**CLIENT CARE LETTER**

**(clients’ duties)**

This client care letter can be used to advise your client of their statutory duties under the CDM Regulations and Building Regulations.

Note, words in orange provide alternative options, and should be incorporated, amended or deleted as required. The orange prompts are not exhaustive, and the template may require further editing, to be specific to your Project.

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|  |  | Dear [Client details]  **Re: Client duties for construction projects**  Job number  Job name |
| INTRODUCTION |  | Thank you for the opportunity to provide professional services in connection with [project details] (“the Project”).  Prior to undertaking any services in connection with the Project we would like to take this opportunity to [ensure you are aware][remind you] of the statutory duties you have as our client under the Construction (Design and Management) Regulations 2015 (‘CDM Regulations’) and The Building Regulations 2010 (‘Building Regulations’) as amended by The Building Regulations etc. (Amendment) (England) Regulations 2023.  The Building Regulations prohibit us from starting design work unless we are satisfied that you are aware of your duties under the regulations. To this end, we recommend that you seek legal advice regarding your duties, which in summary include the following |
| SUITABLE ARRANGEMENTS |  | The CDM Regulations and Part 2A (Dutyholders and competence) of the Building Regulations state that as a client you must make suitable arrangements for planning, managing and monitoring the Project, including allocating sufficient time and other resources so as to ensure:   * design work is carried out so that the building work to which the design relates, if built, would be in compliance with all relevant requirements * building work is carried out in accordance with all relevant requirements * designers and contractors working on the Project cooperate with each other to ensure compliance with all relevant requirements * design and building work is periodically reviewed to identify whether it is higher-risk building work * building work can be carried out, so far as reasonably practicable, without risks to the health and safety of any person affected by the Project * facilities required by Schedule 2 of the CDM Regulations are provided in respect of any person carrying out construction work.   Relevant requirements mean the requirements of the Building Regulations to the extent these are relevant to the building work or design work of the Project.  You must ensure that the arrangements for planning, managing and monitoring the Project are maintained and reviewed throughout the Project.  You also have duties under the CDM Regulations and Building Regulations to:   * provide building information and pre-construction information as soon as is practicable to every designer and contractor appointed, or being considered for appointment, on the Project, including making suitable arrangements to ensure information is provided to designers and contractors working on a project which includes any higher-risk building work, or where work becomes higher-risk building work, to make them aware that the project include higher-risk building work and the nature of the higher-risk building work * cooperate with any other person working on or in relation to the Project to the extent necessary to enable any person with a duty or function under the regulations to fulfil that duty or function. |
| PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR |  | We envisage that more than one contractor will be working on this project, therefore under the CDM Regulation and Building Regulations you must appoint in writing:   * a designer with control over the design work as the principal designer * a contractor with control over the building work as the principal contractor.   You may make separate appointments to these roles under the CDM Regulations and Building Regulations respectively. Or you may certify that your CDM Regulations principal designer and principal contractor are also to be treated as your Building Regulations principal designer and principal contractor, provided they are competent to fulfil both functions.  We recommend that you appoint a CDM Regulations and Building Regulations principal designer at the earliest opportunity but you must do so before [the construction phase begins][the building regulations approval application is submitted to the Regulator for Higher-Risk Buildings]. If you fail to appoint a competent principal designer, you must fulfil the duties of the principal designer until you appoint another person to the role. Please do not hesitate to let me know if you would like to discuss our capability to fulfil the functions of the principal designer for this project. |
| Acceptance |  | To enable us to commence our architectural design services, we would be grateful if you would confirm in writing that you are aware of your duties. If you would like to discuss how the above may impact on the Project or our services more generally please do not hesitate to contact me.  In the meantime, you can find more guidance regarding your client duties here:  [insert applicable references to online resources]  Yours sincerely  Name  Practice Name |