GUIDANCE FOR HOMEOWNERS UNDERTAKING CONSTRUCTION WORK

This brief guide outlines the responsibilities of a homeowner in relation to a construction project on their property. Construction work is governed by the Safety, Health and Welfare at Work (Construction) Regulations 2006 (the Construction Regulations).

CONSTRUCTION WORK

"**Construction work**" means the carrying out of any building, civil engineering or engineering work. It includes construction, alteration, conversion, fitting out, renovation, repair, upkeep, etc.

Normally construction work is undertaken in a workplace, such as a factory, shop, hospital or on a road.

In this situation the health and safety regulations apply in full. This is to protect the safety of the workforce and members of the public.

Several people tend to be involved in a typical construction project:

- Client;
- Designers;
- Project Supervisor Design Process;
- Contractors;
- Project Supervisor Construction Stage; and
- Quantity Surveyors.

CLIENT

A "**client**" is a person for whom a project is carried out, in the course or furtherance of a trade, business or undertaking, or who undertakes a project directly in the course or furtherance of such trade, business or undertaking.

Clients can vary from business owners e.g. shopkeepers, B&B, farmers to multi-national companies.

When a homeowner is commissioning or undertaking construction work on their domestic dwelling, they are not a client under the construction regulations. For example, **you are not a client**:

- if you are building a new house that you will be living in;
- if you are extending your existing private domestic dwelling;
- if you are maintaining your existing private domestic dwelling.

Therefore, the specific responsibilities of a client as per the construction regulations do not apply to you. However the people you employ (designer and contractors) will have to comply with their duties under the construction regulations.

There are situations where you would be considered to be a client under the construction regulations. For example, **you are a client**:

- if you are building a property to sell;
- if you are extending your property for business purposes;
- if you are undertaking construction work on a property that you rent.

Therefore the first step on any project that you are undertaking on your home is to determine if you are a client or not. To find this out, just ask yourself the questions in the above examples.

IF THE HOMEOWNER IS A CLIENT

If the construction work relates to your business then as a client you have specific responsibilities under the Safety, Health and Welfare at Work (Construction) Regulations 2006. We would recommended that you refer to the Health and Safety Authority's publications:

- *Guidelines on the Procurement, Design and Management Requirements of the Safety, Health and Welfare at Work (Construction) Regulations 2006*; and
- *Clients in Construction - Best Practice Guidance*.

Both of these are available to download free from the Authority's web page (just click the above links or visit www.hsa.ie).

DIRECT LABOUR CONTRACTS

Some homeowners decide to carry out the construction work by direct labour. This is where the homeowner will organise each individual trade rather than employing an overall builder. If you are building or extending your home by direct labour, then you may be making decisions that affect safety on site.

For example, you may decide the type of scaffolding that will be used, or the duration that the scaffolding will be available on site.

These decisions are normally taken by a contractor. You need to be aware of the impact of your decisions and discuss health and safety with each individual trade.

SENSIBLE HEALTH AND SAFETY PRECAUTIONS

Even if you are not a client under the construction regulations, when you undertake construction work you are bringing builders into your home. This can affect your safety and that of your family.

- Employ the right people for the work, designers and builders;
- Check the contractor's liability insurance; if they are not insured, you may have to bear the burden of any claims;
- Discuss safety with your builder before work starts;
- Agree how safety will be managed during the building works;
- If you have children, warn them of the dangers and make sure they stay out of the site;
- Where possible the works should be segregated from your home life;
- The works area should be secured at the end of each day;
- If you think that works are unsafe, discuss your concerns with your builder;
- If you still have queries in relation to construction safety, you can contact the Health and Safety Authority on Locall 1890 289 389.

