



**linthouse**  
HOUSING ASSOCIATION

## CDM Policy

<b>Linthouse Housing Association</b>	
<b>Policy Implementation Checklist:</b>	
Policy Guardian:	Director of Property Services
Policy Author:	Technical Services Manager and Asset Manager
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## Section 1: Introduction

### 1.1. Construction (Design and Management) Regulations

- 1.1.1 The Construction (Design and Management) Regulations 2015 came into force on 6 April 2015, replacing CDM 2007.
- 1.1.2 Linthouse Housing Association's CDM Policy takes full account of the revised regulations that came in to force in 2015.
- 1.1.3 The Policy seeks to outline the Association's relevant duties in line with CDM 2015.
- 1.1.4 In this Policy, Linthouse Housing Association is referred to as "we", "us" or "our".

### 1.2 Scope

- 1.2.1 This Policy applies to all appropriate staff members and relevant contractors on behalf of the Association.

### 1.3 Equality and Diversity

- 1.3.1 We are committed to providing fairness and equality of opportunity in order to prevent discrimination in both the workplace and wider society. The Construction (Design and Management) Policy will be applied in line with our Equality and Diversity Policy to ensure that no person is discriminated on the grounds outlined in the Equality Act 2010.
- 1.3.2 We will ensure our approach to safeguarding vulnerable adults take into account the individual needs of our tenants and their households. Where required, appropriate arrangements will be made for communicating with our tenants.
- 1.3.3 This complies with the section of the Scottish Government's Scottish Social Housing Charter dealing with equalities which states that social landlords must perform all aspects of their housing services so that:

“Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.” (Outcome 1: Equalities).

## 1.4 Our Mission

1.4.1 The Construction (Design and Management) Policy forms part of our mission to:

“deliver high quality and cost-effective housing services designed to meet the needs of existing and future customers. To work in partnership with others to create thriving communities that people want to live and work in”.

## 1.5 Our Vision and Values

1.5.1 Our vision is the creation and sustainment of lasting, unique, vibrant homes in stable, popular and ambitious urban communities. Our vision is underpinned by four core values which we apply to all areas of our business. These are to be:

- i. **Customer Driven**
- ii. **Honest**
- iii. **Accountable**
- iv. **Transparent**

## 1.6 Our Organisational Culture

1.6.1 Our **C.H.A.T** values as outlined, form the foundation of our **Listen, Hear, Act (L.H.A)** customer excellence and organisational culture programme. All staff receive training at induction on customer service standards and the organisational culture we promote. This includes reference to our Equality and Diversity Policy and a requirement to treat colleagues, tenants, contractors, service users, and any other stakeholders with dignity and respect.

1.6.2 The organisational culture we promote is based on finding solutions to suit customer needs regardless of individual differences We will:

1. **Listen** - We are committed to listening to those we do business with, be that our customers, staff, stakeholders, regulators or funders, to ensure that our responses are reflective of what people are saying to us.

2. **Hear** - Once we listen and understand the need/demand/offer that is presented, we will ensure that we fully understand what is being said.
3. **Act** - Whilst we will think about what we do, we want to be known for acting swiftly to deliver solutions and for always keeping our promises.

1.6.3 Our Customer Service Standards' aim is to ensure all of our service users receive an excellent standard of service. The Standards helps define what our customers can expect when contacting or engaging with the staff in our office. It is available on our website, direct from the office, or in other formats as required.

## Section 2: The Legal Framework

### 2.1 General

- 2.1.1 Due to the nature of this Policy, references are made throughout the document with regards to the relevant, legal obligations.
- 2.1.2 The Association is committed to meeting all legal requirements in its role as a 'client' and 'duty-holder' under CDM 2015.

## Section 3: Overarching Objectives and Implementation

This section outlines our overarching objectives and how we will implement these.

### 3.1 Overarching Objectives

- 3.1.1 Our primary aim is to ensure that the Association in its role as a 'client' and 'duty-holder' will comply with its legal duties under CDM 2015. In order to achieve this aim, the Association will make suitable arrangements for managing a project, including making sure:
  - Other duty-holders, such as Designers, Principal Designers, Principal Contractors and Contractors are appointed at the appropriate time
  - Sufficient time and resources are allocated at all stages of a project

- Relevant information is prepared and provided to other duty-holders in accordance with the Regulations
- The Principal Designer and Principal Contractor carry out their duties
- Welfare facilities are provided by the Principal Contractor or Contractor

3.1.2 The Association will also take account other health and safety regulations, including, but not limited to, the Work at Height Regulations 2005 and the Control of Asbestos Regulations 2012.

## 3.2 Implementation

### 3.2.1 Application/Client Duties

CDM 2015 applies to all construction work commissioned by the Association. In this respect, the Association will take full cognisance of Regulation 4 “Client duties in relation to managing projects,” Regulation 5 “Appointment of the Principal Designer and the Principal Contractor,” Regulation 6 “Notification,” Regulation 8 “General Duties,” Regulation 12 “Construction Phase Plan and Health and Safety File,” and Regulation 37 “Transitional and Savings Provisions.” In complying with these Regulations, the Association will have a major influence over the way a project is procured and managed and regardless of the size of the project, the Association will have contractual control, appoint designers and contractors at the appropriate stages and determine that the money, time and other resources are available at the right time.

### 3.2.2 Assembling the Project Team

The Association will only appoint consultants and contractors who have the necessary skills, knowledge, experience and organisational capability to manage the health and safety risks associated with each individual project.

A Principal Designer will be appointed where appropriate, as early on as possible in the design process and be able to demonstrate that they have the technical knowledge of the construction industry relevant to the project as well as the necessary skills, knowledge and experience to understand, manage and coordinate the pre-construction phase, including any design work carried out after constructions begins. The Principal Designer’s role will include

coordinating the works of other consultants within the project team to ensure that significant and foreseeable risks are managed throughout the design process and that they assist the Principal Contractor in preparing the Construction Phase Plan by supplying all relevant, known information.

Only consultants who can demonstrate that they have the necessary skills, knowledge of the construction industry, experience and resourcing capabilities relevant to the project will be appointed. All designers will be required to comply with Regulation 9 “Duties of designers.”

Only Principal Contractors will be appointed who have demonstrated that they possess the skills, knowledge, experience and organisational capability to carry out their role effectively given the scale and complexity of the project, including the nature of the health and safety risks involved. The Association recognises that good management of health and safety on site is crucial to the successful delivery of a construction project. During the procurement process, the Principal Designer will be required to comment on the necessary skills and knowledge of any Principal Contractor being considered, prior to any appointment being made, including assessing contractors as part of the Safety Schemes in Procurement (SSIP) Forum. Any Principal Contractor will require complying fully with Regulation 13 “Duties of a principal contractor in relation to health and safety at the construction phase” and Regulation 14 “Principal contractor’s duties to consult and engage with workers.”

All Contractors, including Principal Contractors will be required to comply fully with Regulation 8 “General Duties” as they apply to contractors.

### 3.2.3 Notification

Under CDM 2015, the Health and Safety Executive (HSE) will be notified of the project in accordance with Regulation 6 “Notification.” A project is considered notifiable if the construction work is scheduled to:

- Last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project or
- Exceed 500 person days

The Asset Team will request the Principal Designer to update HSE on any modifications or updates, making clear that they relate to an earlier notification. Notification, including any updates will be made electronically using an F10 notification form.

The Association will request any Principal Contractor to display the up-to-date copy of the notice in the construction site office.

#### 3.2.4 Pre-Construction Information

Under Regulation 12 of CDM 2015, the Association will provide pre-construction information to the Design Team, including the Principal Designer, as well as the Principal Contractor or Contractor as soon as practicably possible and prior to any works commencing on site. This will include for example, relevant details from the Association's Asbestos Register.

#### 3.2.5 Construction Phase Plan and Health and Safety File

Regulation 12 of CDM 2015 also relates to the Construction Phase Plan and Health and Safety File. The Association will ensure that the Principal Contractor has a suitably developed Construction Phase Plan before the construction phase begins and that the Plan outlines the health and safety arrangements, site rules and specific measures concerning any work involving the particular risks listed in Schedule 3 of CDM 2015. The Plan should allow for any emerging risks to be considered, including Covid-19, and these should be addressed as an appendix to the main document. The Principal Designer will be expected to assist the Principal Contractor in developing a suitably developed Construction Phase Plan.

Throughout the construction phase, the Principal Contractor will be expected to review, update and revise the Plan with the Principal Designer being responsible for preparing a health and safety file appropriate to the characteristics of the project. The Principal Contractor will be expected to provide the Principal Designer with any information relevant to the Health and Safety File for inclusion therein.



The Association, as Client, will retain the file and ensure that it is available to anyone who may require it throughout the lifetime of the building. The File may be in electronic, paper, film or any other durable form.

### 3.2.6 General

The above is not intended to be exhaustive or indeed, highlight all of the duties of the Association as a Client and Dutyholder. The CDM Regulations 2015 will be referred to and complied with in relation to the whole construction process and on all construction projects, from conception to completion to ensure that projects are carried out in a way that secures health and safety.

## Section 4: Compliance and Complaints

### 4.1 General Complaint Handling Procedure

4.1.1 Our complaint handling procedure was established by the Scottish Public Services Ombudsman (SPSO).

4.1.2 In accordance with housing law, we provide our tenants with thorough information pertaining to our complaint handling process. Moreover, we also advise all service users on their right to complain.

4.1.3 A complaint is defined as:

“An expression of dissatisfaction by one or more members of the public about the housing association’s action or lack of action, or about the standard of service provided by or on behalf of the housing association”.

4.1.4 Our complaints handling process includes explicit reference to customer complaints relating to equalities issues. In addition, we have a regulatory requirement to provide information to the Scottish Housing Regulator on the number of customer complaints we receive that relate to equalities issues in the Annual Return on the Charter.

## Section 5: Review of Standards and Repairs Services Policy

- 5.1 This policy will be reviewed every 3 years to ensure that the appropriate amendments are made. All staff and relevant third parties will be informed. Continuously subjecting our Policy to review will ensure that its effectiveness is maintained, and that feedback can be acted upon in a reasonable time frame.

## Appendix 1: Equalities Impact Statement

<b>TITLE OF POLICY:</b>	<b>Rechargeable Repairs Policy</b>
Strategic Outcome:	To contribute to the overall efficient and effective maintenance of our housing stock
What is the purpose of the proposed Policy?	To ensure that the Association appropriately identifies, monitors, and manages works in accordance with the CDM Regulations
Protected Characteristic Groups affected by the Policy	Impact is unlikely to be significant on any protected characteristic
Who is the target audience of this policy or who is intended to benefit from the proposed policy and how? (i.e., employees, service users, management committee etc.)	Staff, particularly Asset Management staff will benefit from clear guidelines in relation to the CDM Regulations
List any existing documents, evidence, research which have been used to inform the Eg IA? (This must include relevant data used in this assessment)	N/A
Has any consultation involvement been undertaken with the Protected Characteristic Groups to inform this assessment? (Please provide details of who and how consulted)	N/A
What is the actual likely impact?	The policy is likely to have a positive impact by providing staff with clear guidelines in relation to LHA's position in relation to the CDM Regulations
How have you, or will you, put the Policy into practice, and who is or will be responsible for delivering it?	The policy will be put into practice primarily by the Asset Team with both the Technical Services Manager and Asset Manager being responsible for delivery.
How does the Policy fit into our wider or related policy initiatives?	The policy fits in to our wider policy initiatives to improve and maintain the standards of the Association
Do you have a set budget for this work?	Any rechargeable repairs will be in line with the Rechargeable Repairs Policy.