



### **RIDBA warns farmers on health and safety**

***Farmers need to be aware of new health and safety laws, says RIDBA.***

Farmers are being warned by RIDBA (the Rural and Industrial Design and Building Association) that a change in construction regulations means they could be criminally liable for health and safety during building work on their land.

For under the new CDM (Construction Design and Management) Regulations, which came into force on April 6, they are now the ones responsible for being satisfied that the building contractors they appoint will allocate adequate resources to health and safety.

They also have the responsibility as the client to ensure that a construction phase plan has been prepared before work starts on site and that the designers and contractors comply with it, and that adequate welfare facilities are available.

In addition, if there is more than one designer they should either nominate one to be the principal designer, contract with a third party to take on the role, or take on the role themselves. Likewise, if there is more than one contractor on site they should nominate one to be the principal contractor, contract with a third party to take on the role, or take on that role themselves.

Should a farmer client not appoint principal designers and contractors then the legal obligations normally transferred to them reverts back to the farmer client but advice on appropriate contractors can be provided by RIDBA.

These responsibilities apply throughout any building project, advises RIDBA which acts as a watchdog for its steel-frame building contractor members.

The organisation, which recently campaigned to help members achieve CE Marking accreditation - another legal requirement - also warns that under the new CDM Regulations, farmer clients must not set unrealistic building programmes that jeopardise safety.

The new CDM regulations place extra responsibilities on all parties involved in a building contract, and under these farmer clients could also be considered designers, which places even more responsibilities on them.

Serious breaches of health and safety legislation on a construction project could result in the work having to be stopped by the Health and Safety Executive (HSE) or the local authority and additional work may be needed to rectify matters. In the most serious circumstances the client farmer may be prosecuted.

RIDBA national secretary Tony Hutchinson said: “Although it is our members who interact directly with their clients we feel RIDBA has an obligation to ensure that farmers are aware of their new responsibilities. We are also advising our members that they should notify their clients and prospective clients of this new development at the earliest opportunity.”

More information on farmers’ CDM responsibilities can be obtained from the HSE <http://www.hse.gov.uk/construction/cdm/2015/commercial-clients.htm> or the RIDBA secretariat on 01449 676049, [admin@ridba.org.uk](mailto:admin@ridba.org.uk) or [www.ridba.org.uk](http://www.ridba.org.uk).