

# Isle of Man

## The Construction (Design and Management) Regulations 2003

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# History

- Approved by Tynwald 21 January 2004
- Came into operation 1 October 2004
- With minor exceptions, regulations based on UK CDM version 1994 and which came into force on 31 March 1995

# Application of the regulations

- Project is/is not notifiable (client's belief)
- Number of persons in the workplace at any one time < 5
- Demolition or dismantling of a structure
- Domestic clients - no (designer and contractor have duties under CDM Regulations)

# Dutyholders

- Client - competence of appointees
- Planning Supervisor (notifiable projects only)
- Designer - Principal Designer
- Contractor - Principal Contractor
- Contractor - commonly referred to as subcontractor

# Experience to date

- Sufficient information supplied by client?
- Late appointment of planning supervisor
- Client's query as to appointment of planning supervisor
- Effective co-operation between designers
- Ineffective design risk assessments
- Bureaucratic paperwork is disproportionate to level of risk

# The health and safety plan

- Health and safety plan before construction
- Health and safety plan in the construction phase
- Implementing and monitoring the plan

# Health and safety file

- Benefits of existing health and safety file
- Contributors to the file
- Content of the file



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# Impact of CDM Regulations in Isle of Man Construction Industry

- Numbers employed since October 2004
- Number of RIDDOR reports between 2010 and 2015 = 123\*
- Education and training

\* Based on data supplied by ESHD



# Number of workers engaged in construction

- Census: 2006 - 3,374; 2011 - 3,352
- Based on income tax data (a person may have more than one job in the sector, e.g. if they work for more than one employer):
  - 2012 - 2,451
  - 2013 - 2,394
  - 2014 - 2,421
  - 2015 - 2,441 (at 2<sup>nd</sup> quartile)

# Enforcement 2005 - 2015

- Improvement notices = 52
- Prohibition notices = 130
- Cautions = 9
- Prosecutions = 10 (1 pending)
- Prosecutions post 1<sup>st</sup> October 2004 (CDM operational) recorded as offences committed under HASWA (Primary Act) and Construction (Health and Safety) Regulations 1985 - revoked on 12<sup>th</sup> December 2012

# The future?

- Compare with UK 2015 revised version
- Isle of Man CDM update
- Education and training undertaken to date
- Do we need CDM - is HASAWA and MHSAWR sufficient?



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