

In response to the recent public consultation on HSE's proposals for revised Construction (Design and Management) Regulations (CDM), a significant number of organisations expressed concerns about the potential impact of CDM application to construction work carried out in some entertainment workplaces.

The current and proposed CDM regulations apply to construction work in whichever industry it takes place, although HSE has not actively applied CDM in entertainment workplaces. This approach acknowledges that the industry's organisation and contractual arrangements are different to traditional construction projects, and that burdens could result for those businesses undertaking small-scale, low-risk construction work. Instead, construction risks have been managed through compliance with the Health and Safety at Work etc Act 1974 and other associated regulations.

The proposed simplification of CDM together with the diverse range of construction activity and associated risks undertaken across the entertainment sector prompted HSE to review its approach in the lead up to and during the recent CDM consultation. We remain committed to working with the industry to ensure that the application of health and safety law to construction work continues to be both proportionate and effective.

We are currently consulting with members of the Joint Advisory Committee for Entertainments (JACE) www.hse.gov.uk/entertainment/theatre-tv/jace.htm and others to gather evidence for a business engagement assessment of the costs and benefits associated with any change to this approach. This includes considering the concerns expressed about application of the revised CDM regulations and identifying what steps could be taken to avoid a disproportionate response to CDM compliance.

Any changes to HSE's approach would have to be justified by the outcome of the on-going business engagement assessment, and following due consideration of what constitutes a sensible and proportionate risk-based regulatory approach within your industry.

We will publish the findings of the assessment and any change to our approach on HSE's website.

A handwritten signature in black ink that reads 'Cameron Adam'.

Cameron Adam
HSE Operational Strategy Division
20 August 2014