

# Clarification on Professional Construction Consultants demonstrating competence

1 year ago



[CIC](#) is issuing clarification on Designers and Principal Designers presenting evidence of competence to assist with the demonstration of designer and principal designer competence and to allow for construction site access.

Part 2A of the Building Regulations (Amendment) (England) Regulations 2023 introduces requirements for any person who is proposing to appoint another person to carry out building or design work to take all reasonable steps to satisfy themselves that the person being appointed fulfils the general competence requirements of Regulations 11F (1) and (2) and duty to plan manage and monitor work in Regulation 11J.

These regulations apply to anyone engaged on any controlled building work as defined in Regulation 3 of the Building Regulations 2010; they must be competent to undertake any work for which they are appointed. The regulations do not require the possession of a Construction Skills Certification Scheme (CSCS) Card for this purpose. Evidence that anyone appointed to carry out building or design work is competent would be expected to include evidence of relevant qualifications, professional registration with an appropriate body such as the Architects Registration Board (ARB), Engineering Council, or relevant professional body, evidence of completion of a suitable health and safety test such as the [CIC](#) or RIBA health and safety test or evidence of experience relevant to the current appointment. Competence is project specific.

There has been some confusion regarding designers and principal designers presenting evidence of competence. There is no regulation that requires them to obtain a Certification Scheme for Construction Skills, or 'CSCS' card to demonstrate this. CSCS cards are awarded based on competence in construction-related tasks and do not provide evidence of competence to act as a designer or Principal Designer.

It is also explicitly stated by the Construction Leadership Council (CLC) that designers and Principal Designers do not need a CSCS card to access a construction site. Confusion arises, in part, due to some main contractors deviating from the CLC recommendations and insisting that anyone entering their sites must hold a CSCS card.

Paul Bussey, Chair of CIC's Health and Safety Committee welcomed this elucidation saying, *"This clarification by CIC is a long awaited correction to the "designer & principal competence requirements" that has prevailed under the CDM Regulations since 2007 and even earlier. For site access, membership of recognised professional designer organisations including adequate evidence of health and safety knowledge is all that should ever be required."*