

# Building Safety

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Supporting guidance for the Architects Code of Conduct and Practice

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## 1. Introduction

The Architects Registration Board has developed this guidance to support architects in meeting their obligations under the Architects Code of Conduct and Practice (the Code), particularly Standard 2 (Public interest).

Standard 2 requires architects to act in the public interest, including by protecting the health, safety and wellbeing of those who use, construct, maintain and are otherwise affected by buildings.

Architects influence and make decisions that have a direct impact on building safety. The nature and extent of an architect's professional responsibilities will depend on their role, competence, appointment and level of control or influence. However, architects should not use contractual arrangements or informal delegation as a reason to ignore safety risks connected to their work.

This guidance outlines practical ways in which architects can meet their obligations in relation to building safety. It focuses on professional judgement, ethical behaviour and compliance with legal duties, rather than technical instruction.

While compliance with this guidance is not mandatory, it may be taken into account when considering whether an architect has met the standards expected under the Code. Any architect who departs from it should be prepared to explain their reasons, having exercised appropriate professional judgement.

In this guidance, "must" is used where there is a legal or regulatory requirement.

"Should" describes conduct that ARB would normally expect of architects in meeting

their obligations under the Code. "May" is used where the appropriate course of action will depend on the circumstances or where a particular outcome is not inevitable.

This guidance should be read alongside ARB's competence guidelines relating to fire and life safety design. While the competence guidelines describe the knowledge, skills and experience architects should maintain, this guidance focuses on how architects are expected to exercise professional judgement and ethical responsibility in relation to building safety.

## **2. Why building safety matters**

Building safety is fundamental to the public's trust in architects. Safety in this context includes fire safety, structural stability, and the long-term health and wellbeing of those who live in, use, maintain or construct buildings. Failures in safety can lead to serious injury or loss of life and cause lasting harm to individuals, communities and the reputation of the profession.

As an architect you should place the safety of building users above commercial pressure, client preference or contractual constraints.

Compliance with legal and regulatory requirements is an essential part of professional practice. However, architects should continue to exercise independent professional judgement where significant foreseeable safety risks remain.

## **3. Design responsibility and professional judgement**

You should design with safety in mind from the outset of a project, rather than treating it as a late-stage compliance exercise. You should do this regardless of your seniority, but it is particularly important that you do this if you have responsibility for others and their work.

You should understand the safety implications of your design decisions and how they may affect those who construct, occupy, maintain or alter the building.

Work within the limits of your competence. Where safety-critical issues fall outside your expertise, you should seek appropriate specialist advice and coordinate effectively with others. Receiving specialist advice does not remove your responsibility to understand its relevance to your design decisions and to act on it appropriately.

You should share safety-critical information clearly, accurately and promptly with clients, consultants, contractors and others who may require it.

You should also consider how safety information is handed over at the end of a project and whether building users, facilities managers or future designers have sufficient understanding of key risks, design intent and maintenance needs.

#### **4. Legal duties and regulatory context**

You should understand the legal framework relevant to your work, including building regulations, fire safety legislation and health and safety law.

Legal duties may apply to architects in different capacities, including as designers, Principal Designers under the Construction (Design and Management) Regulations 2015, or Principal Designers for building regulations purposes. These are separate roles with different legal bases, purposes and responsibilities. This guidance is not a substitute for the legislation or for legal advice.

Where you undertake design work, you must understand the legal duties that apply to that work and take reasonable steps to comply with them. You should also understand how your work interacts with the work of others, and share relevant information clearly and promptly where this is needed to support safe and compliant design, construction, occupation or maintenance.

Where you accept appointment as Principal Designer under the Construction (Design and Management) Regulations 2015, you must understand and comply with the duties attached to that role. These include duties relating to the planning, management, monitoring and coordination of health and safety during the pre-construction phase.

A separate Principal Designer role exists for building regulations purposes under the Building Safety Act 2022 and associated regulations. Where appointed to that role, you must understand and comply with its distinct duties, including planning, managing and monitoring design work during the design phase and taking reasonable steps to ensure that designers comply with their own duties.

You must not accept a designer or Principal Designer role unless you have the competence, time, information, authority and resources needed to discharge that role properly. Accepting an appointment in name only, without genuine ability to influence relevant design or coordination decisions, is unlikely to be consistent with your obligations under the Code.

Circumstances may change during a project. If you no longer have the competence, authority, information, time or resources necessary to discharge your role effectively, you should raise those concerns promptly and take reasonable steps to resolve them.

Where this is not possible, you should consider whether it remains appropriate to continue in the role.

Legal duties differ across the UK. Architects should ensure they understand the legal and regulatory requirements that apply in the jurisdiction in which they are working.

## **5. Fire safety**

Fire safety is a critical element of building safety and a fundamental consideration in architectural design.

You should ensure that fire safety is considered early and throughout the design process in relation to your own work and the decisions within your responsibility. Where fire safety issues fall outside your competence, you should seek appropriate specialist advice and take reasonable steps to ensure that advice is properly considered and reflected in your design decisions.

Proceeding with design work while uncertain about fire safety implications may place building users at risk and may be inconsistent with your professional obligations. You should communicate relevant concerns, assumptions and specialist advice clearly to clients, consultants, contractors and others who may need that information.

## **6. Challenging unsafe practice**

There may be circumstances where you encounter decisions or instructions that would compromise building safety or the safety of those involved in construction.

In such situations you should raise concerns clearly and promptly, escalate issues where necessary, and refuse to support unsafe outcomes. This may include escalating concerns within an organisation, formally advising the client of risks, or—where necessary—raising concerns with appropriate authorities.

Where client priorities conflict with safety considerations, you should explain the risks clearly and advocate for safer alternatives. Document your advice and decision-making to ensure there is a clear record of professional judgement.

Where you become aware of a serious and credible risk to health or safety, you should take reasonable steps to ensure that the concern is addressed. The appropriate response will depend on the circumstances, but may include raising the concern within the project team or your organisation, advising the client in writing, seeking legal or professional advice, escalating the issue through appropriate channels, or

considering whether it remains appropriate to continue in your role. Simply ignoring the issue is unlikely to be consistent with your obligations under the Code.

Fostering a culture where safety concerns can be raised without fear of reprisal is part of your responsibility. You should encourage openness within your team or practice about safety-critical decisions.

## **7. Keeping records**

You should keep records proportionate to your role, the nature of the project and the level of risk. These records should be sufficient to show how relevant building safety issues were identified, considered, communicated and addressed.

Records may include, where appropriate, design decisions, assumptions, risk considerations, advice given to clients or others, specialist advice sought or received, reasons for accepting or rejecting advice, decisions about design changes, and information shared at handover.

Where you are asked to support a decision that may affect building safety, you should make clear the basis of your advice and any limitations on it. If you do not have the competence, information or authority needed to advise on a matter, you should say so clearly and record any recommendation to seek specialist advice.

## **8. Maintaining competence**

Building safety expectations, regulation and best practice continue to evolve. You should keep your knowledge and skills up to date through appropriate continuing professional development, including in relation to fire and life safety. This includes maintaining the level of competence appropriate to your role, as set out in ARB's competence guidance.

You should reflect honestly and regularly on whether you are competent for the work you undertake, particularly where safety-critical responsibilities are involved. Where you are not competent to undertake work, you should decline it, obtain appropriate supervision or specialist advice, or take other reasonable steps to ensure the work is carried out competently.