

Adrian Thomas Building Control

Dutyholder Guidance

Revision 02

September 2026



Revision History Table

Revision	Date	Description of change	Author	Approved by
01	Feb 2026	New guidance	Ella Thomas	Adrian Thomas
02	Sep 2026	Updated format	Ella Thomas	Adrian Thomas

The Building Safety Act 2022 and The Building Regulations 2010 Part 2A

The UK's Building Safety Act 2022 establishes a strict legal dutyholder framework to ensure accountability and safety compliance across all construction projects requiring building control approval. It amends the Building Regulations 2010 via Part 2A by introducing a strict new dutyholder and competence regime which establishes clear legal accountability during the planning, design, and construction phases.

To view the dutyholders and competence legislation please follow the link below:

<https://www.legislation.gov.uk/ukxi/2010/2214/part/2A>

Dutyholder roles and responsibilities

Dutyholder	Core Role	Key Responsibilities
Client	Commissions or procures the building work. They will often be a developer or the building owner.	• Allocate enough time and resource for the building work to comply with building regulations • Establish, review, and maintain systems and arrangements to meet building regulations • Co-operate with others working on the project so they can comply with their duties • Enable co-operation between designers and contractors • Appoint designers and contractors with the necessary competence or organisational capability to carry out their roles and notify building control of their appointment and any subsequent changes • Sign a compliance declaration at project completion
Principal Contractor	Responsible for planning, managing, and monitoring the building work to ensure compliance.	• Must have the necessary competence requirements to work as a principal contractor • Make sure building work done by all contractors is co-ordinated so that it complies with all relevant requirements • Assess building work to make sure it complies with relevant building regulations • Never accept non-compliant building work

		• Work with the principal designer and share information about planning, managing, monitoring and co-ordinating the design and building work • Assist the client in providing information to others, if requested • You must consider any comments the principal designer makes in relation to compliance with building regulations • Sign a compliance declaration at project completion
Principal Designer	Responsible for planning, managing, and monitoring the design phase, ensuring coordination and compliance. It is important you are part of the design team and not a third party without any influence over design decisions.	• Must have the necessary competence requirements to work as a principal designer. • Take reasonable steps to make sure all designers comply with their duties under building regulations • Assess design work to make sure all designers produce designs that comply with relevant building regulations • Work with the principal contractor and share information about planning, managing, monitoring and co-ordinating the design and building work • Assist the client in providing information to others, if requested • You must consider any comments the principal contractor makes in relation to compliance with building regulations • Sign a compliance declaration at project completion

To read more about the duties and competence requirements for building regulations that clients, designers and contractors must meet, please follow the link below:

<https://www.gov.uk/guidance/design-and-building-work-meeting-building-requirements#clients-duties>

Building control plan assessments and site inspections

On issue of plan assessments and site inspection reports, it is strongly advised for dutyholders to provide prompt responses and actions to observations and contraventions highlighted. This will promote compliance with the Building Regulations as the project progresses, support an efficient issue of the Building Control Final Certificate on completion and promote the golden thread of information.

Construction (Design & Management) Regulations vs Building Safety Act

There are two different legislations which describe the requirement for a Principal Designer - CDM and the BSA. Whilst both roles acquire the same name, and require the client to appoint a competent person, there are key differences in their responsibilities, shown below.

	CDM Principal Designer	BSA Principal Designer
Focus	Primarily concerned with preventing accidents and managing health and safety risks for workers and users during the construction and maintenance phases.	Concerned with the technical compliance of the design itself, ensuring it meets all statutory building regulations (e.g., fire safety, structural integrity).
Regulatory Framework	Operates under the Construction (Design and Management) Regulations 2015.	Operates under the Building Safety Act 2022 and amendments
Enforcement	Enforced by the Health and Safety Executive (HSE).	Enforced by the Building Safety Regulator (BSR), with higher liability for compliance, coordination, and competency.

Although the same organisation or individual *can* fulfil both roles, the enhanced requirements of the BSA means not all CDM Principal Designers will meet the competence requirements for the BSA role. Therefore, these roles are almost never fulfilled by the same organisation or individual.