

IMPORTANT GUIDANCE NOTE

“Please Read Carefully”

Building or renovating your own home? Then you need to know about health and safety law.

Are you planning to build or renovate your own home but do not intend to use a Building Contractor? If so, are you aware that you have legal duties under health and safety law as a **domestic client**? More importantly do you understand what these duties mean and what the legal and moral consequences are if you break the law?

A domestic client has legal duties under Part 4 of the Construction (Design and Management) Regulations (Northern Ireland) 2007, also known as the **CDM Regs.** These duties apply to you if you control the way in which construction work is carried out when building or altering your home. This means that if you direct, engage construction workers or you control or manage construction work you are considered to be a contractor for the purposes of the CDM Regulations.

So what do you need to do to **comply** with the law?



You need to ensure a **safe place** of work;



You need to ensure that the **site is tidy** and **appropriately fenced** off to prevent dangers to others, including children;



You need to consider the **stability of the structure** during construction and particularly at times of high wind;



If excavating you need to ensure that the **excavation** itself is adequately supported or battered back so as to remove the risk of collapse. You also need to make sure that the excavations are properly **guarded** to prevent people, equipment or building materials falling in.

Reports and inspections must also be carried out for excavations and **scaffolding**. But what of **demolition or dismantling**? Please be aware that this is a high risk activity and you are responsible for ensuring that it is properly planned and carefully managed by a competent person. A detailed survey must be carried out on the building before any demolition or major refurbishment work takes place to determine if the building contains any asbestos and if so, to advise on how this should be dealt with.

The detailed survey of the property is known as a Demolition / Refurbishment survey and it must be carried out by a competent person in accordance with the HSE Guidance booklet ‘Asbestos Survey Guide’ (Ref: HSG 264))

What about **Work at Height**? Are you aware that over the last 5 years 15 construction workers have been killed as a result of falling from heights. Everyone thinks it won't happen to them.

As a domestic client you are responsible for ensuring that all work at height is carried out safely and that **appropriate safety precautions** are taken. The legislation sets out a hierarchy of controls for this. **Scaffolding** is required both externally and internally for the bricklayers and plasters etc. The gable ends as well as the front and back of a house require **adequate edge protection** before roofing work can start. If you are placing concrete floor slabs you will be required to provide perimeter edge protection along with a collective passive fall protection system (eg air bags).

Don't forget about using cranes and telehandlers. You must ensure that **lifting operations** are properly planned by a **competent person**. You must also ensure the selection of appropriate equipment for the task in hand; that the lifting equipment and accessories have the appropriate examination reports and that the slinger is properly trained.

And finally don't forget that the law requires you to have **adequate toilets and washing facilities** on site to cater for the workers you have and that these facilities should be available from the start of the project.

Does it now seem like a **tall order**? Planning and building your own house is an exciting time, but before you start make sure you have the **information** you need and ensure that you are **complying with the law**.

AFTER ALL SOMEONE'S LIFE COULD DEPEND ON YOUR ACTIONS

To find out more about your legal duties as a domestic client or to speak to a duty Inspector please contact HSENI's Information and Advice Helpline on 0800 0320 121 or visit the website at www.hseni.gov.uk.

HSENI'S HELPLINE SERVICE – HERE TO HELP, NOT HINDER