

Maintenance – Term contract with a maintenance provider

Q1. I have a term contract with a maintenance or FM contractor (Typically 1-3 years). Do I need to notify this as a project under CDM 2015?

A. A term appointment by contract does not in itself trigger notification. CDM 2015 requires 'projects' to be notified. If the term contract includes work which is deemed to be a single project, and the project lasts more than 30 days, and at any time during that period there are more than 20 workers on site at one time, or lasts 500 person days, then the project becomes notifiable. Separate maintenance tasks carried out at separate locations, on separate buildings, do not automatically accumulate to form a single project. Note that notification is now a stand-alone duty; it does not trigger any other duties.

Whether the project is notifiable, or not, as above, a PC is required for those projects where more than one contractor is, or is likely to be, involved. In these cases a PD should also be appointed, but a contractor (probably the PC) may well have the necessary skills knowledge and experience to act as PD in those cases where the design work, or pre-construction planning, is straightforward.

A PC on smaller jobs needs to have a coordinating, planning, and managing role, but does not need to be on site or in close supervision, all the time. The emphasis we expect is on management, not on direct supervision. It is the contractors' duty to provide supervision.

A term-contractor may act as PC, if they have the skills, knowledge and experience, or the role can be given to a suitably qualified contractor who is brought in. This decision is in the gift of the client, who needs to take into account the risks of the work involved and the capabilities of his or her term contractor.

Further Information

HSE Construction webpages

[The Construction \(Design and Management\) Regulations 2015](#)

HSE legal series guidance

[Managing health and safety in construction: Construction \(Design and Management\) Regulations 2015 \(L153\)](#)