

# The Building Safety Act 2022: a brief guide for domestic projects



The aim of the Building Safety Act is to ensure parts of the building industry collaborate to produce buildings in a way that is not only safe during the building process, but also for the whole lifecycle of the building.

The below points are a handy reference for domestic building work in England and Wales, that fall under building regulations. House builders and those working on higher-risk buildings have additional requirements, to find out more on this read our [FAQ page](#).



This document is **not** to be considered legal guidance or an explanation of your legal obligations under the Building Safety Act 2022. The FMB has an [information hub](#) that explores this subject in more depth. You may need to seek your own legal advice.

## What are the top points I need to know for domestic work on non-high-risk buildings?

# 1

**It is vital that you do not commit to work you are not competent to do. This might be construction or design related.**

- You must only do construction work you are competent in, if you are not, hire a relevant tradesperson to do it.
- Design work will be your responsibility if you draw up plans, make sure you are competent to design the projects you commit to. If not seek out a qualified person.
- Do not commit to design work if you are not qualified to do so. If an architect or architectural technician leaves a project upon completion of design work and you alter their designs, your alterations will become your responsibility.
- If you follow pre-existing designs and do not alter these you will not be responsible for them. If you have to make changes, ensure you have appropriate insurance cover.

# 2

**In the domestic setting you may be the principal contractor if you are the only building company involved, the regulation doesn't require the client to appoint you as one. This means you pick up all the legal duties of a principal contractor.**

- Ensure the project design will allow for a compliant final project.
- Have oversight and responsibility for the building work and make sure it's compliant with requirements.
- Manage and monitor the project to make sure all elements are coordinated.
- Responsibility for providing building information to designers and other contractors.
- Full cooperation with other people involved that have duties covered under these regulations.

**If you are a subcontractor working under the principal contractor, you still have a responsibility to report to the principal contractor any concerns about compliance with regulations.**

# 3

- If part of the work you are committed to is part of the wider project under the principal contractor you also have responsibilities to ensure that work is compliant with regulations.
- While the principal contractor has overall responsibility to ensure compliance with regulations and to monitor this, your work is your responsibility and will be part of a paper trail.

# 4

**Keep hold of all paperwork for 15 years. Should something be found defective, the relevant authorities may want to see a paper trail of who was responsible for what.**

- This is called the 'Golden Thread' where all elements of a building project are traceable.
- 15 years is the period you are liable for defective work on most projects (although it can differ depending on the claim).
- This could include design work – any amendments you make to pre-existing design will be considered your responsibility, making you legally accountable for that work.
- Keep evidence of contractors hired to commit to work you were not competent to do. FMB has a handy [subcontractors' checklist](#) you can use for this purpose.

**You must ensure that the client is aware of their responsibilities before committing to work.**

# 5

- Such as information on building regulations and compliance for the project.
- Assisting the client to provide information about the project to designers and other contractors to help the build be compliant.

# 6

**Ensure that you notify the appropriate source when there are changes to the project that affect your ability to carry it out.**

- If the project changes to a point when you are no longer competent you must notify the person that hired you for the job and whoever is the principal contractor or designer on the job, depending on the applicable type of work that was carried out
  - If you are the principal contractor and/or designer then you must notify the client.
- If you cease to be the principal contractor/designer on a project make sure this is officially written and dated in agreement with the client.

*This list is not exhaustive and provides a high-level overview for domestic building work. For further information read our [FAQ](#).*