



HS34: Health and safety information for domestic clients - what you need to know

1 Health & Safety and your project

We take our health and safety responsibilities very seriously. Part of that is concerned with ensuring that you, the domestic client, understand your health and safety responsibilities. It is a legal duty of everyone involved with the project to pay careful attention to health and safety regulations. The main regulations we would like to inform you about are the Construction (Design & Management) Regulations 2015 (or CDM for short).

The regulations recognise the influence and importance of you, the domestic client, as the head of the project and as such the party best placed to set standards throughout a project.

2 What is CDM 2015?

The Construction (Design & Management) Regulations 2015 (or CDM for short) are the main set of regulations for managing the health, safety and welfare of construction projects. The aim is for health and safety considerations to be treated as a normal part of your project's development, not an afterthought or bolt-on extra.

Everyone involved with a construction project (including domestic clients) has to comply with CDM regulations. The regulations apply to all building and construction projects, regardless of the size, duration and nature of the work.

When you select and appoint your project team they must be able to demonstrate they can deliver the project for you in a way that secures health and safety. This means they should have the necessary blend of skills, knowledge, training and experience.

3 Who is a domestic client?

A domestic client is someone who has construction work carried out on their own home, or the home of a family member and which is not carried out in connection with a business. Local authorities, housing associations, charities, landlords and other businesses may own domestic properties but they are not a domestic client for the purposes of CDM 2015. If the work is being carried out in connection with a business attached to domestic premises, such as a shop, the client is NOT a domestic client.

Under Health and Safety law you, as a domestic client, have certain duties that must be carried out.

You must allow sufficient time and resources for all stages of the project and you must fund any health and safety requirements e.g. scaffolding or safety fencing as required. It is essential that these arrangements are such that the construction work can be carried out, so far as is reasonably practicable, without risks to the health and safety of any person affected by the project.

4 What are my duties as a domestic client?

The duties of the client are to ensure suitable arrangements for managing the health and safety of a project are in place and that it is maintained and reviewed for its duration so that it is carried out in a way that manages the health and safety risks involved. As a domestic client however your responsibilities pass to other duty holders as outlined below by one of the following who has been appointed by you.

- Your Contractor (builder) - where there will be only one contractor used on the project OR

Where there is going to be more than one contractor working on your project, or if it is reasonably foreseeable that more than one contractor will be working on your project at any time, you, the client must appoint in writing-

- a contractor as principal contractor OR;
- a designer with control over the pre-construction phase as principal designer (this is the person who takes the lead on designing your project such as an architect or architectural technician)

The appointments must be made as soon as is practicable, and in any event, before the construction phase begins. If you do not make these appointments in writing, the designer in control of the pre-construction phase of the

project is the principal designer; the contractor in control of the construction phase of the project is the principal contractor.

The main duties that are to be carried out by either one of the three persons that YOU appoint as mentioned above are to:

- ensure that there are suitable arrangements for overseeing the project, to include sufficient time and money for health and safety risks to be managed
- have in place a clearly defined system for managing the project which sets out exactly who does what
- ensure that the work is carried out in such a way that risks to the health and safety of anyone working on the project are either eliminated or reduced to the lowest reasonably practicable level
- provide welfare facilities such as toilets, hot and cold water, drying facilities, and a means of heating food
- provide pre-construction information at an early stage to every contractor or designer being considered for appointment (e.g. the existence of asbestos or contaminated land)
- ensure that construction does not start until a construction plan is drawn up
- ensure that the Principal Designer prepares a health and safety file
- ensure that 'notifiable' projects are reported to the HSE (Health and Safety Executive)*

*A notifiable project is any project which exceeds 30 working days with more than 20 persons working simultaneously at any point in the project OR exceeds 500 person days. These projects must be advised to the HSE.

5 Further Information

If you would like further information, you can visit <https://www.hse.gov.uk/construction/cdm/2015/index.htm>