**CLIENT CARE LETTER**

**(domestic clients’ duties)**

When you are appointed as a designer by a domestic client you have a duty to advise your client of their duties under the CDM Regulations and Building Regulations, before you undertake any design work.

If you are the only designer working on a domestic project with only one contractor and assume the role of principal designer, or you are working on a domestic project with more than one contractor and have agreed with the other designers that you will fulfil the role of the principal designer, you need to agree with your client whether you will also fulfil the client duties under the regulations or whether that will be left to the contractor (if there is only one) or the principal contractor (if there is more than one contractor).

This client care letter can be used to advise your client of the statutory duties under the regulations and to advise whether you are willing and able to fulfil the client’s duties as part of your principal designer appointment.

Note, words in orange are optional or provide alternative options, and can either be incorporated, amended or deleted as required.

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|  |  | Dear [Client details]**Re: Domestic client duties for construction projects**Job numberJob name |
| INTRODUCTION |  | Thank you for the opportunity to provide professional services in connection with [insert project details] (“the Project”).Prior to undertaking any services in connection with the Project we would like to take this opportunity to advise you of duties that 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.These regulations create statutory duties for clients, designers and contractors in connection with the design and construction of buildings to ensure that buildings are safe to build, occupy, maintain and demolish and to ensure that they comply with the relevant requirements of the Building Regulations (‘relevant requirements’).Our designer duties under the regulations prohibit us from starting design work unless we are satisfied that you are aware of your duties under the regulations. As a domestic client your duties under the regulations are 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
* 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.

There are further client duties under the regulations that will be undertaken by others on your behalf because you are a domestic client. These duties include making suitable arrangements for planning, managing and monitoring the Project, including allocating sufficient time and other resources, that must be maintained and reviewed throughout the Project, 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.

If there will only be one contractor on the Project these client duties must be undertaken by that contractor. If there is more than one contractor, these client duties must be undertaken by the principal contractor. Alternatively, if you would like us undertake these duties on your behalf, as your principal designer, we would be happy to discuss this with you. |
| PRINCIPAL DESIGNER AND PRINCIPAL cONTRACTOR |  | Option 1: [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.]Option 2: [We envisage that only one contractor will be working on this project, therefore under the CDM Regulations and Building Regulations the contractor will be the principal contractor with control over the building work.]Either[As the only designer on the Project we confirm we are your principal designer with control over the design work.]Or: [As the lead designer on the Project we confirm we have agreed with the other designers that we shall be your principal designer with control over the design work.]  |
| Acceptance |  | We welcome the opportunity to discuss the above further if you have any queries. Otherwise, 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 sincerelyNamePractice Name |