and coordinate health and safety in the construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • liaising with the client and principal designer • preparing the construction phase plan PDF • organising cooperation between contractors and coordinating their work <p>Make sure:</p> <ul style="list-style-type: none"> • suitable site inductions are provided • reasonable steps are taken to prevent unauthorised access • workers are consulted and engaged in securing their health and safety • welfare facilities are provided
<p>Contractors</p> <p>Those who carry out the actual construction work, contractors can be an individual or a company.</p>	<p>Plan, manage and monitor construction work under their control so it is carried out without risks to health and safety.</p> <p>For projects involving more than one contractor, coordinate their activities with others in the project team – in particular, comply with directions given to them by the principal designer or principal contractor.</p> <p>For single contractor projects, prepare a construction phase plan</p>
<p>Workers</p> <p>Those working for or under the control of contractors on a construction site.</p>	<p>Workers must:</p> <ul style="list-style-type: none"> • be consulted about matters which affect their health, safety and welfare • take care of their own health and safety, and of others who might be affected by their actions • report anything they see which is likely to endanger either their own or others' health and safety • cooperate with their employer, fellow workers, contractors and other dutyholders

* Organisations or individuals can carry out the role of more than one dutyholder, provided they have the skills, knowledge, experience and (if an organisation) the organisational capability necessary to carry out those roles in a way that secures health and safety.

** CDM 2015 applies if the work is carried out by someone else on the domestic client's behalf. If the householder carries out the work themselves, it is classed as DIY and CDM 2015 does not apply.

3.0 CDM Roles and Duties Scenario 1

Wedding marquee constructed in a private garden by a
MUTA marquee contractor (single contractor)



* CDM terms in blue, see: section 2.0 for a summary of duties

** using CPP template

3.1 Scenario

This scenario has been drafted to assist MUTA members to understand the flow chart on the previous page. It is obviously a hypothetical example but highlights the CDM Roles and the requirements of the CDM Regulations.

A home owner is planning to hire a marquee for her wedding to take place in her garden. She has contacted a MUTA member for a quote which she has accepted subject to the site survey.

Under the CDM 2015 Regulations she is defined as a Domestic Client, this definition would still apply if the home owner decided to hold the wedding at another venue, for example a field or a park, as it is not carried out as part of a business. As there is only one marquee contractor carrying out the work, they become the CDM Contractor and also take on the Client Duties.

3.2 Pre-Construction Information

The Domestic Client has been asked to complete the MUTA Underground services form and return it to the Marquee Contractor. She has indicated that she is unsure about the location of services under the lawn where she wishes the tent to be erected. She has also indicated that she will allow the crew access to toilet and hand washing facilities.

The Marquee Contractor's Director visits the site to check that there are no hazards (i.e. uneven ground, ponds, etc.) which might affect the build or any overhead services near the area where the marquee is to be erected. He also carries out a CAT scan to ensure that there are no underground services. He checks that the marquee the client has chosen will fit the site and is the right one for the job. He makes sure that the access is suitable for his vehicles and that the welfare facilities will be available.

3.3 Erection and Take Down of Marquee

The Marquee Contractor's Administrator has prepared a job sheet including a load list and drawn up a map for the crew showing the location of the site. The Administrator has also used Google Earth to show the actual location of the marquee on the site and produced a CAD layout of the marquee. Based on the information gathered by the Director the Administrator has prepared a simple Construction Phase Plan (CPP) and site briefing. The Domestic Client has been provided with a copy of the CPP. Before work commences, the Site Foreman carries out the site briefing to his workers.

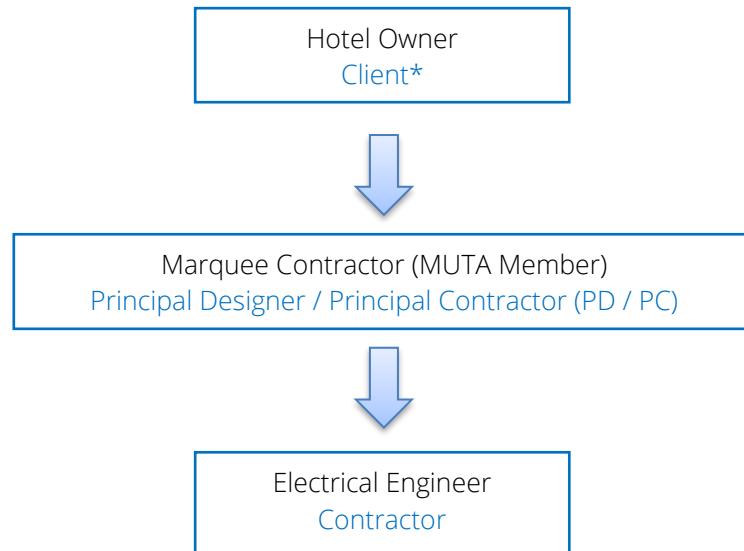
The marquee is erected in accordance with a safe system of work (i.e. method statements/risk assessments). Safety paperwork is kept on site along with the Construction Phase Plan.

Following MUTA's best practice guide, the marquee is signed off by the Domestic Client and by the Marquee Contractor against the MUTA Safety Checklist.

The Marquee Contractor returns at a pre-arranged date to take down the marquee again, following a safe system of work.

4.0 CDM Scenario 2

A main marquee and a catering marquee constructed for an event at a hotel where an electrical engineer is also employed to provide light and power (two contractors)



* CDM terms in blue, see: section 2.0 for a summary of duties

4.1 Scenario

(See also the Construction Phase Plan (CPP) example in section 4.4 and the On Site Induction example in section 4.5)

This scenario has been drafted to assist MUTA members to understand the above flow chart. It is obviously a hypothetical example but highlights the CDM Roles and the requirements of the CDM Regulations.

A hotel is organising an event in their own grounds, they have employed a Marquee Contractor (Red House Marquees in this scenario) who is a MUTA member to erect two tents, one for the main event and one to contain the catering equipment.

The hotel owner is the CDM client for the project.

Red House Marquees will plan, manage, monitor and co-ordinate all the construction activity onsite and so they are appointed by the hotel as Principal Designer/Principal Contractor.

The hotel is using their own electrical contractor to provide light to both marquees and power to the catering equipment. The electrician functions as a CDM contractor to Red House Marquees by providing services as required.

The MUTA member discharges their CDM duties (with the assistance of those working for them as part of their project team) in this case to: the Director, the Admin Officer and the Site Foreman of Red House Marquees.

4.2 Pre-Construction Information

The hotel owner has completed the MUTA Underground services form and returned it to the Marquee Contractor. He is unsure of the location of underground services in the grassed area where the marquees are to be erected but has confirmed that toilet, washing and also rest facilities will be available for the crew.

The Director of Red House Marquees (PD/PC) visits the site to check that there are no hazards which might affect the build and notices that there is a public footpath to the rear of the marquee site. He assesses the risk and decides that he will erect temporary security fencing between the footpath and the rear of the marquee site. There are no overhead cables over the site and the site is flat and of adequate size for the two marquees. He also carries out a CAT scan survey of the area and is satisfied that there is nothing that would cause a problem. He discusses access to the site with the Hotel Owner (Client) and also the speed limits in force (see CPP). The hotel owner provides him with the details of his electrical contractor and he asks to have the catering tent erected first so that the equipment can be installed and connected up by the electrician. They also inspect the welfare facilities which are located at the rear of the hotel in the handyman's workshop.

On his return to the office the Director of Red House Marquees (PD/PC) contacts the electrical engineer (Contractor) to discuss the work that is to be carried out and the site health and safety arrangements.

4.3 Erection and Take Down of Marquees

The Admin Officer at Red House Marquees has prepared a job sheet and associated plans in connection with the contract. Based on the information gathered by the Director the Admin Officer has also prepared a simple Construction Phase Plan (CPP) and Site Induction (see CPP example and On Site Induction example). The Admin Officer has provided the hotel owner (Client) with a copy of the CPP.

Before work commences the Site Foreman runs through the site briefing with his crew, they begin by erecting the smaller catering tent, this is followed by the larger marquee. All work is carried out in accordance with a safe system of work (i.e. method statements/risk assessments). Safety paperwork is kept on site along with the CPP.

Following the MUTA best practice guide, the marquees are signed off by the Client and the Marquee Contractor against the MUTA Safety Checklist.

The Marquee Contractor returns at a pre-arranged date to take down both marquees, again in accordance with a safe system of work.

4.4 MUTA Example Construction Phase Plan (CPP)

Please note:

This is a hypothetical example for information only. You will need to complete the CPP based on your own Health and Safety procedures and site requirements.

Preliminary Information	
Health and Safety aims	
Name of person completing form	
Position in company Company name	
Name and address of client	
Job description	
Is there anything the client made you aware of?	
Is it noticeable to HSE?	
Key dates	
Where are the toilet, washing and rest facilities?	
Who is the Designer? Principle Designer?	
Who is the Contractor? Principle Contractor?	
Details of any other Contractors working on site	
Date site induction/briefing carried out (attach sign off sheet and induction sheet)	
Hazard	Control Measures
Working at height	
Site traffic	
Slips, trips and falls	
Lifting/dismantling of prefabricated frames	
High winds	
Specific Site Hazard	Control Measures
Public footpath at rear of marquee site	
Fire and Emergency Procedures	
Fire and emergency procedures	
CPP review required? (Yes/No)	
If yes, date carried out:	
Amendments necessary:	

Signed.....

Date.....

4.5 MUTA Example On-Site Induction

Please note:

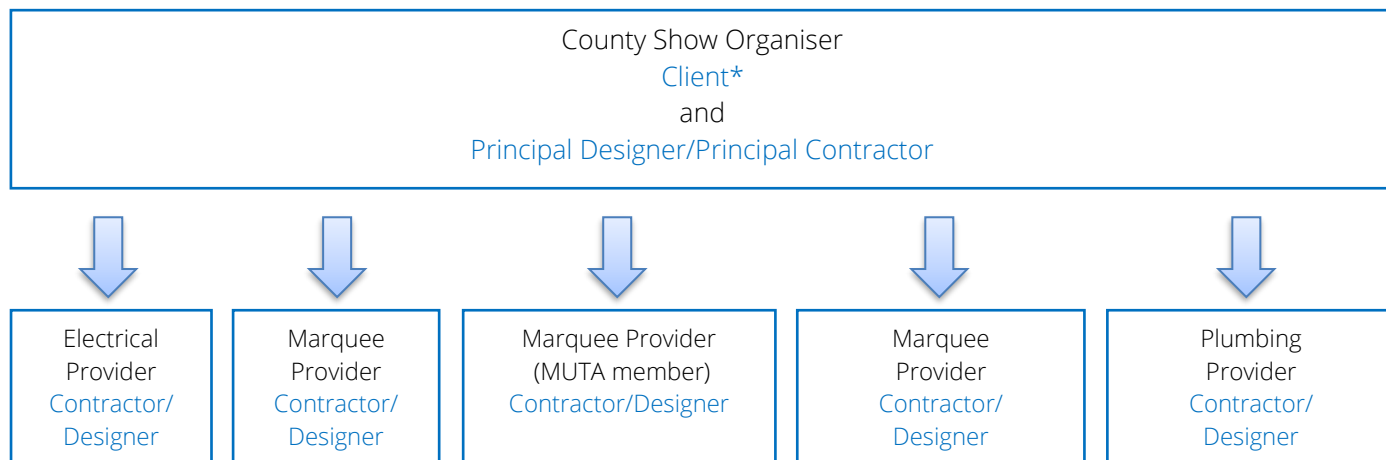
This is a hypothetical example for information only. You will need to complete the CPP based on your own Health and Safety procedures and site requirements.

MUTA on-site verbal induction given by:	
Details of job:	
Client:	
Contractor/Principal Contractor:	
Other Contractors you need to co-operate with:	
Fire/Emergency Procedures:	
Who to go to for advice and assistance?	
First Aider:	
Health and Safety:	
Fire Marshals:	
Location of Documents	
First aid book:	
Construction Phase Plan and associated H&S documentation:	
Rules for vehicles:	
Hazards and risks of this job and any site specific risks (remember CPP):	
Welfare facilities:	

If no further comments or questions, please complete sign off sheet and attach to CPP.

5.0 CDM Scenario 3

A number of marquees procured by the organiser of a County Show CDM Roles



* CDM terms in blue, see: section 2.0 for a summary of duties

5.1 Scenario

This scenario has been drafted to assist MUTA members to understand the above flow chart. It is obviously a hypothetical example but highlights the CDM Roles and the requirements of the CDM Regulations.

The show takes place at the same site every year and the MUTA member is one amongst many who has been contracted by the Show Organiser to provide a single marquee.

Acting as the CDM Client, the show organiser also plans, manages, monitors and co-ordinates all the construction activity onsite and so retains the CDM Principal Designer/Principal Contractor roles.

The MUTA marquee provider/contractor acts as a CDM Contractor/Designer.

The functions of each CDM role are taken on by various members of staff within the show organisation and the various providers (see above).

5.2 Pre-Construction Information

The show organisers have an existing site plan of the showground showing the location of all underground and overground services and the proposed site of all marquees.

The staff who organise the show have a meeting to ensure that:

- there have been no changes to the site since the previous show
- that the types and sizes of the marquees selected from the marquee contractors are the same as last year's.
- the Site Rules, Construction Phase Plan (CPP) and Site Induction are up to date
- welfare facilities will be made available for the crews

The County Show staff then liaise with all the contractors to agree the site health and safety co-operation and co-ordinating arrangements.

The MUTA member (and the other contractors) agree safe access to their particular plot and ensure their health and safety arrangements for the plot are in line with the main site rules, welfare provision etc.

5.3 Erection and Take Down of Marquee

Upon arrival on site, the gatekeeper reminds all the drivers of the site traffic rules and the speed limit which applies.

The MUTA member's crew then head to their plot on the showground and the Foreman carries out a site briefing of his staff including the main Site Rules and the Show's CPP. He also advises them of the location of the welfare facilities.

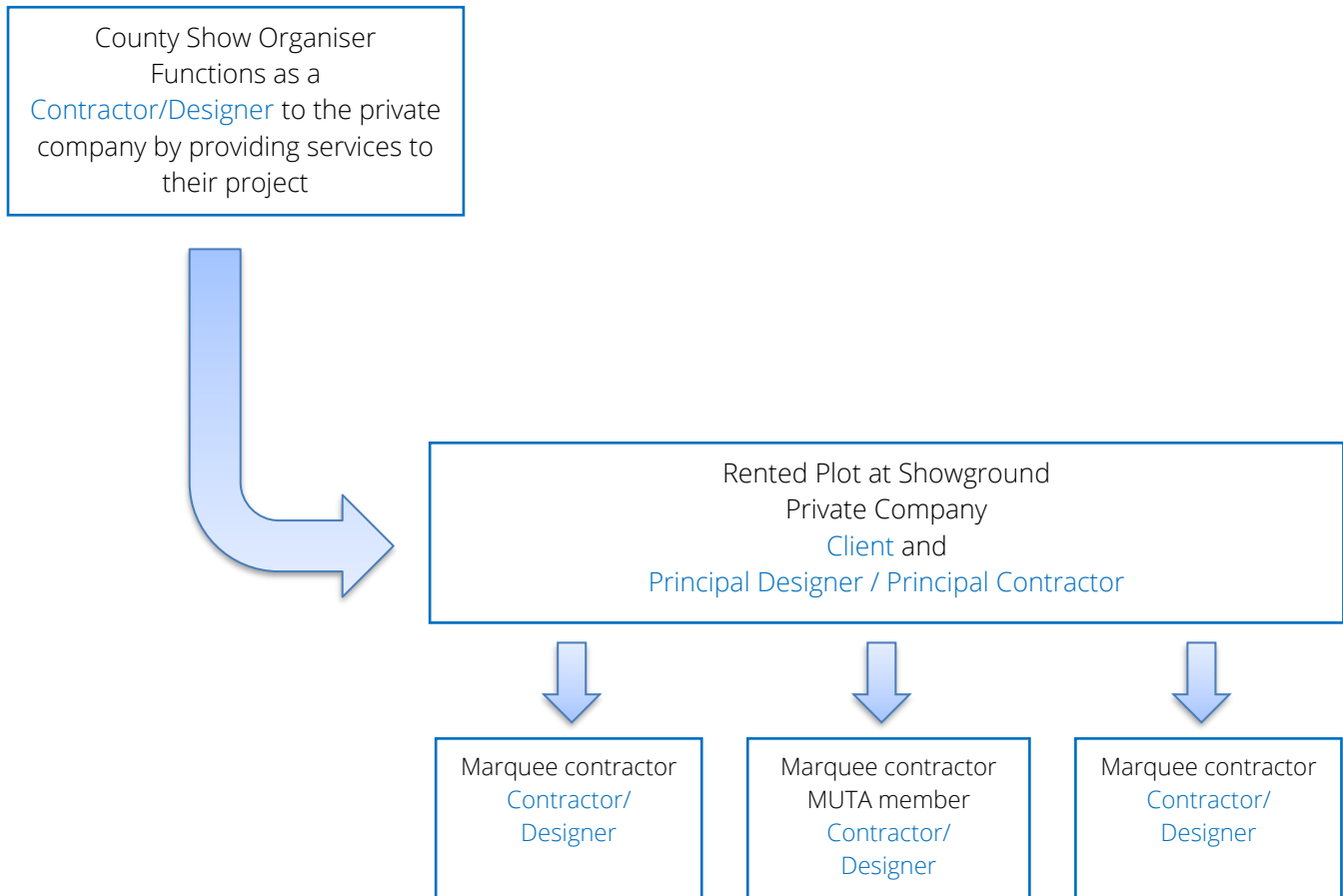
The crew then erect the marquee in accordance with an agreed safe system of work which includes co-operation as necessary with those contractors in close proximity to their site e.g. to co-ordinate plant movement and material off-loading tasks. Safety paperwork is kept onsite and is readily accessible.

Following the MUTA best practice guide the marquee is signed off by the client and the Marquee Contractor against the MUTA Safety Checklist.

The Marquee Contractor returns at a pre-arranged date to take down the marquee again following a safe system of work and agreed cooperation and coordination arrangements with others on-site.

6.0 CDM Scenario 4

Marquees erected on a plot at a Showground rented out to a Private Company CDM Roles



* CDM terms in blue, see: section 2.0 for a summary of duties

6.1 Scenario

This scenario has been drafted to assist MUTA members to understand the above flow chart. It is obviously a hypothetical example but highlights the CDM Roles and the requirements of the CDM Regulations.

A private company has rented a plot at the County Show and employed a MUTA member and two other Marquee Contractors to erect marquees on the same plot.

Every space only plot is treated as a separate construction project within the main site. The private company becoming the CDM Client for their plot. In this case, the company plans, manages, monitors and co-ordinates all the construction activity on their plot and so retains the CDM Principal Designer/Principal Contractor roles.

6.2 Pre-Construction Information

The private company is provided with the main site rules, site plan, grid reference of their plot and details of the welfare facilities made available for all the crews on the main site. The private company has also been liaising with the Shows' layout designer and has received confirmation that there are no underground/overground services in the area.

The show organisers, private company, MUTA member (and other contractors) agree safe access to the plot.

The private company ensures the health and safety arrangements for the plot are in line with the main site rules, welfare provision, etc. The private company then draws up the Construction Phase Plan (CPP). Copies are forwarded to the marquee contractors and the show organiser.

6.3 Erection and Take Down of Marquees

Upon arrival on site the gatekeeper reminds all drivers of the site traffic rules and the speed limit which applies.

The MUTA member's crew then head to their area on the plot and the Foreman carries out a site briefing to his staff including the main Site Rules, the CPP and the location of the welfare facilities.

The crew then erect the marquee in accordance with an agreed safe system of work which includes co-operation as necessary with the other two contractors working on the same plot e.g. to co-ordinate plant movement and material off-loading tasks. Safety paperwork is kept onsite and is readily accessible.

Following the MUTA best practice guide the marquees are signed off by the client and the Marquee Contractors against the MUTA Safety Checklist.

The Marquee Contractors return at a pre-arranged date to take down the marquees, again following a safe system of work and agreed co-operation and co-ordination arrangements with others on-site.

7.0 FAQs on CDM Scenarios

Q1.

Scenario 2 where the MUTA member has taken on the role of Principal Designer/Principal Contractor. What happens when the electrical contractor (employed by the hotel) does not turn up in time and both marquees have been signed off and the Marquee Contractor has left the site?

A1.

As Principal Contractor (PC), the MUTA member has a duty to plan, manage, monitor and co-ordinate all the construction activity onsite, including the electrical installation work. The PC must have ongoing arrangements in place for managing health and safety throughout the construction phase. However, the PC does not necessarily have to be onsite to do this.

Good planning would involve the PC speaking to the electrical engineer before work starts onsite, to discuss the work that is to be carried out and agree the site health and safety arrangements.

Q2.

Scenario 4 where the Client rents a plot at the show.

- (a) Does he in his role as PD/PC have to be on site when the marquee contractors arrive on site?
- (b) Does CDM apply to all the trades that are employed by the Client to come along after the marquee is complete to install furniture/stages/stands/etc.?
- (c) What about the electrician who is employed by the showground and hooks up all the marquees on the site including the ones on the rented plots?

A2.

- (a) See comments above.
- (b) The definition of construction work includes 'fit-out' work e.g. building a rostrum, installing lighting and sound to a finished structure. However, installing free-standing furniture is not considered construction work within the meaning of the Construction Sites Directive.

Nevertheless, the overriding principle is that all contractors working on a plot and sharing the same workplace should cooperate in securing the safety and health of all workers, whether under CDM 2015 or other health and safety legislation.

In practical terms, the project team should ensure that workers engaged on all of these tasks are provided with the same protection and have access to the same welfare arrangements as other workers who are onsite.

- (c) The showground will function as a contractor/designer to each plot by providing electrical services. The electrician, show organiser and PC/PD for each plot should cooperate to ensure this work is done safely.

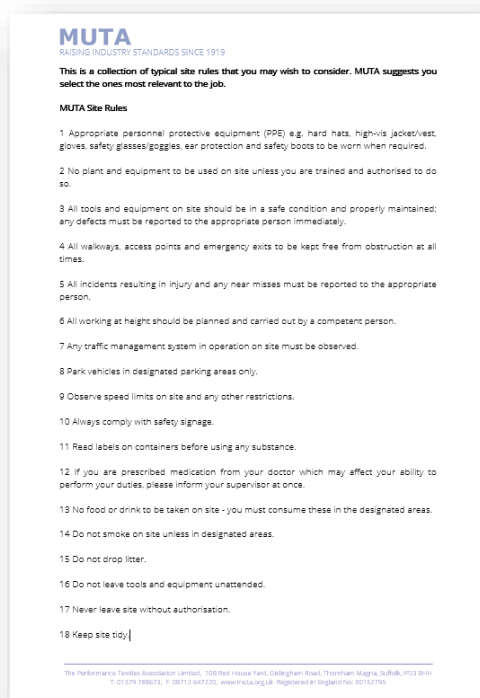
Q3.

A large number of marquee staff are not from the UK and therefore may not have English as their first language. How do we ensure that they have understood the on-site induction?

A3.

Employers are using multi lingual supervisors, and translating instructions and guidance into the first language for their workers. Inductions, tool box talks and training materials are becoming available in a range of languages.

8.3 Typical site rules



Version 3
14 July 2017

This guidance note was written with advice and support from MUTA members and the HSE were consulted in the drafting of the four scenarios.

The information contained in this document is intended for general guidance and should not be taken as definitive advice. You should ensure you take advice based upon your particular circumstances. MUTA is not responsible for the content of external websites referred to in this document. © MUTA 2017