GUIDANCE NOTE

Using HSE L153 as a Commercial Office Building Client

Applying CDM 2015 and the General Principles of Prevention to routine building services maintenance – hard services such as HVAC, and soft services such as cleaning – and periodic tenant fit-out works

1. Purpose of this Guidance

This note explains how to use HSE publication L153, "Managing health and safety in construction – Construction (Design and Management) Regulations 2015, Guidance on Regulations," as the primary reference for your responsibilities as the client of a commercial office building. It is written for the recurring types of work you commission:

- routine maintenance of hard building services – for example HVAC, electrical, public health/plumbing, fire and life-safety systems, and lifts;
- routine soft services – for example cleaning, window/façade cleaning, pest control, and grounds and waste management; and
- periodic design-and-build fit-out works carried out for tenants in their offices.

HVAC is used as the running example for hard services throughout this note simply because it is the most frequent driver of plant-room and roof-level work – but everything said about it applies equally to your other hard building services. Soft services such as cleaning are covered in their own right in Section 5, because how CDM 2015 treats them is different in an important way – see the callout in Section 2.

The second half of this note sets out why the General Principles of Prevention – the framework underpinning every duty in CDM 2015 – matter to you specifically, and how to apply them when instructing contractors and designers.

2. Why L153 Applies to You

L153 is HSE's regulation-by-regulation guidance on the Construction (Design and Management) Regulations 2015 (CDM 2015). It is written for "people with legal duties under CDM 2015" (para 2) – not only contractors. As the building owner or managing agent commissioning work, you are a client under CDM 2015 for every project you commission, however small.

> **Key point – the definition of "construction work" (Regulation 2(1), p.10–11)**
> "Construction work" expressly includes: (a) fitting out, alteration, renovation, repair, upkeep, redecoration or other maintenance of a structure (including cleaning using water/abrasives at high pressure, or corrosive/toxic substances); and (e) the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic or similar services normally fixed within or to a structure. Both limbs apply directly to your hard services maintenance (HVAC and similar) and your tenant fit-outs – this work is "construction work" under the law every time, regardless of scale.

Important nuance for soft services – not all cleaning is "construction work"

Limb (a) only catches cleaning that involves water or an abrasive at high pressure, or corrosive or toxic substances – for example pressure-washing external cladding, paving or plant, chemical deep-cleaning of kitchen extract ductwork or risers, graffiti removal with corrosive strippers, or façade/high-level window cleaning carried out by these methods. Routine day-to-day office cleaning – vacuuming, dusting, mopping with standard, non-corrosive products – falls outside CDM 2015 altogether. That work is still your responsibility, but it sits under your general workplace health and safety duties instead (principally the Management of Health and Safety at Work Regulations 1999, the Control of Substances Hazardous to Health Regulations (COSHH), and the Workplace (Health, Safety and Welfare) Regulations 1992). Section 5 sets out how to tell the two apart in practice.

Two things follow from where CDM 2015 does apply. First, because your building is commercial premises, the domestic client provisions in Regulation 7 (p.21) never transfer your duties away – you carry them in full, always. Second, project size only changes one thing: whether HSE must be formally notified under Regulation 6 (p.20) – more than 30 working days with over 20 workers simultaneously, or over 500 person-days. It does not remove any other duty. L153 states this directly: "Remember – the requirements of CDM 2015 apply whether or not the project is notifiable" (guidance to Regulation 6, para 52).

3. How to Use L153 in Practice – Duties by Stakeholder

L153 sets out each dutyholder's responsibilities in a dedicated regulation. The table below is a quick-reference map: use it to jump straight to the relevant pages when a question comes up on a live project.

Role	Main duty (summarised)	L153 page
Client (you)	Make suitable arrangements to manage the project; provide pre-construction information; ensure a construction phase plan and (where applicable) a health and safety file exist; check the PD/PC are doing their jobs.	Reg 4–6, p.14–20
Designer	When preparing or modifying a design, eliminate, reduce or control foreseeable risks arising during construction and during future use/maintenance of the building; pass risk information to others.	Reg 9–10, p.26
Principal designer	Appointed only where more than one contractor is involved. Plans, manages and coordinates health and safety through the design/pre-construction phase; prepares the health and safety file.	Reg 11–12, p.30–34
Principal contractor	Appointed only where more than one contractor is involved. Plans, manages and coordinates the construction/fit-out phase; draws up the construction phase plan; runs inductions, access control and welfare.	Reg 12–14, p.34–42
Contractor (incl. a sole hard- or soft-services maintenance firm, e.g. HVAC or specialist cleaning)	Must not start unless satisfied you are aware of your client duties; plans and manages its own work safely. On a single-contractor job, must itself draw up a construction phase plan.	Reg 15, p.43–49
Workers	Consulted on matters affecting their health and safety; take reasonable care of themselves and others; report hazards; cooperate with others.	Reg 8 & 14

Everyone appointing	Take reasonable steps to confirm any designer/contractor appointed has the skills, knowledge, experience and organisational capability for the role – before appointing them.	Reg 8, p.23

The single most important trigger to watch for is Regulation 5 (p.15): whenever more than one contractor is, or is reasonably foreseeable to be, working on a project, you must appoint a principal designer and a principal contractor in writing, before construction starts. This will rarely apply to a single specialist servicing your HVAC plant or a routine cleaning visit, but it will almost always apply to a design-and-build tenant fit-out involving separate M&E, partitioning and decorating trades – and it can also apply where a hard-services contractor and a soft-services contractor (e.g. a deep-clean of plant or ductwork alongside HVAC works) are on site together as part of the same project. If you fail to appoint, their duties fall to you personally – so this is worth checking at the outset of every fit-out or combined works package.

4. The General Principles of Prevention – and Why They Matter to You

The General Principles of Prevention are the framework that CDM 2015 requires designers, principal designers, principal contractors and contractors to apply in carrying out their duties (Introduction, para 5, p.8). They are set out in full in Appendix 1 of L153 (p.73). Although the duty to apply them sits with your appointed designers and contractors rather than with you directly, understanding them is essential for you as client for three reasons: it lets you judge whether a proposed method of work is genuinely being planned to reduce risk (rather than simply priced to be quick); it shapes what you should expect to see in a construction phase plan before you allow work to start; and it gives you a shared vocabulary with your principal designer and principal contractor when reviewing proposals.

	Principle (Appendix 1, L153 p.73)
a	Avoid risks where possible.
b	Evaluate the risks that cannot be avoided.
c	Combat risks at source.
d	Adapt the work to the individual – in the design of workplaces, choice of work equipment, and choice of working/production methods – particularly to reduce monotonous work and work at a predetermined rate.
e	Adapt to technical progress.
f	Replace the dangerous with the non-dangerous or the less dangerous.
g	Develop a coherent overall prevention policy covering technology, work organisation, working conditions, social relationships and the working environment.
h	Give collective protective measures priority over individual protective measures.
i	Give appropriate instructions to employees.

In practice, the introduction to L153 (para 5) compresses these nine points into three questions worth asking of any contractor or designer proposal:

1. Can the risk be avoided altogether? – e.g., specifying HVAC components that can be maintained from an existing safe location rather than requiring roof access; designing ductwork routes in a fit-out that avoid working over occupied desks.
2. If it can't be avoided, has it been properly evaluated? – e.g., has the contractor assessed the risk of working at height on plant room platforms, or of disturbing asbestos-containing materials when opening up risers in an older part of the building?
3. Are the controls proportionate and, where a choice exists, collective rather than individual? – e.g., guardrails or a mobile elevating work platform (protecting everyone on the platform) should be preferred over a single worker's harness and lanyard, wherever both would work.

5. Applying the Principles to Your Three Types of Work

Hard services maintenance (e.g. HVAC, electrical, public health/plumbing)

This work is usually single-contractor and often not notifiable, but it is still “construction work” and the contractor still owes you the Regulation 15 duties (p.43), including drawing up its own construction phase plan. Before routine or reactive maintenance starts, you should reasonably expect the contractor to have: identified whether the task requires working at height (plant rooms, roofs, riser access) and selected collective protection (platforms, guardrails) ahead of personal fall-arrest equipment, in line with principle (h); confirmed isolation points and services information rather than working blind, in line with principle (c) – combating risk at source; and checked your asbestos register before drilling, cutting or opening up any fabric, in line with principle (a) – avoiding the risk rather than managing it after exposure.

Soft services (e.g. cleaning, pest control, grounds and waste management)

Most day-to-day soft services sit outside CDM 2015 entirely, as explained in Section 2 – but the General Principles of Prevention are still good practice to apply, and they become a legal requirement, not just good practice, the moment the work crosses into limb (a) of the “construction work” definition. Treat the following as construction work and manage it exactly as you would hard-services maintenance: high-pressure or steam cleaning of façades, cladding, car parks or plant; chemical or corrosive-substance cleaning of kitchen extract systems, risers or ductwork; and any cleaning that requires working at height or in a confined space (e.g. abseiling window cleaners, or entry into a riser or tank to clean it) — in the last case, principle (h), collective protection first, applies just as it does to HVAC roof access. For cleaning that stays outside CDM 2015 – routine vacuuming, dusting, washroom servicing – the same underlying logic (avoid the risk, evaluate what's left, control it at source, prefer collective controls) is still the right way to manage manual handling, slips from wet floors, and COSHH risks from standard cleaning chemicals; it's just governed by the Management Regulations and COSHH rather than by L153. Where a soft-services contractor and a hard-services contractor will be on site together – for example a plant-room deep clean coordinated with an HVAC overhaul – check whether that combination now makes it a multi-contractor project under Regulation 5 (p.15).

Periodic design-and-build tenant fit-outs

Fit-outs typically involve more than one contractor, triggering the full principal designer/principal contractor appointment chain (Regulation 5, p.15). Here, the General Principles of Prevention should be visible at the design stage, not just on site: designers are required to take the principles into account when preparing or modifying

designs (Regulation 9, guidance paras 72–93, p.26) – for example, specifying ceiling void access panels rather than requiring ductwork to be cut into during future maintenance, or sequencing partition and services installation to avoid trades working over one another. L153's own worked example for fitting out (used throughout its companion guidance) highlights the combined risks of falls, trailing-cable trips, portable-equipment electrical risk and asbestos exposure – all of which principle (c), combating risk at source through design and sequencing, is aimed at reducing before work ever starts.

6. Practical Checklist for You as Client

- Before appointing anyone, confirm they have the skills, knowledge, experience and organisational capability for the role (Regulation 8, p.23) – don't rely on price alone.
- Establish at the outset whether the project will involve more than one contractor. If so, appoint a principal designer and principal contractor in writing before work starts (Regulation 5, p.15).
- Provide pre-construction information as early as practicable – services drawings, asbestos register, occupied-area constraints – to every designer and contractor bidding for or appointed to the work (Regulation 4(4)).
- Do not allow work to start on site until a construction phase plan is in place, proportionate to the size and risk of the job (Regulation 12, p.34; Appendix 3, p.77).
- For multi-contractor projects, ensure the principal designer prepares a health and safety file and hand it on to future contractors – keep it updated across successive fit-outs and plant replacements (Regulation 12(5)–(10)).
- When reviewing a proposed method of work, ask whether the risk has been avoided, evaluated, or controlled at source – and whether collective protection has been considered before personal protective equipment (Appendix 1, p.73).
- Remember that notification thresholds (30 days/20 workers, or 500 person-days) affect paperwork to HSE only – every other CDM 2015 duty applies to work of any size (guidance to Regulation 6, para 52, p.20).
- Before instructing a soft-services job, check whether it involves high-pressure water/abrasives or corrosive/toxic substances, or work at height or in a confined space – if so, treat it as CDM construction work, not routine cleaning (Regulation 2(1), p.10–11).
- Where a soft-services and a hard-services contractor will be working at the same time (e.g. a plant deep-clean alongside HVAC works), check whether that combination now triggers the Regulation 5 multi-contractor appointment duty (p.15).

7. Quick Reference – Where to Look in L153

- **Definition of “construction work”:** Regulation 2(1), p.10–11
- **Client duties:** Regulation 4, p.14; guidance paras 23–52
- **Appointing a principal designer/principal contractor:** Regulation 5, p.15
- **Notification to HSE:** Regulation 6, p.20
- **Domestic client provisions (not applicable to you):** Regulation 7, p.21
- **Competence of appointees:** Regulation 8, p.23
- **Designers' duties:** Regulation 9, p.26

- **Principal designer's duties:** Regulation 11, p.30
- **Construction phase plan and health and safety file:** Regulation 12, p.34
- **Principal contractor's duties:** Regulation 13–14, p.36–42
- **Contractors' duties:** Regulation 15, p.43
- **General principles of prevention (full text):** Appendix 1, p.73
- **Pre-construction information:** Appendix 2, p.74
- **Construction phase plan content:** Appendix 3, p.77
- **Health and safety file content:** Appendix 4, p.81
- **How information flows between roles across a project:** Appendix 5, p.84

Source: HSE L153, "Managing health and safety in construction – Construction (Design and Management) Regulations 2015, Guidance on Regulations," published 2015 (ISBN 978 0 7176 6626 3). Page references are to the L153 PDF's own pagination. This note is a practical summary for internal use and is not a substitute for reading the full Regulations and guidance.