

**Department of Children's Services**

Michael Jameson  
Director of Children's Services  
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All School Head Teachers

Date: 25 September 2015

Dear Head Teacher

**RE: New Construction & Design Management (CDM) Regulations April 2015**

In April this year the Government introduced updated safety legislation to cover all building and construction and maintenance work. These new regulations (the Construction Design and Management (CDM) Regulations 2015) introduce new obligations that Schools need to comply with.

Schools now have legal duties under the regulations to plan fully all the health and safety requirements associated with any building and maintenance works carried out by the School. Staff in schools could be personally liable if the duties and responsibilities are not fully undertaken and completed.

**When Do The Regulations Apply?**

The new regulations have brought all small construction works under the requirements of the regulations. Any works your school could undertake, from small maintenance jobs, cleaning windows, roof repairs, small refurbishment projects, to extensions and alterations all have to comply with the new requirements.

These regulations apply equally to all schools, however schools have many different legal forms and will need to implement the new regulations in line with their own governance arrangements.

**What Are You Expected To Do?**

The CDM Regulations 2015 requires that an organisation procuring/instructing works, must act as Client. A named individual in your school must be the CDM Client Officer in every case where you instruct someone to plan and undertake any form of maintenance, alteration or improvement works on your building. The Client has legal duties to perform in that role.

Clients are required to carry out specific duties which can be questioned and scrutinised by an HM Inspector of Safety from the Health and Safety Executive, (HSE) should an incident occur. The Head Teacher carries management responsibility for the school and the HSE will expect the Head Teacher to ensure that compliance is correctly managed and as such the Head Teacher is legally liable should there be any breaches of these duties.



Schools (including Academies) using land or buildings that belong to the Council must ask for permission to carry out building work. Voluntary Aided Schools (including VA Academies) must seek the permission of their relevant Diocese to undertake building work over £2,000. Church of England Schools need to apply for DBE and Trustee permission through the Diocesan Board of Education in accordance with the DBE measure. Forms can be downloaded from the Diocesan website. Roman Catholic Schools should also seek the consent from the Diocesan Council for Education. When seeking permission schools can access advice on how to safely manage construction projects.

### **Where Can Schools Get Help And Advice?**

We have put together a package of support to assist your school to ensure that it can fully adhere to the new regulations;

We have created a page on the BSO website that provides documentation and guidance on how to comply with these duties. This includes the requirement for schools using land or buildings belonging to the Council to notify the Council (the landlord) through Education Client Services of all planned construction works. There is HSE guidance on client duties and a checklist of how to plan and implement works under the new regulations.

#### **[Bradford Schools Online/Site Contents/Buildings/Education Buildings/Construction Design Management](#)**

Council officers have already visited the Primary and Secondary School Business Managers Forums and would be happy to make a short presentation to head teachers at other forums.

Through the Governors Service we also plan to advise all school governors of these changes to the law.

We are also planning to introduce on-line training for those who need to undertake the client responsibilities. This should give you an up to date understanding of the requirements of the Regulations and help you to fully understand the client role.

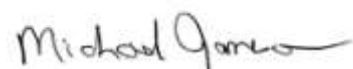
### **What Action Do Schools Need To Take?**

1. We would like you to nominate someone in your school who is most likely to act as the Client for any construction work/maintenance work. Please provide their name, contact telephone number and e-mail address. We can then ensure that they receive access to the training and on-going advice and support.
2. Familiarise yourself with the new regulations by going to the CDM page on Bradford Schools online, which has guidance documents and links to the HSE website.

### **For Further Information and Advice Please Contact:**

- Andy Grant (CDM Advisor) andy.grant@bradford.gov.uk 01274 431721
- Darren Starkey (Programme Manager) darren.starkey@bradford.gov.uk 01274 437366

Yours sincerely



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