

Building Safety Act 2022

Client New Roles and Responsibilities:

The challenge is no bigger than ensuring that the building, the systems you operate under, and your records of these actions are in order. For this to be done it has been documented that it is appropriate to identify your COMPETENCY. In order to achieve this, a change in culture is required and if this is not already implemented it is necessary for your actions and processes to be documented and recorded.

Dutyholder

A dutyholder can be an organisation or an individual. A dutyholder can carry out the role of more than one dutyholder, provided they have the skills, knowledge, experience and, if an organisation, the organisational capability necessary to carry out those roles.

New dutyholder roles have been introduced into building regulations. All those who have a stake in a project (i.e. the client, the designers and the contractors) hold duties to have arrangements and systems in place to plan, manage and monitor both the design work and the building work to ensure compliance with building regulations.

1. The duty to ensure compliance remains with, those who procure the building work, those who have key roles in the design and construction process, and those who are responsible for ensuring that building work is designed and built to be compliant with building regulations. The dutyholders will be required to cooperate with other dutyholders, coordinate their work, and, communicate and provide information to other dutyholders.
2. Dutyholders need to ensure they, and those they appoint, are competent (i.e. have the necessary, skills, knowledge, experience and behaviours) or if they are an organisation, the organisational capability, to carry out the design work and building work they are engaged to do and only undertake work within the limits of that competence.
3. Clients should carefully consider how their proposed building work will comply with both the procedural and functional building

regulations' requirements. They will be required to explain assumptions about the management and maintenance of the building once in use, as well as the behaviours and characteristics of residents or other users. This approach is to support an industry culture change by moving away from building regulations compliance as a 'tick box' exercise, towards a greater understanding, and, confidence in how to demonstrate compliance with regulations.

4. Principal Designers, Principal Contractors and anyone carrying out any design or building work must be competent for their roles, and organisations must have the organisational capability, competence and capacity to fulfil their obligations.

Client

These are organisations or individuals for whom a construction project is carried out that is done as part of a business.

Main duties:

1. Make suitable arrangements for planning, managing and monitoring a project, including the allocation of sufficient time and resource, to deliver compliance with building regulations. In practice, this means appointing the right people, with the right competencies (the skills, knowledge, experience and behaviours or organisational capability) for the work and ensuring those they appoint have systems in place to ensure compliance with building regulations.
2. Where there are several firms working on different aspects of the project, a domestic client should appoint a Principal Designer to be in control of design work and a Principal Contractor to be in control of the building work.
3. Provide building information to every designer and contractor on the project and have arrangements to ensure information is provided to designers and contractors to make them aware that the project includes any existing or proposed higher-risk building work.
4. Cooperate and share information with other relevant dutyholders

Domestic Client

A domestic client means a client for whom a project is being carried out which is not in the course or furtherance of a business of that client.

Main duties:

1. Where there are several firms working on different aspects of the project, the client will need to appoint a Principal Designer to be in control of design work and a Principal Contractor to be in control of the building work.
2. If a domestic client does not appoint either a Principal Designer or Principal Contractor, then the designer in control of the design phase of the project is the principal designer and the contractor in control of the construction phase of the project is the principal contractor.
3. Must provide building information that they have, or it would be reasonable for them to obtain, to designers and contractors working on the project.
4. Must cooperate with anyone working on or in relation to the project to the extent necessary to enable them to comply with their duties or functions.

Client / Owners Mandatory Declaration:

1. **"The Client confirms that the works detailed below are now completed and that to the best of the client's knowledge the work complies with all applicable requirements of the current building regulations."**