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Building Regulations: what non-domestic clients need to know

This leaflet is for anyone commissioning building work as part of a business, public body, charity or other organisation (known in the Building Regulations as a non-domestic client).



What has changed?

The Building Safety Act 2022 introduced the biggest changes to the building safety regime in a generation. While much of the attention has focused on higher-risk buildings, the changes go much further.

For building work covered by the Building Regulations:

- Clients now have clearer legal duties under the Building Regulations
- Designers and contractors must be competent for the work they undertake
- Principal Designers and Principal Contractors now have formal statutory responsibilities under the Building Regulations
- Higher-risk buildings are subject to an enhanced regulatory regime

These changes are intended to improve accountability, strengthen competence and help ensure that buildings comply with the Building Regulations.

Why does this matter to you?

If you commission building work as part of a business, you are a legal dutyholder under the Building Regulations.

Your role is no longer simply to commission the work. You help ensure that it is properly planned, managed and delivered in compliance with the Building Regulations. The decisions you make before and during the project influence safety, quality and compliance.

You are not expected to be a technical expert. However, you are expected to make informed decisions, appoint competent people and remain engaged throughout the project.

You must

- understand that your client duties remain yours even if you appoint others to carry out work on your behalf.

You should

- take an active interest in how compliance will be achieved and managed.



Does your project fall under the Building Regulations?

Most building work does.

That includes many new buildings, extensions, alterations, refurbishments, fit-outs, material changes of use and work to building services. Don't assume that because work is "only a refurbishment" or "just a fit-out", the Building Regulations do not apply.

That said, some smaller or lower-risk work is exempt.

Note also that some projects involving higher-risk buildings are subject to additional procedures and duties.

You must

- establish which regulatory route applies to your project.

You should

- Seek advice from your designer, Principal Designer or Principal Contractor if you are unsure whether the Building Regulations apply or what your duties are. Your building control body can advise on the approval process and procedural requirements.

Before work starts: what do you need to do?

Appoint the right people

Choose organisations with the organisational capability and individuals with the competence to do the work they will undertake.

Competence means having the appropriate skills, knowledge, experience and behaviours.

If your project will involve more than one contractor, appoint a Principal Designer and Principal Contractor as required by the Building Regulations.

The Principal Designer coordinates compliance during the design stage, while the Principal Contractor coordinates compliance during construction.

Put suitable arrangements in place

Allow sufficient time and resources for the project. Ensure responsibilities are clear and that appropriate arrangements are in place to plan, manage and monitor compliance throughout the project. These arrangements should remain under review throughout the project.

Give people the information they need

Provide designers and contractors with relevant building information, including existing drawings, surveys, known risks, previous work and anything else that could affect compliance.

You must

- appoint competent people.
- make suitable arrangements for managing compliance.
- provide all relevant building information.

You should

- keep a record of how you satisfied yourself that appointments and arrangements were appropriate.

Once work has started, what is your role?

Appointing competent people is just the start of your responsibilities. Continue to take an active interest in the project.

Stay engaged

Receive regular updates, make timely decisions and cooperate with those working on the project.

Ask questions

Ask how compliance is being demonstrated. Have designs changed? Have new risks emerged? Are suitable arrangements still working?

Respond if concerns arise

Do not ignore warning signs. Ensure concerns are addressed promptly and seek further advice where necessary.

You must

- continue to cooperate and provide information.
- maintain suitable arrangements throughout the project.

You should

- review progress regularly with your Principal Designer and Principal Contractor (where appointed).

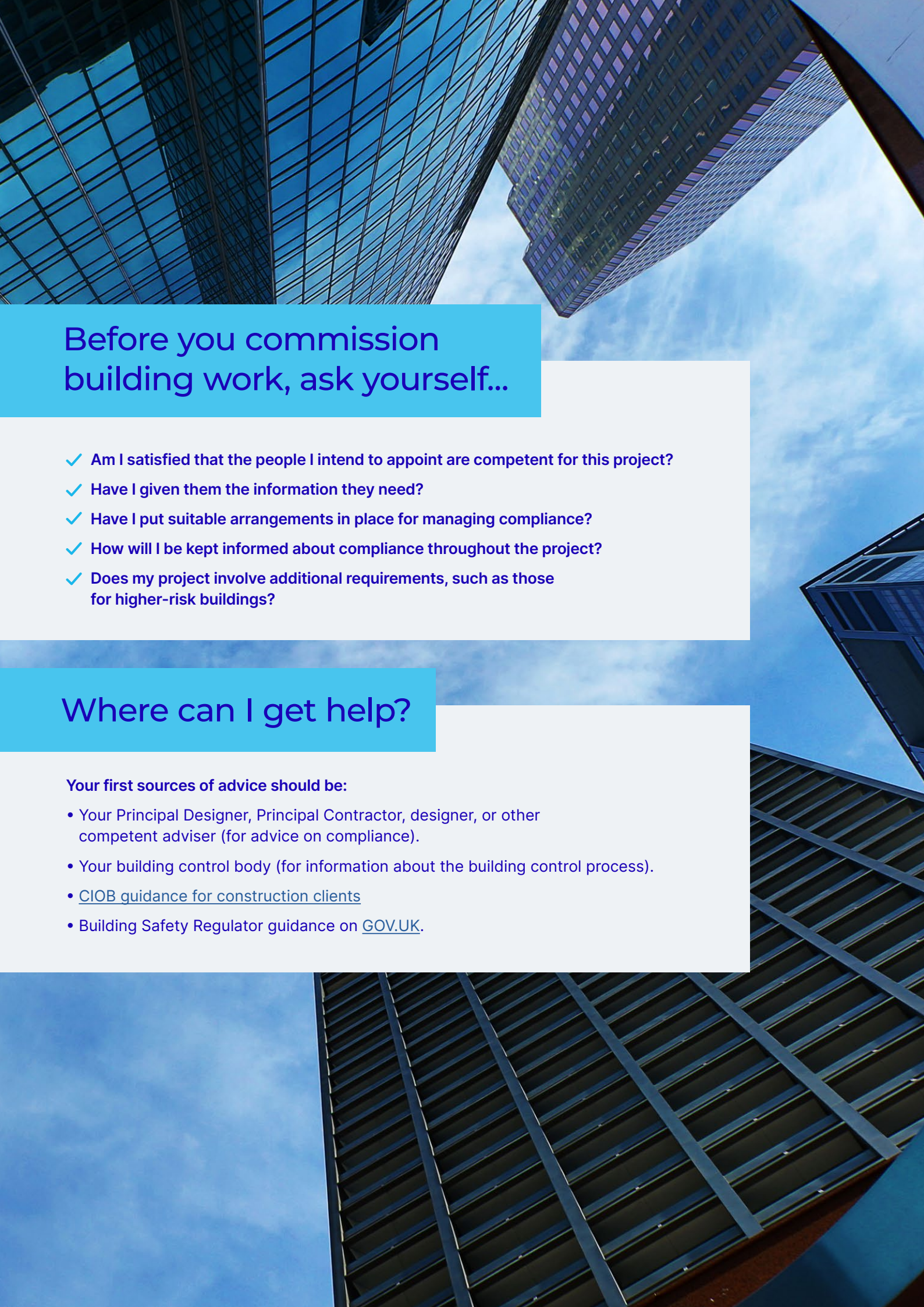
What if your project involves a higher-risk building?

Most projects will not involve a higher-risk building. If yours does, additional duties and procedures apply.

Some work involving higher-risk buildings is subject to a more stringent regulatory regime overseen by the Building Safety Regulator. This includes additional approval gateways, enhanced information management (the “golden thread”) and further requirements for dutyholders.

If you think your project may involve a higher-risk building, seek specialist advice as early as possible.





Before you commission building work, ask yourself...

- ✓ Am I satisfied that the people I intend to appoint are competent for this project?
- ✓ Have I given them the information they need?
- ✓ Have I put suitable arrangements in place for managing compliance?
- ✓ How will I be kept informed about compliance throughout the project?
- ✓ Does my project involve additional requirements, such as those for higher-risk buildings?

Where can I get help?

Your first sources of advice should be:

- Your Principal Designer, Principal Contractor, designer, or other competent adviser (for advice on compliance).
- Your building control body (for information about the building control process).
- [CIOB guidance for construction clients](#)
- Building Safety Regulator guidance on [GOV.UK](#).

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