CONIAC 16/03/11

Health and Safety Executive

HSE

Update on HSE evaluation of CDM 2007

Andrew Maxey and

Anthony Lees

Introduction

HSE

- Background
- Process
- Key findings
- Next steps
- External constraints
- Recommendations
- Conclusion

Background

HSE

- CDM 1994 based on EU directive
- New duties on specific duty holders
- 2002 started consultation to amend CDM
- Baseline Study by BOMEL
- CDM 2007 in force April 2007
- Prayer debate May 2007
- Agreed to evaluate after three years

HSE high-level aims

HSE

- Simplifying the regs to improve clarity
- Maximising their flexibility
- Making their focus planning and management to emphasise active management and minimise bureaucracy
- Strengthening requirements re co-ordination/co-operation to encourage more integration
- Simplifying assessment of competence of organisations

Process - Frontline research

HSE

RR 845 03/11

- A large-scale survey of duty holders
- Face-to-face interviews with small and one-off clients
- Face-to-face interviews with small contractors
- Key stakeholder interviews
- Influence Network Workshops (provides detailed moderated views)
- Open forums (large informal events seeking key CDM issues)
- Review of CDM-related information and accident data

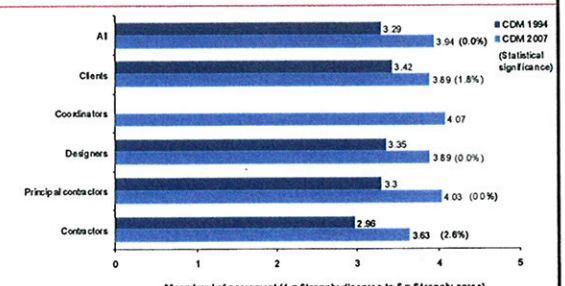
Key findings - Research

HSE

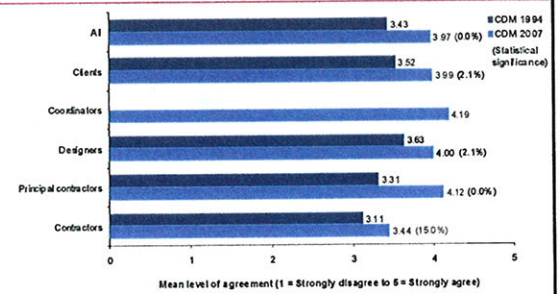
- CDM 2007 has gone long way to meeting objectives but still concerns
- level of agreement re HSE five aims far more positive than for CDM 94
- level of agreement re construction design, management and site practices more +ve
- Benefits rated as higher than costs
- Interpretation of ACoP causes problems
- Industry practice significant influence

Large scale survey findings

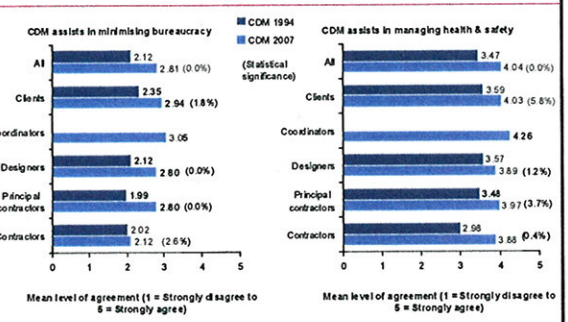
Aim 1 - clarity



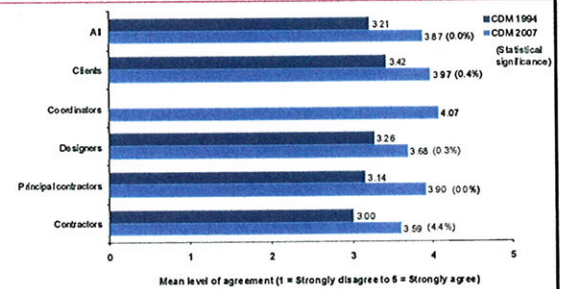
Aim 2 - flexibility



Aim 3 – planning/management

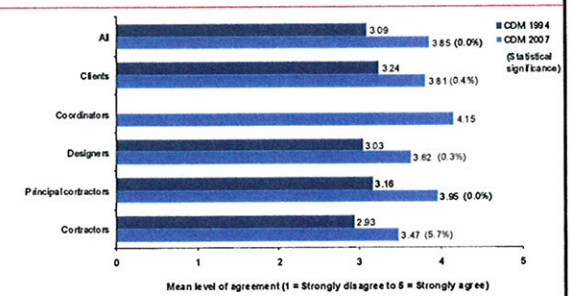


Aim 4 – coordination/cooperation



Work w parallel to main survey.

Aim 5 - competence



CONIAC WG terms of reference

- Review material prior to CDM 2007 to familiarise with background
- Comment on pilot findings re evaluation methodologies
- Provide industry-led stakeholder views (high level rather than detail) on:
  - degree to which aims of CDM 2007 met
  - perceived adequacy of existing HSE and industry guidance and ACoP
  - need for amendments to existing regs, ACoP, guidance
- Provide interim reports to full CONIAC
- Members to consult stakeholders in the groups they represent and seek consensus of views from that group, reflecting differences where a consensus is not reached

Key findings – CONIAC WG

Agree clearer and flexible, narrowly agree over planning and co-operation, disagree that has simplified assessment of competence

Thus competency a strong theme

Improvement on CDM 94 but more guidance needed

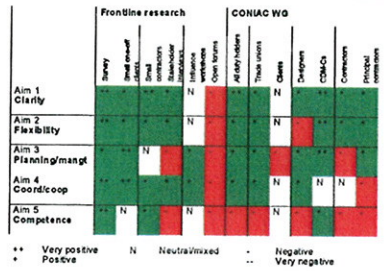
Bureaucracy is still too much

Suggestions to improve co-ordination

Other significant concerns

CONIAC WG more critical than wide scale survey.

Overall evaluation findings



Overall key findings

- CDM 2007 has gone a long way to meeting its objectives - improvement on CDM 1994
- Still concerns (competence, paperwork and co-ordination)
- Few calls to change the regulations - interpretation of ACoP, more guidance
- Industry practice a significant influence on how the construction industry implements CDM 2007
- Other significant issues (disconnect design/ construct, risks at design stage, late appoint)
- Whilst there was a cost impact of CDM 2007, benefits rated as being higher than the costs

Next steps

Paper to CONIAC July 2011

HSE Board October 2011

Timing constrained by external factors eg review of regulations

Implications for industry guidance

Current environment

Government regulatory policy

Uncertainty over EU position

Impact assessment

Managing industry expectations

Recession

Recommendations

No case for wholesale change

Focus on balance between ACoP/guidance

Focus on competence paperwork

Remit research report to CONIAC WG

Conclusion

HSE

Context of evaluation

Key findings of research and CONIAC WG

Recommendation to remit to CONIAC WG

EU and UK regulatory policy

Report to CONIAC in July

HSE Board in October