



[About](#)

[Programme](#)

[Venue](#)

[Contact us](#)

[Delegate Login](#)

A banner image featuring two tall buildings. The building on the left is rendered in a gold halftone pattern, and the building on the right is in a dark blue halftone pattern. The background is a dark teal color with a white diagonal line separating the two buildings.

The inaugural
Building Safety Regulator Conference

Wednesday 22 March, 2023

Building Safety Regulator (BSR) Conference 2023

Wednesday 22nd March 2023 sees the first Building Safety Conference hosted by the new Building Safety Regulator (BSR) at Central Hall Westminster in the heart of London's Whitehall.

The Building Safety Act 2022 set out in April last year an ambitious programme of major reforms to building safety and standards that will drive lasting cultural change in the design, construction, and management of buildings.

This is a must attend conference for everyone in the industry dedicated to keeping people and buildings safe. It is the opportunity to hear directly from the new Regulator about the important changes that will come into effect from April 2023.

The conference event is **free** to attend, and is aimed at all practitioners who are looking to develop their knowledge of the management and regulation of standards and safety of buildings, how the reforms will impact on them and their organisations, and how to get ready.

The conference offers engaging, interactive and thought provoking sessions led by inspirational speakers and experts in their field, including a key note address by Peter Baker, Chief Inspector of Buildings and is focused around three key audiences:

- Accountable and Principal accountable persons
- Building Control professionals
- Construction and Design professions

Our speakers and presenters will help you explore and understand the core elements of the Building Safety Act 2022, including the role of the Accountable Person and Principle Accountable Person. You'll also find the Conference is an excellent occasion to network with your peers, share your own experiences of managing building safety, and expand your professional networks.

Join us to get a view from the regulator, explore how the world of building safety is changing, question HSE on how the BSR is developing and pick up useful tools and techniques for effective and proportionate risk management.

Index of Presentations in order of the day

0. -BSR Conference 22nd March 2023- All Presentations

1. -A-beginner-s-guide-to-the-building-safety-regulator- (Slide Nos. 4)

2.-Planning-gateway-one-pgo-how-its-working-the-opportunities-and-challenges-for-industry- (24)

3. -Dame-judith-hackitt-industry-safety-steering-group-report-on-culture-change- (37)

4. -Understanding-the-gateways-process- (47)

5. -Discover-how-the-building-control-profession-will-be-regulated- (57)

6. -Existing-buildings-understanding-the-golden-thread-of-information- (71)

7. -Discover-what-to-expect-of-bsr-as-building-control-authority- (82)

8. -Updating-building-control-professionals-on-the-competence-framework- (91)

9. -Understanding-the-new-client-principal-designer-principal-contractor-roles- (107)

10. -Understanding-the-building-assessment-certification-process- (116)

11. -New-builds-understanding-the-golden-thread-of-information- (129)

12. -A-beginner-s-guide-to-a-safety-case-report- (140)

13. -Discover-what-to-expect-of-bsr-as-building-control-authority- (155)

14. -What-is-a-principal-accountable-person-pap-accountable-person-ap- (164)

15.-Construction-design-and-management-cdm-regulations-and-their-relationship-to-the-building-safety-regulator- (184)

The logo for the BSR Conference 2023. It features the letters 'B', 'S', and 'R' in large, bold, white font, each set within a colored rectangular block: 'B' is gold, 'S' is teal, and 'R' is dark blue. To the right of these blocks, the word 'CONFERENCE' is written in a smaller, white, sans-serif font, and '2023' is written in a larger, white, sans-serif font below it.

BSR CONFERENCE 2023

Alex Farnhill – Policy Team Leader
Building Safety Regulator

Beginner's guide to Building Safety Regulator



Grenfell Tower Tragedy

- 14 June 2017 – Fire in 24 storey tower block in Kensington, West London
- 72 lives lost
- Large scale investigation led by Metropolitan Police & other agencies



Building Safety Act 2022

- Royal Assent 28 April 2022
- The Act and subsequent secondary legislation introduce:
 - New, more stringent regulatory regime for England.
 - New Building Safety Regulator (BSR) established in HSE.
 - New national regulator of construction products established in OPSS.
- Secondary Legislation programme ongoing



Building Safety Act 2022

CHAPTER 30

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

BSR Aims

- Robust, proportionate, evidence-led regulatory regime that is fit for purpose and places residents at its heart
- Promote competence across industry and regulators, including building control, to raise standards in design, construction and management of buildings
- Provide independent, risk-based assurance of the design, construction and occupation of higher risk buildings
- Re-establish confidence in the system so that residents are safe – and feel safe – in their homes



BSR Functions

- Oversight of the standard and safety of buildings
- Regulation of Building Control Profession
- Industry Competence
- Planning Gateway One – Live
- Design & Construction
 - Gateways Two & Three – MoR / GT
- In Occupation
 - Registration / KBI / AP-PAPs / Safety Cases/BAC



Oversight of the built environment

- BSR will oversee the safety and standard of all buildings
- The Building Advisory Committee (BAC) will provide advice and information to BSR
- BSR will take on responsibility for proposing amendments to building regulations and the Approved Documents
- BRAC to be abolished & technical working groups transfer go BAC in April 2023



Regulation of the Building Control Profession

- The BSR will regulate the building control profession through a combination of
 - New registration requirements & conditions
 - Improving competence of the professionals working in building control functions via BICoF
 - Codes of conduct (CoC) & Professional Conduct Rules (PCRs)
 - Application of Operational Standards Rules (OSRs).



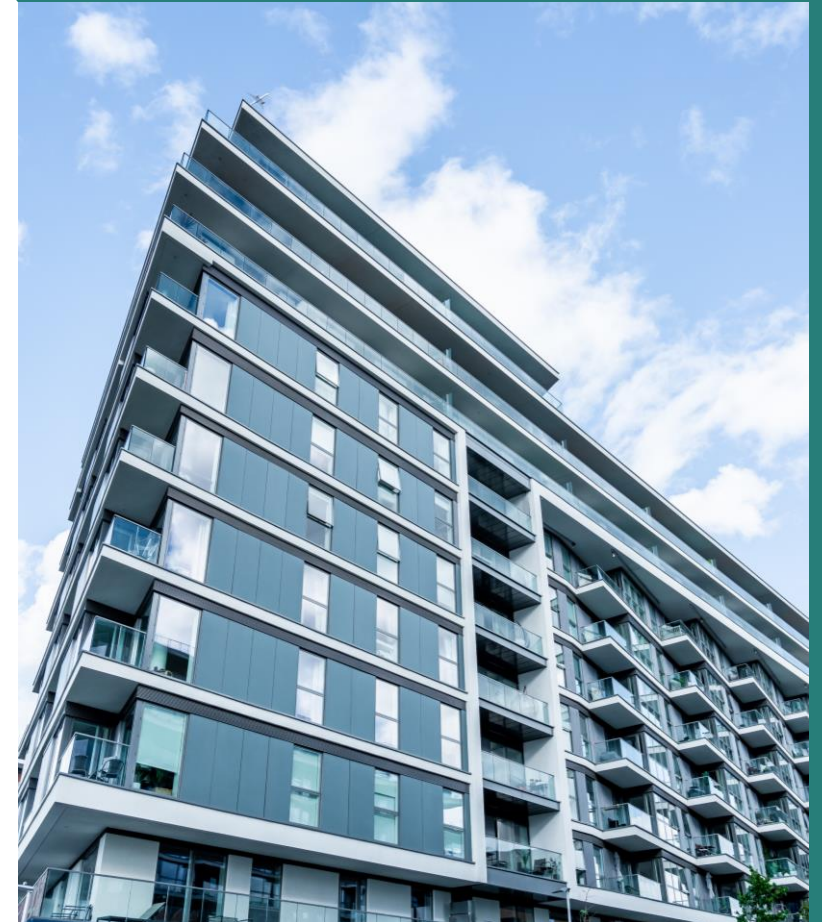
Operational Standards Rules (OSRs)

- Performance standards for building control bodies and the exercise of their building control functions.
- Ensure both private and public sector building control bodies are operating to the same level
- Standardisation across the regulatory service provided
- Monitoring arrangements are on 6 Key Performance indicators



Industry Competence

- BSR will help & encourage built environment industry and building control professionals to improve their competence for **ALL buildings (not just those in scope of the HRB regime)**.
- Industry must ensure people are competent with the necessary skills, knowledge, experience and behaviours, necessary to deliver the role, or if a company, the required organisational capability.
- Industry will need to show leadership in taking on the activities required to improve competence across the built environment
- Competence requirements will mirror the requirements of CDM and apply to all building work, not just HRBs



Building Control/Occupation of HRBs



Mandatory Occurrence Reporting

Design

Build

Occupation - Accountable Person

Gateway
(Planning
stage 1)

Gateway 2
(Design
Stage)

Construction

Gateway 3
(Completion
Stage)

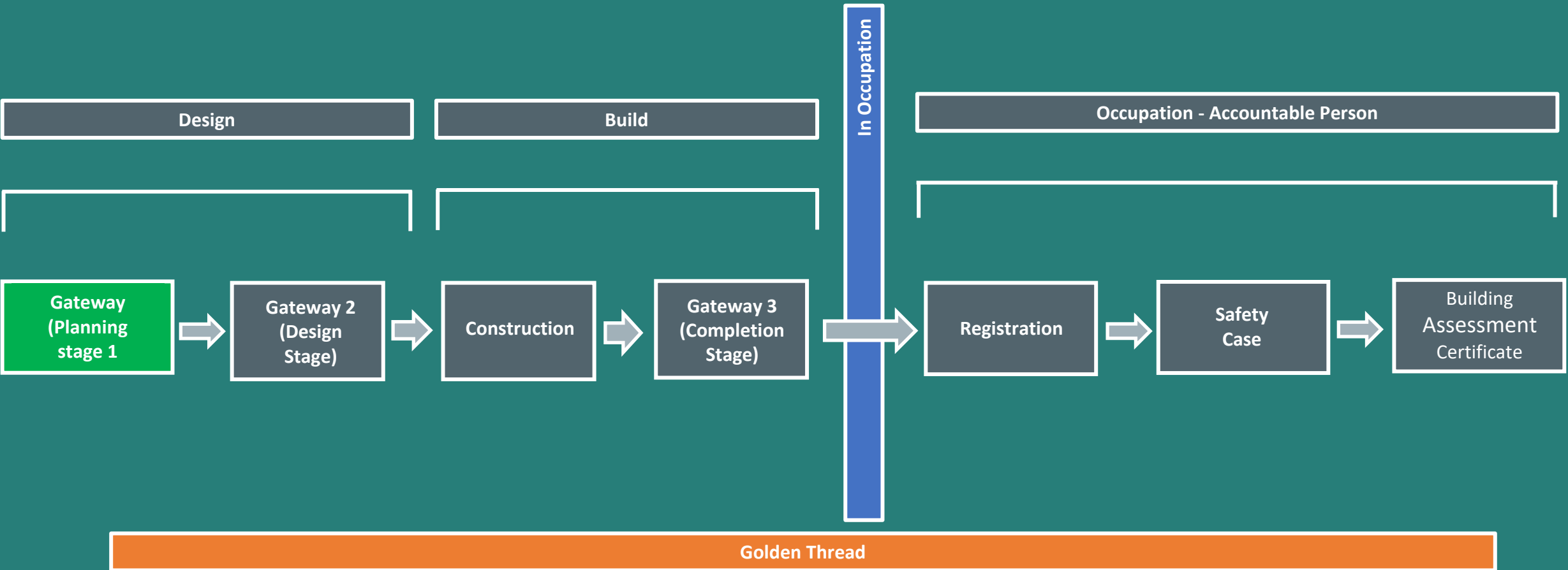
In Occupation

Registration

Safety
Case

Building
Assessment
Certificate

Golden Thread



Planning Gateway One (PGO)

- HSE is a statutory consultee for planning applications
- Developers required to submit fire safety information with its planning application
- HSE raised concerns on over 56% of cases in 2022
- Actively challenging the view that fire safety should only be dealt with at the building regs stage
- HSE substantive responses provide advice for local planning authorities, and applicants



Building Control/Occupation of HRBs



Mandatory Occurrence Reporting

Design

Build

Occupation - Accountable Person

Gateway (Planning stage 1)

Gateway 2 (Design Stage)

Construction

Gateway 3 (Completion Stage)

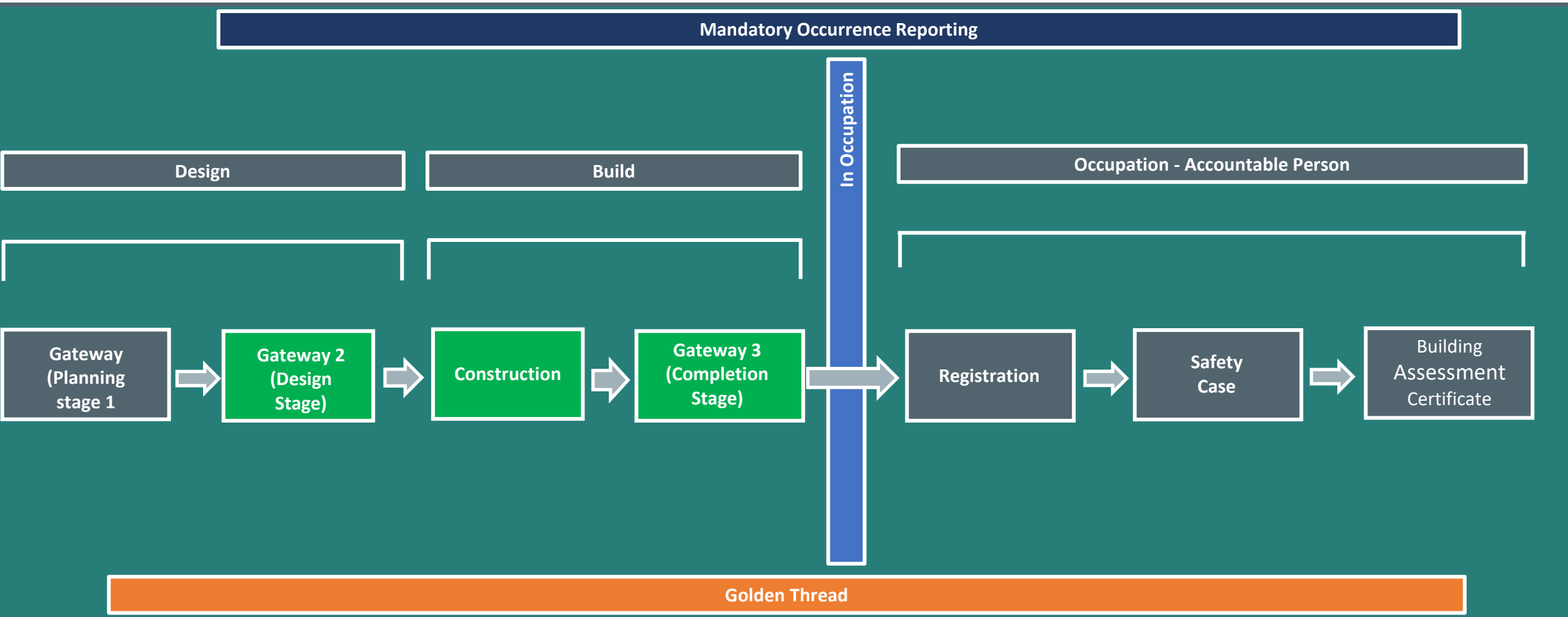
In Occupation

Registration

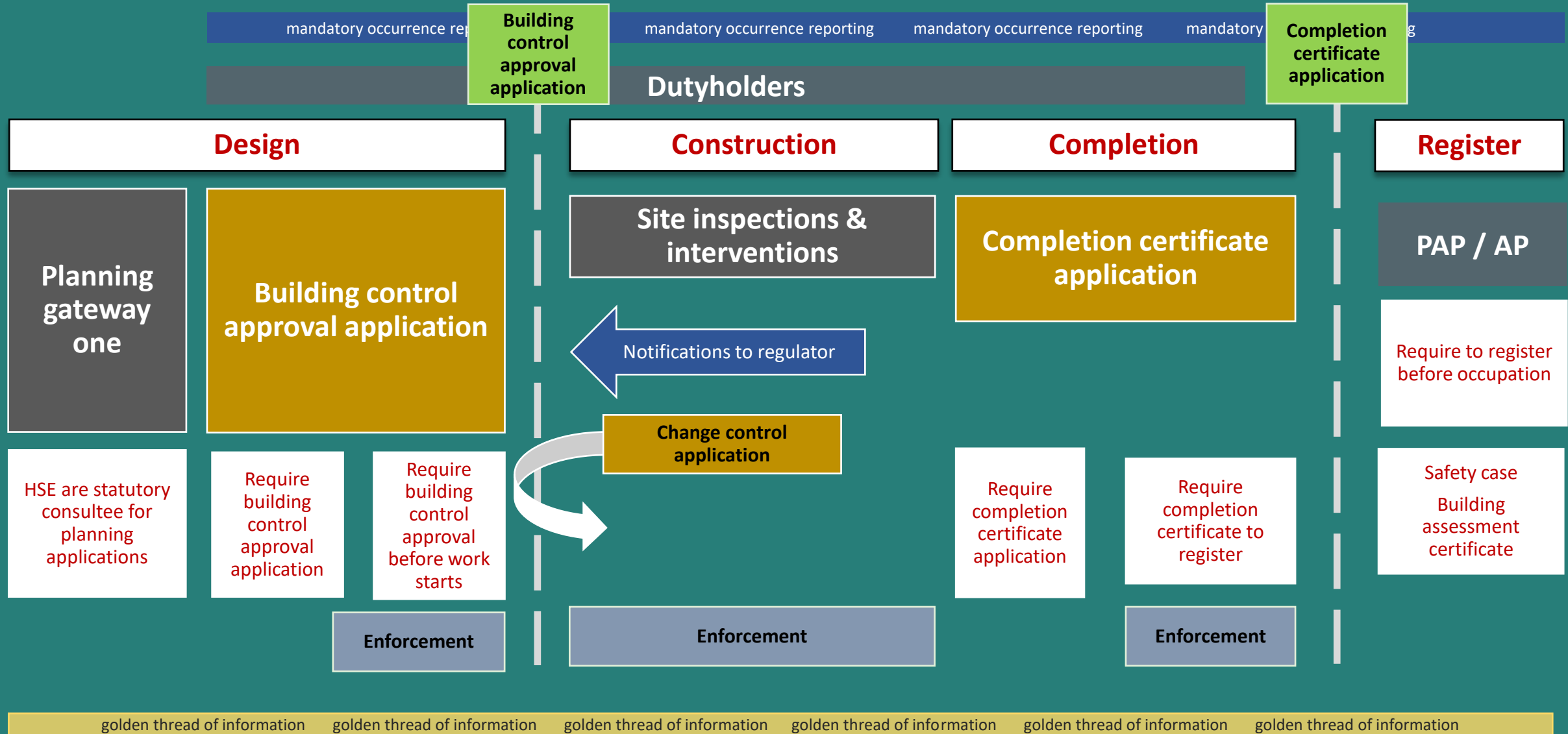
Safety Case

Building Assessment Certificate

Golden Thread



Building control regime



In Occupation - PAP's & AP's



Mandatory Occurrence Reporting

Design

Build

Occupation - Accountable Person

Gateway
(Planning
stage 1)

Gateway 2
(Design
Stage)

Construction

Gateway 3
(Completion
Stage)

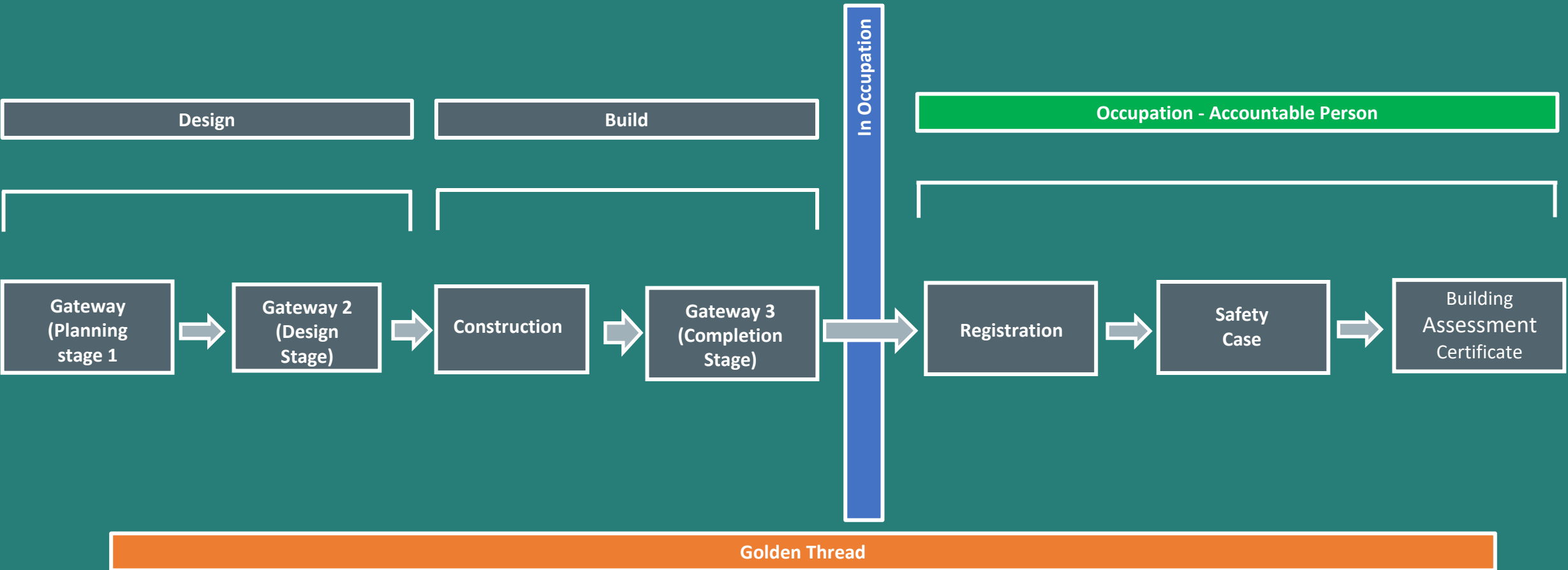
Registration

Safety
Case

Building
Assessment
Certificate

In Occupation

Golden Thread



In Occupation phase - Registration



Mandatory Occurrence Reporting

Design

Build

Occupation - Accountable Person

Gateway
(Planning
stage 1)

Gateway 2
(Design
Stage)

Construction

Gateway 3
(Completion
Stage)

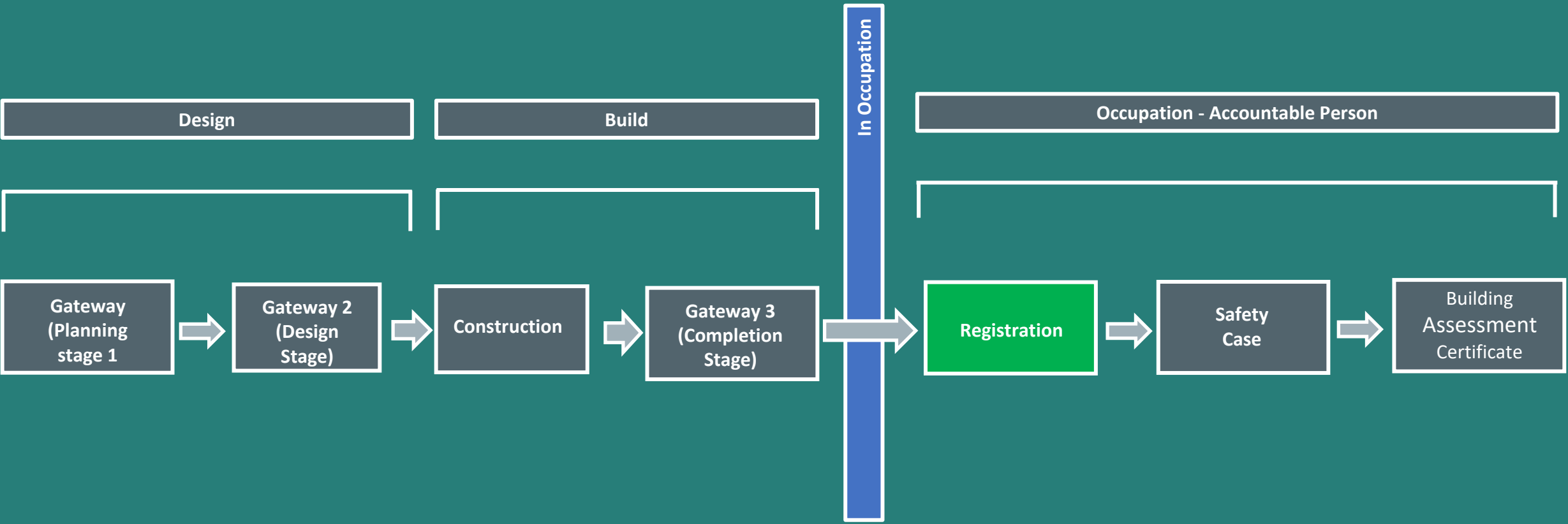
Registration

Safety
Case

Building
Assessment
Certificate

In Occupation

Golden Thread



In Occupation phase – Safety Case

Mandatory Occurrence Reporting

Design

Build

Occupation - Accountable Person



Gateway (Planning stage 1)

Gateway 2 (Design Stage)

Construction

Gateway 3 (Completion Stage)

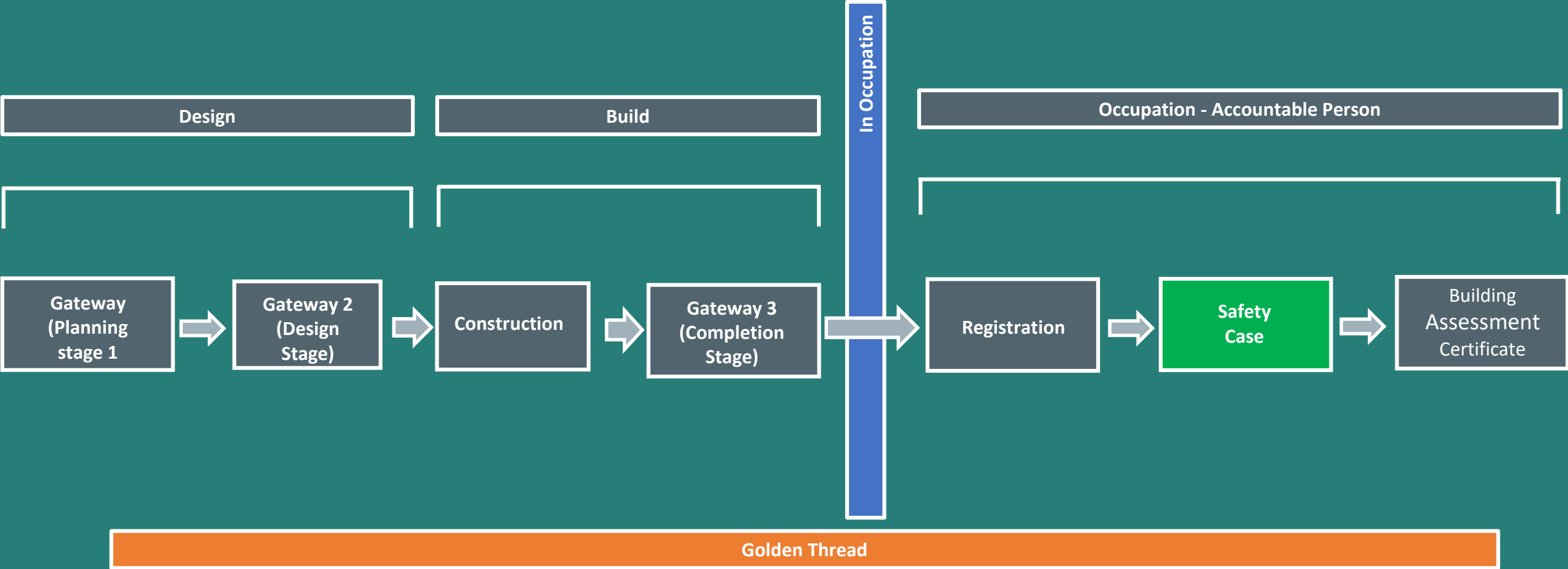
Registration

Safety Case

Building Assessment Certificate

In Occupation

Golden Thread



In Occupation phase – Building Assessment Certificate



Mandatory Occurrence Reporting

Design

Build

Occupation - Accountable Person

Gateway (Planning stage 1)

Gateway 2 (Design Stage)

Construction

Gateway 3 (Completion Stage)

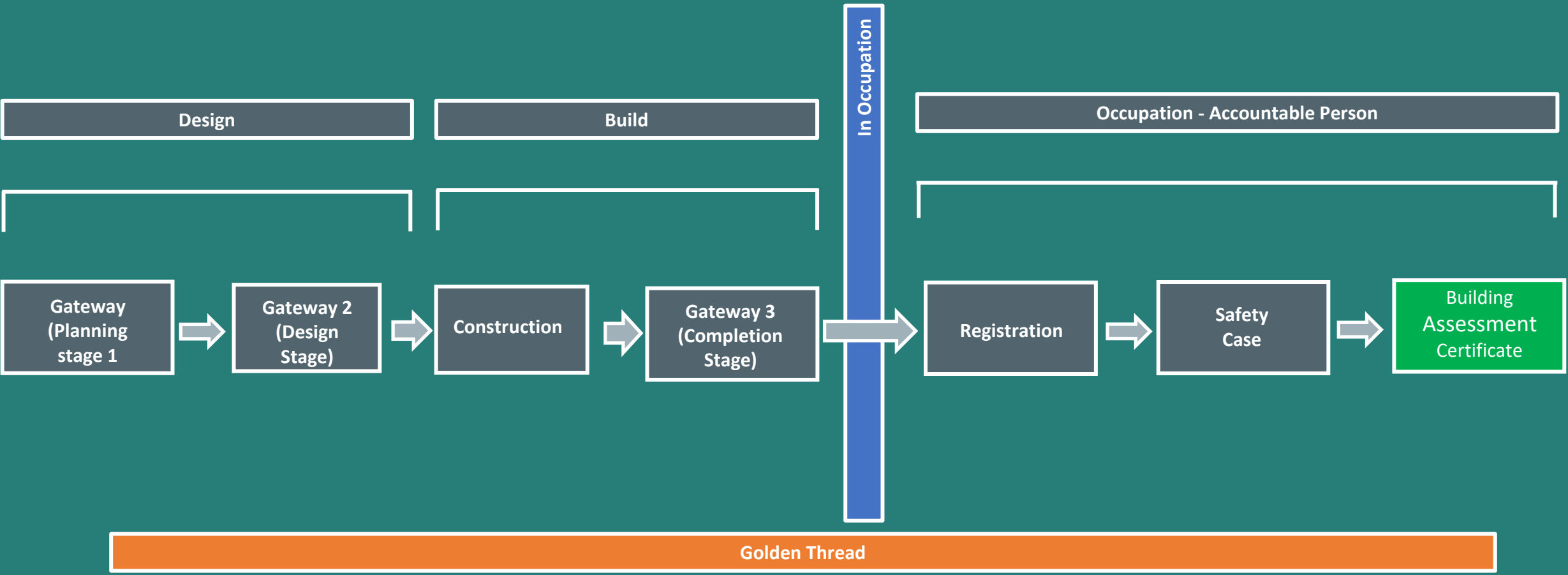
Registration

Safety Case

Building Assessment Certificate

In Occupation

Golden Thread



Residents Panel - Residents Insight

- BSR has established a Residents' Panel
- Future focussed, consultative group to put residents' views and experiences front and centre in the new regime
- Resident Insight Programme
- Engaging with just under 10,000 residents
- 9682 survey completions – 169 detailed in-depth interviews on:
 - Relationship with home and building, and their experience of these
 - Views and experience of building safety and views on BSR



Roadmap



Thank you – Questions?

“Change does not happen, without making changes...”



The logo for the BSR Conference 2023. The letters 'B', 'S', and 'R' are large and bold, each set within a colored triangular shape pointing upwards. 'B' is in a gold triangle, 'S' is in a teal triangle, and 'R' is in a dark blue triangle. To the right of these letters, the words 'CONFERENCE' and '2023' are written in a white, sans-serif font, stacked vertically.

BSR CONFERENCE
2023

Mark Wilson – PGO Operational Lead
HSE



Legislation

Town and Country Planning Development Management Procedure Order 2015 (as amended)

Article 9A

- to require the applicant to submit a **fire statement** with a full planning application which includes one or more **relevant buildings**, setting out fire safety information about a development, and

Sch 4 (para zg)

- to establish the Health and Safety Executive as a **statutory consultee** for planning applications that contain a **relevant building** or development within the curtilage of a relevant building

Planning Practice Guidance (DLUHC July 2021)

*“...applicants and decision-makers to consider planning issues relevant to fire safety, **bringing forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process and result in better schemes which fully integrate thinking on fire safety**”*



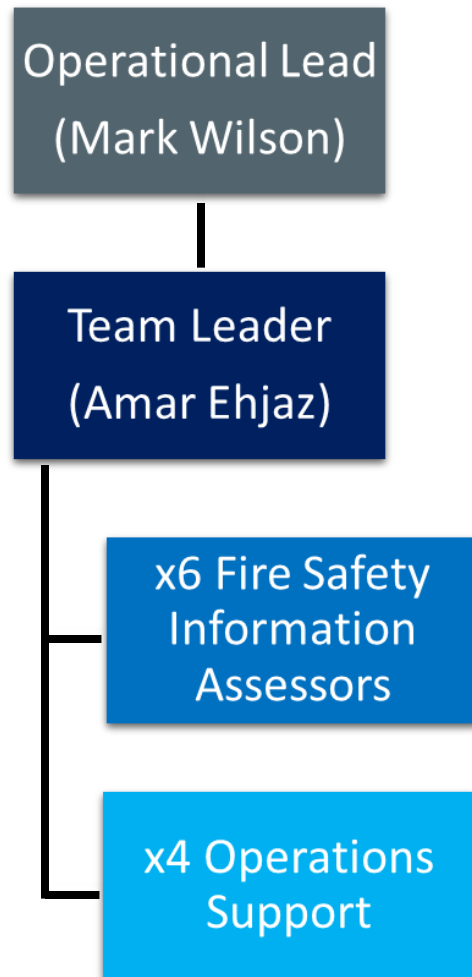
Building a Safer Future

Independent Review of Building Regulations and Fire Safety:
Final Report

May 2018
Dame Judith Hackitt DBE FREng

Cm 9607

Planning Gateway One Team



How we assess planning applications

- 21 days or timescale agreed with the LPA to provide comments
- Assessed against fire standards and/or guidance identified on the fire statement by the applicant
- Fire Statement Form – factual and contextual
- Plans and Drawings on the planning register
- Cross-check information between application documents
- PGO can't tell applicants which standard to use
- Provide a 2-part response to the LPA



Advice to local planning authorities

- HSE substantive responses provide advice for local planning authorities, and applicants
- LPAs give due weight to HSEs planning advice and are reluctant to determine planning applications with outstanding HSE planning concerns
- HSE advice will provide a strong basis for engagement with developers once the BSR becomes the Building Control Body for Higher Risk Buildings
- HSE comments are published on the LPAs planning register as a matter of public record

Advice to the local planning authority

Advice to the local planning authority (LPA) from the Health and Safety Executive (HSE) as a statutory consultee for developments that include a relevant building.

To LPA	
LPA planning ref no	
Our ref	
Site address	
Proposal description	
Date on fire statement	07/12/2022
Date consultation received	12/01/2023
Date response sent	01/02/2023

1. Substantive response for the local planning authority

Thank you for consulting HSE about this application.

Headline response from HSE

Headline Response from HSE **Advice to LPA - Concern**

Scope of consultation

1.1 It is noted that the above application relates to a development containing three buildings. The proposed buildings comprise one hotel (block A), one aparthotel (block B) and one residential accommodation building (block C). Block C is a relevant building forming part of the proposed development. For clarity, HSE's assessment relates to block C and has considered blocks A and B as they fall within the curtilage of the relevant building.

2. Supplementary information

The following information does not contribute to HSE's substantive response and should not be used for the purposes of decision making by the local planning authority.

Means of escape

2.1 The lift within the second staircase enclosure of block C ('PL1') should not descend to the basement. The lift serves residential accommodation on all upper floors and a fire incident within the basement would affect the means of escape on the upper floors. Resolving this matter by way of internal design alterations to remove access to the lift at basement level would not affect land use planning considerations in this instance.

2.2 Confirmation regarding how the basement flood doors will be used and whether they can be used as a means of escape is required. Where the doors are not available as a final exit this may have implications relating to the single direction travel distance within the basement bike store.

External Wall System

2.3 Section 6 of the fire statement states that the external wall systems will achieve European classification of A2-s1, d0 or better. However, the Design and Access Statement (dated 12/12/2022) confirms the proposed use of metal (aluminium) forming part of the external wall systems.

2.4 It should be noted that on 1st December 2022, Building Regulations were amended and now state "Building work shall be carried out so that relevant metal composite material does not become part of an external wall, or specified attachment, of any building." Confirmation should be provided about whether the proposed external wall systems include the prohibited relevant metal composite materials. This will be subject to consideration at later regulatory stages.

Fire service access and facilities

2.5 Section 13 of the fire statement states that the reliance on existing hydrants for the development is under review. The Avon Fire and Rescue Service letter available on the planning register advises that there are additional hydrant requirements associated with this application.

2.6 Additionally, without confirmation that there is a suitable water supply and that the existing hydrants are useable, the proposal might be relying on a disused water main or faulty hydrant. Checks should be conducted with the relevant parties to ensure the hydrants are accessible and operable. Resolving this issue may affect land use planning considerations such as the landscaping around the development, should additional hydrant installations be required.

Yours sincerely

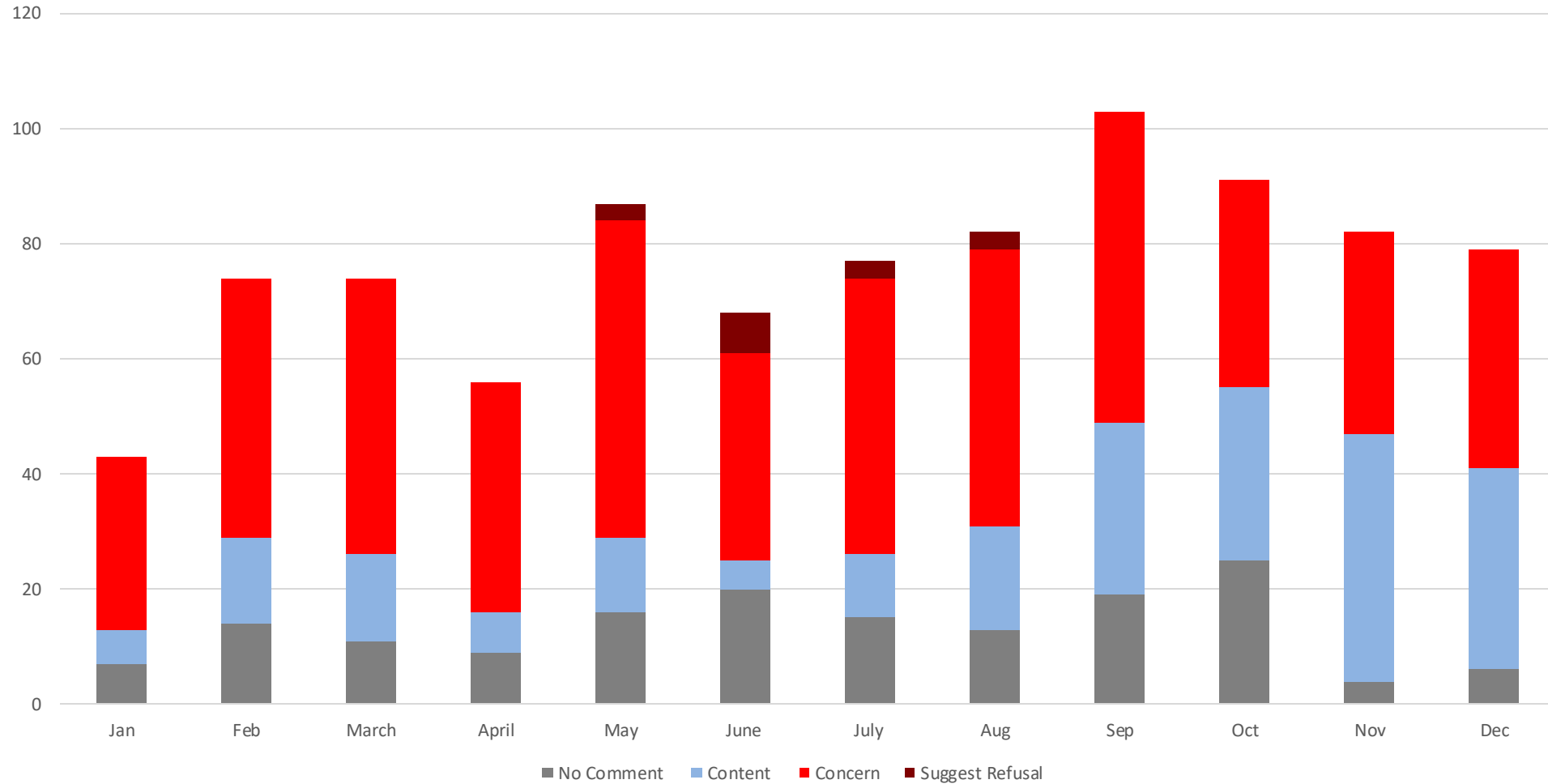
Fire Safety Information Assessor

This response does not provide advice on any of the following:

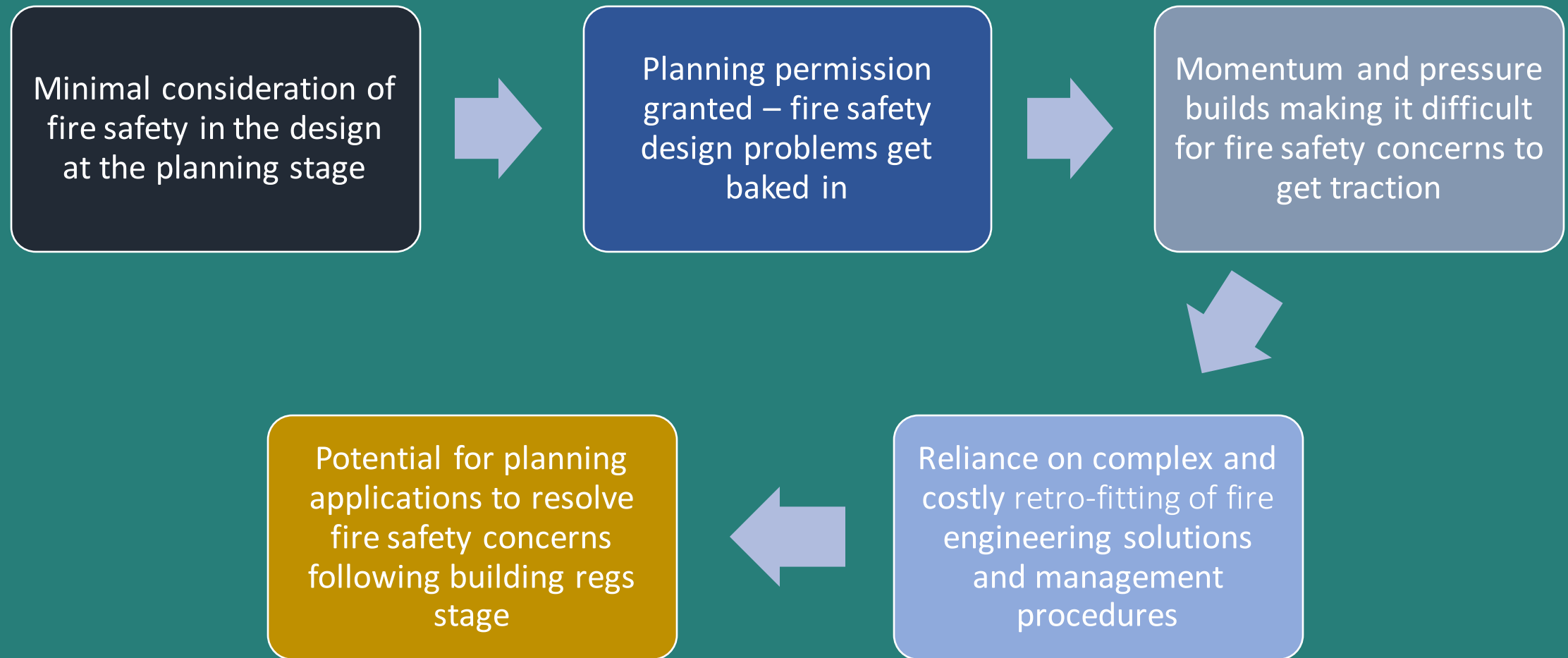
- matters that are or will be subject to Building Regulations regardless of whether such matters have been provided as part of the application
- matters related to planning applications around major hazard sites, licensed explosive sites and pipelines
- applications for hazardous substances consent
- London Plan policy compliance

PGO Casework

Substantive Responses Issued 2022

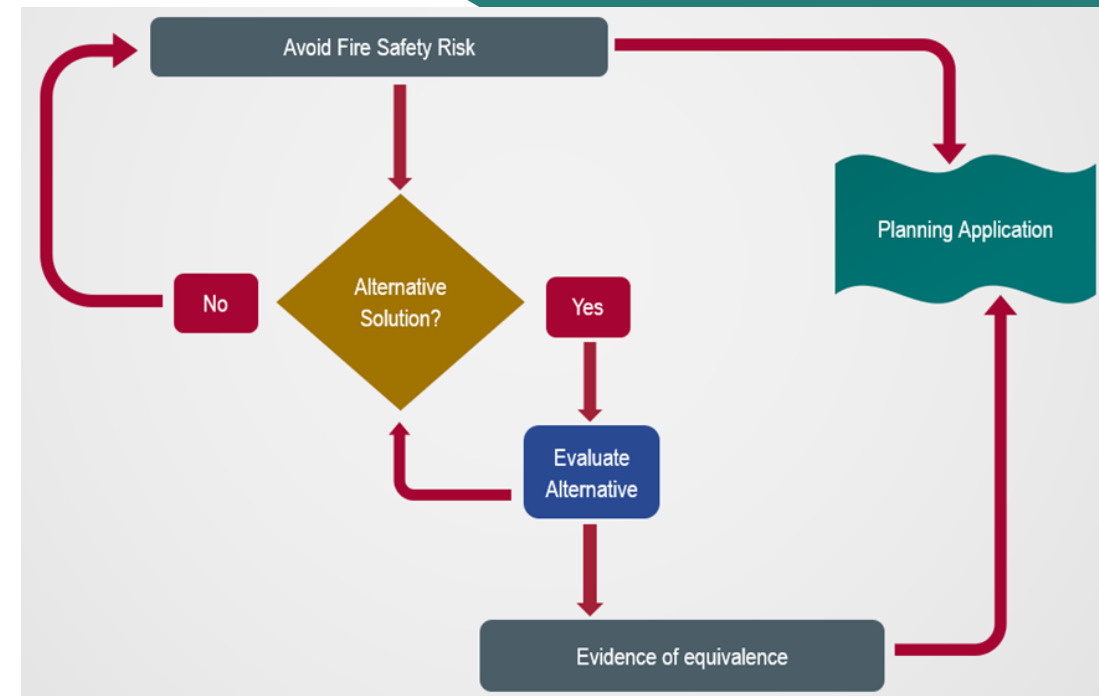


Historic design and consenting process



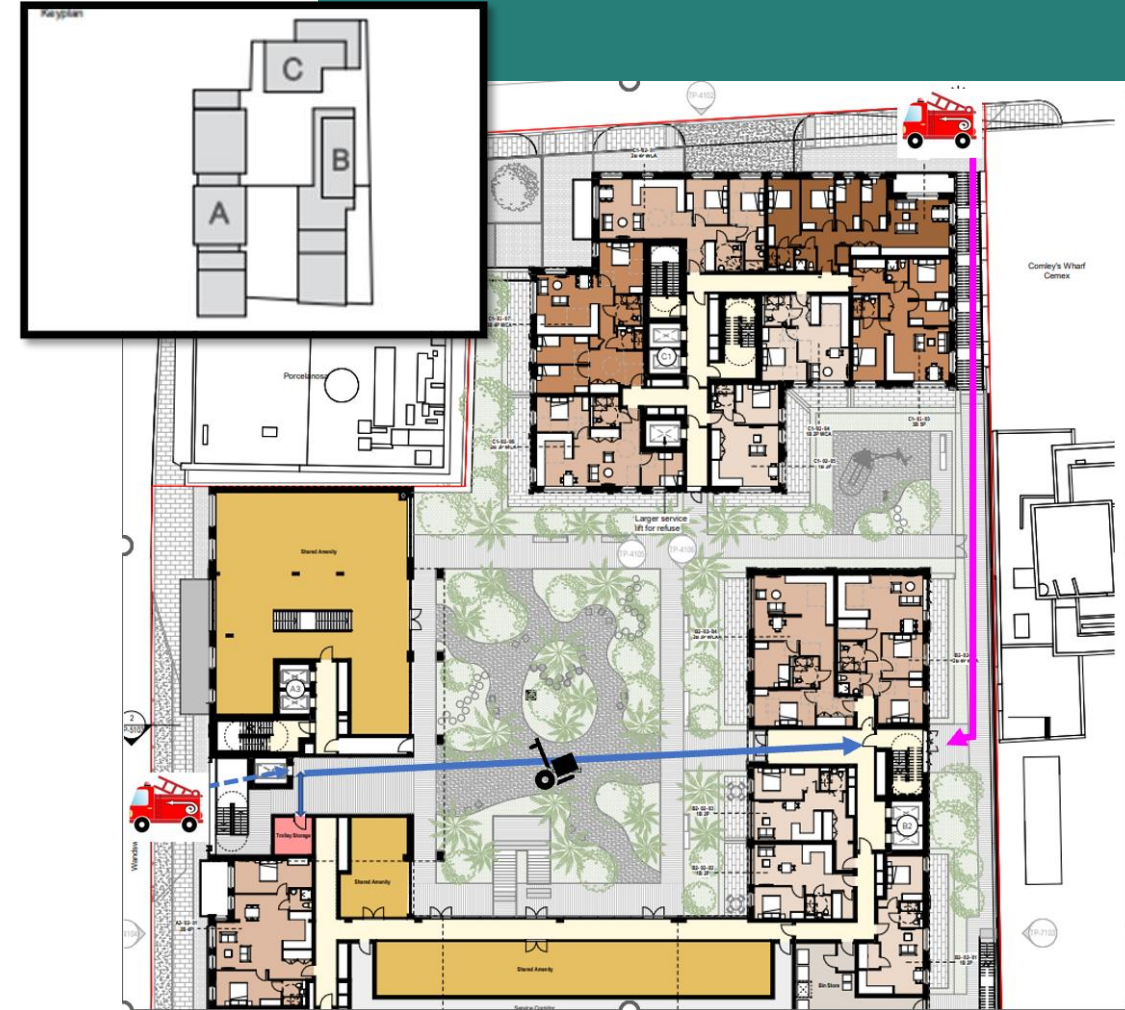
Fire engineered designs - principles

- **Inherent, built-in fire safety** should be the starting point for the design process
- Fire engineers should be **involved from the start** of the design process
- **Avoid risks**, and risks which cannot be avoided should be evaluated
- Fire engineered designs should be **evidence-based**
- Over reliance on building management processes and procedures is **unsustainable and unreliable**
- Fire engineered solutions should provide at least an **equivalent level of safety** to code compliance
- Opportunities to use fire engineering to **enhance code compliant designs** should be considered in tall buildings

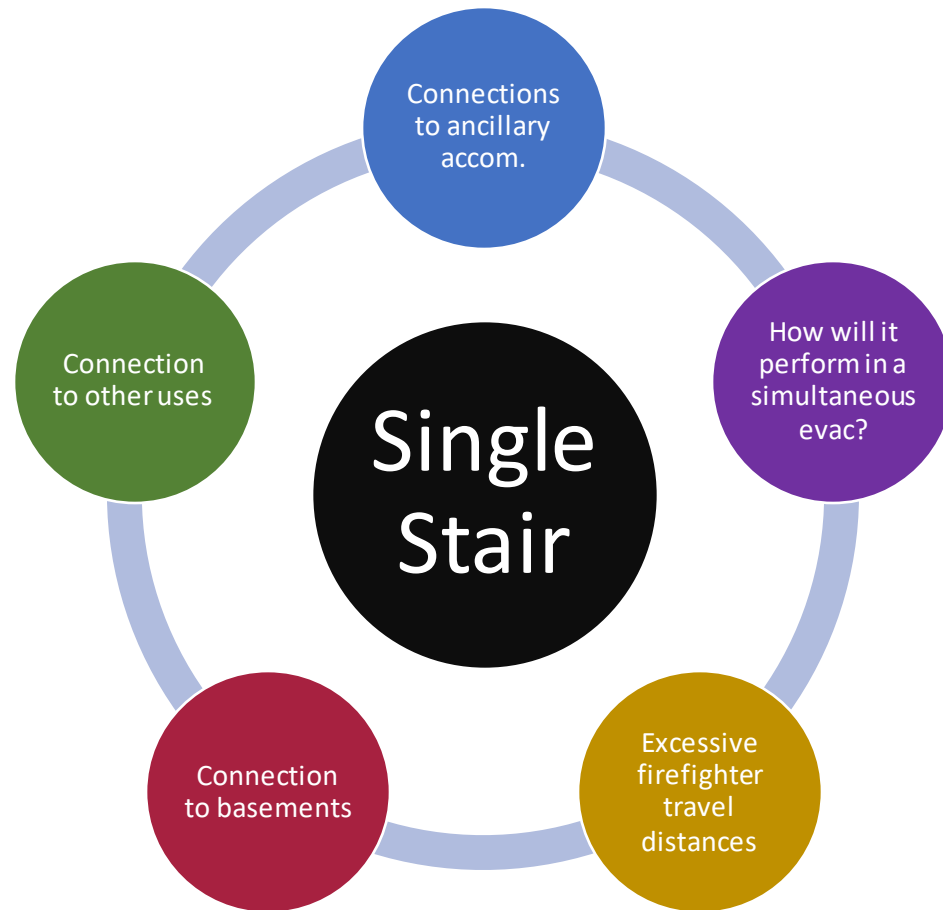


PGO concerns – dominant themes

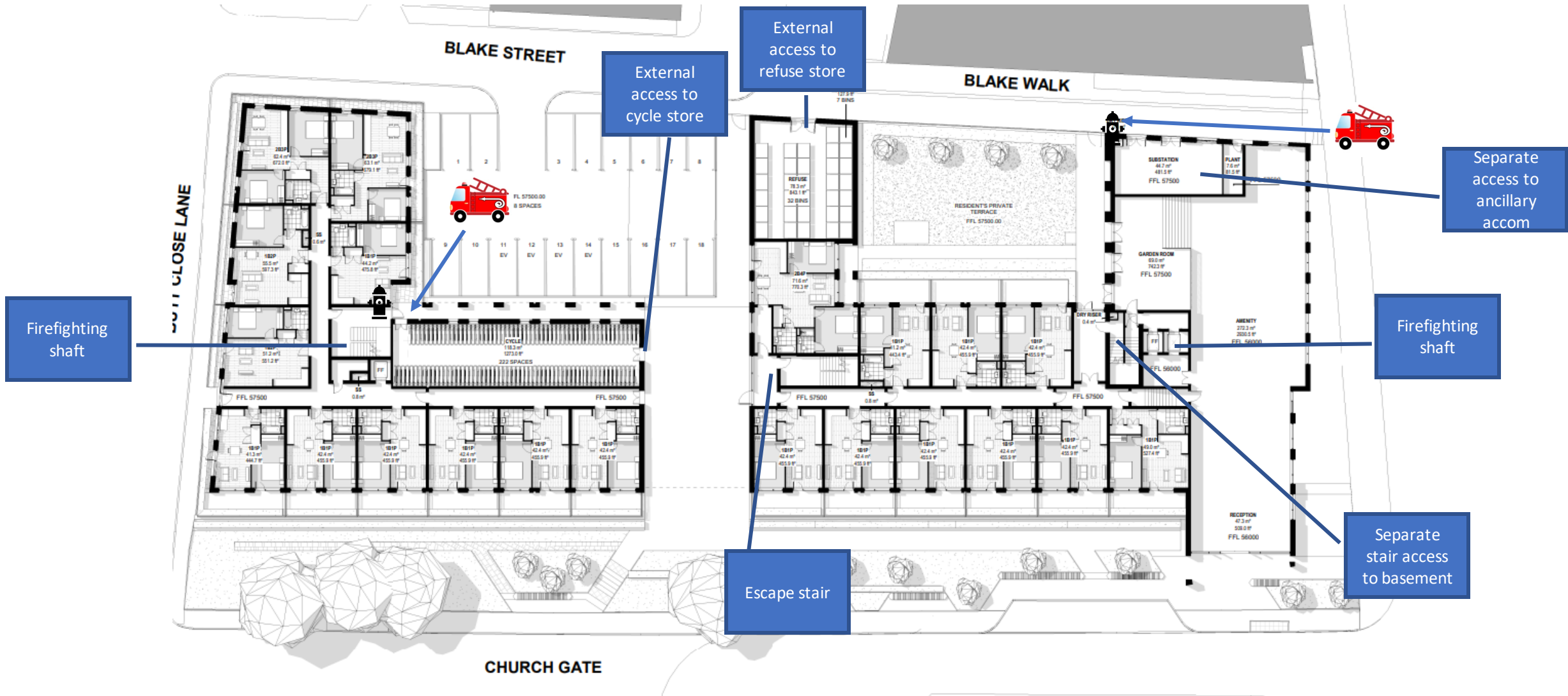
- **Means of escape** – the provision of staircases, evacuation lifts and protected escape routes. This includes concerns related to single stair tall buildings
- **Firefighter access and facilities** – firefighter safety (extended travel distances), the provision of firefighting shaft(s), fire appliance access to buildings in the development and access to firefighting water
- **External fire spread** – the use of combustible materials on external wall systems, risk of fire spread to neighbouring buildings
- **Basements and covered car parks** - firefighting operations (travel distances), need for separation from stairs serving upper floors



Single stair designs



Good example



How PGO will work with other gateways

- Cases will be linked and information from PGO will be made available to MDTs
- Supplementary information in PGO responses will provide clarity about the information and evidence needed in the building regs application
- Opportunities for joint PGO/Gateway 2 pre-application meetings

Use our PGO pre-application service now. Send request to: planninggatewayone@hse.gov.uk



Culture change – what it means in practice

- Early engagement of fire expertise and skills
- Encourage the introduction of first principles fire engineering during early design stages
- More emphasis on avoiding risks through inherent design
- Less emphasis on “trouble shooting”
- Difficult conversations with clients
- Proportionate and robust evidence at the planning stage



Transforming Culture, Increasing Competence and Restoring Confidence

A review of progress based on ISSG's 4th Annual Report

DAME JUDITH HACKITT DBE FRENG

Background

- ISSG role and remit : to oversee progress and drive culture change
 - Constructive challenge
 - Recommend where further action needed
 - Identify obstacles to progress and help to overcome them
 - Make proposals to accelerate change
- 4th Annual Report about to be submitted to Secretary of State
 - Overall assessment of progress
 - Government and regulators
 - Leadership
 - Competence
 - Transparency
 - Responsibility and Differentiation
 - Future Workplan

Progress so far – in summary

- Still a mixed picture
- Culture change is starting to happen – but not everywhere
- Still an underlying culture of reliance on being told what to do
- Compliance with rules rather than embedded safety
- Must call a halt to the “de minimis” approach
- Short sighted approach of developers who are continuing to build to poor standards ahead of regulation
- Training and competence slow to progress
- Greater recognition needed for those who are truly leading the way

Government and Regulators

- Responsible Actors scheme welcome but needs replicating for new build
- Lessons from BSR Gateway One
 - More support needed for regulator to act on new build now
- Criticality of BSR and OCPR working closely together
- Robust Products regulation framework long overdue
 - Awaiting Morrell report
 - International best practice framework

Leadership – the mixed picture

- CLC challenge panel driving level of ambition and supporting delivery of safe, high quality buildings
- Building a Safer Future Charter – 10 champions so far
- Housing Associations – exemplifying good resident engagement
- Code for Construction Product Information
- Insurers – need to come off the fence and help identify solutions
- Professional bodies' leadership e.g. RIBA and staircases
- Collaborative procurement – setting a new standard for what good looks like
- Collaborative Reporting for Safer Structures – great example from IStructE
- Fire Sector Federation White paper - a missed opportunity

Competence

- Excellent progress on frameworks and standards
- Major progress among Building Control professionals
- More innovation needed in methods and means of training delivery
- Take up of training not there yet and urgency is increasing
- Would external perspective/experience from other sectors help to increase the pace?

Transparency

- Need to build on Housing Association leadership in resident focus with transparency of information
- Golden thread is key and must be part of everyone's thinking
- **Collaborative Reporting for Safer Structures** an exemplar of extending an existing scheme in response to new requirements
 - No blame culture
 - Highlighting and sharing knowledge of recurring problems
 - Challenge of increasing take up through use and promotion
 - Needs to secure long term funding
- Need for market /voluntary solution to support intent of regulatory regime

Responsibility and Differentiation

- Product Standards and accreditation – major work still to do here and likely to be underlined by Public Enquiry
- Need to learn from elsewhere rather than reinventing
 - Australia's emerging ICIRT* and BTI** systems
 - International Good practice Framework for Products Regulation
- Restoring public and market confidence depends upon being able to differentiate the good actors from the laggards
- Regulatory system can and should be effectively supported by market led mechanisms

* Independent Construction Industry Rating Tool

** Building Trustworthiness Indicator

Future ISSG Workplan

- Progression of Accreditation and Standards Setting
- Potential implications of Public Enquiry Report Recommendations
- Construction Products Regulatory system development
- Engagement with BSR statutory committees
- Market mechanisms for differentiation and to support regulatory regime
- Continue to drive culture change across all elements of the sector
- Turning over stones

Summary

- The journey to a new culture and improved building standards is well underway – there is no going back
- The scale of change is great and needs everyone to understand and play their part
- Still time to get ahead of the game but its getting closer
- Time to drop the “tell me what to do” and own the process
- Time for this industry to deliver the standards that are expected and now clearly required of you

- *Thank you!*

The logo for the BSR Conference 2023. It features the letters 'B', 'S', and 'R' in large, bold, white font, each set within a colored, house-shaped background: 'B' is in a gold shape, 'S' is in a teal shape, and 'R' is in a dark blue shape. To the right of these letters, the words 'CONFERENCE' and '2023' are written in a smaller, white, sans-serif font, stacked vertically.

BSR CONFERENCE 2023

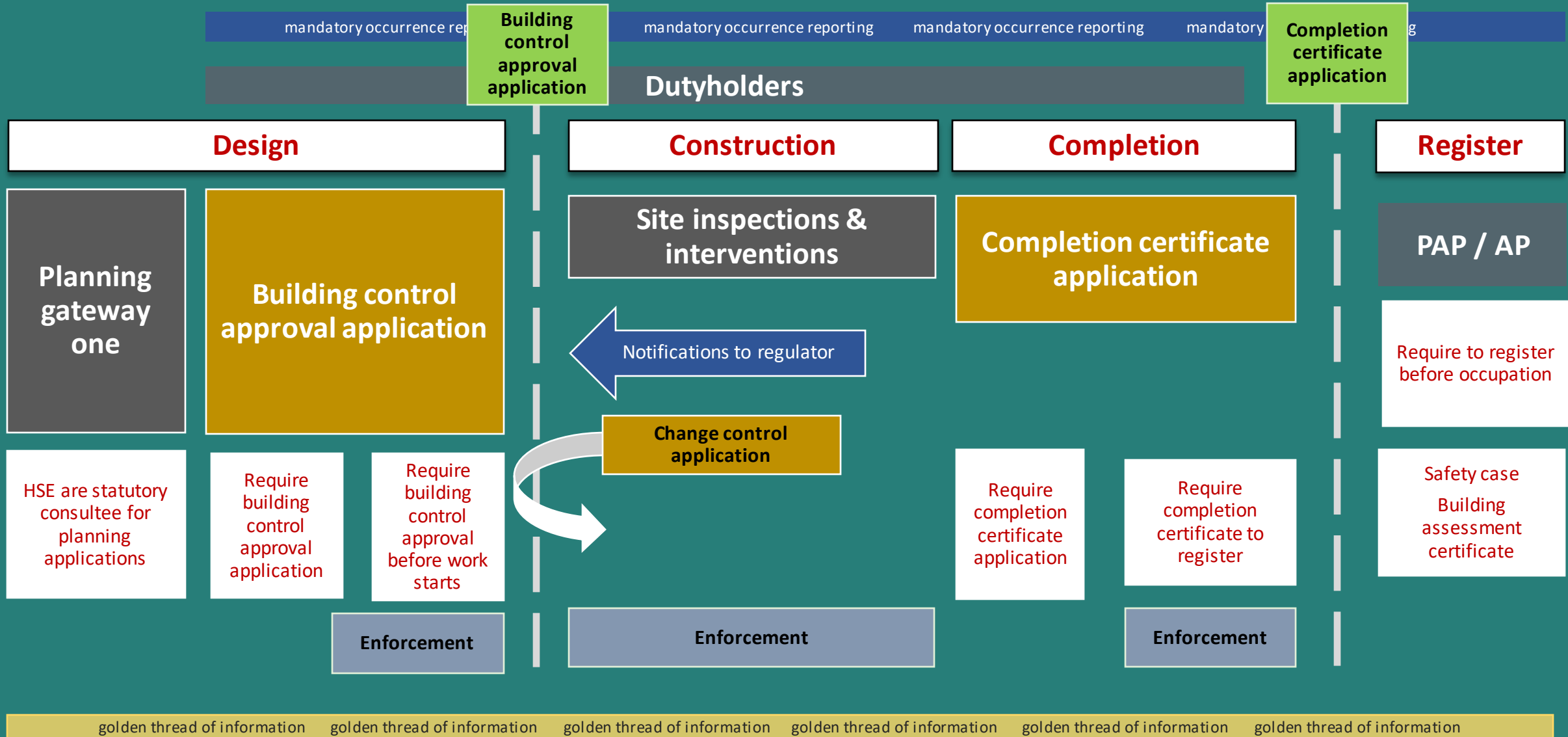
Colin Blatchford Brown

Operational policy lead for gateways and building control

Building control application process

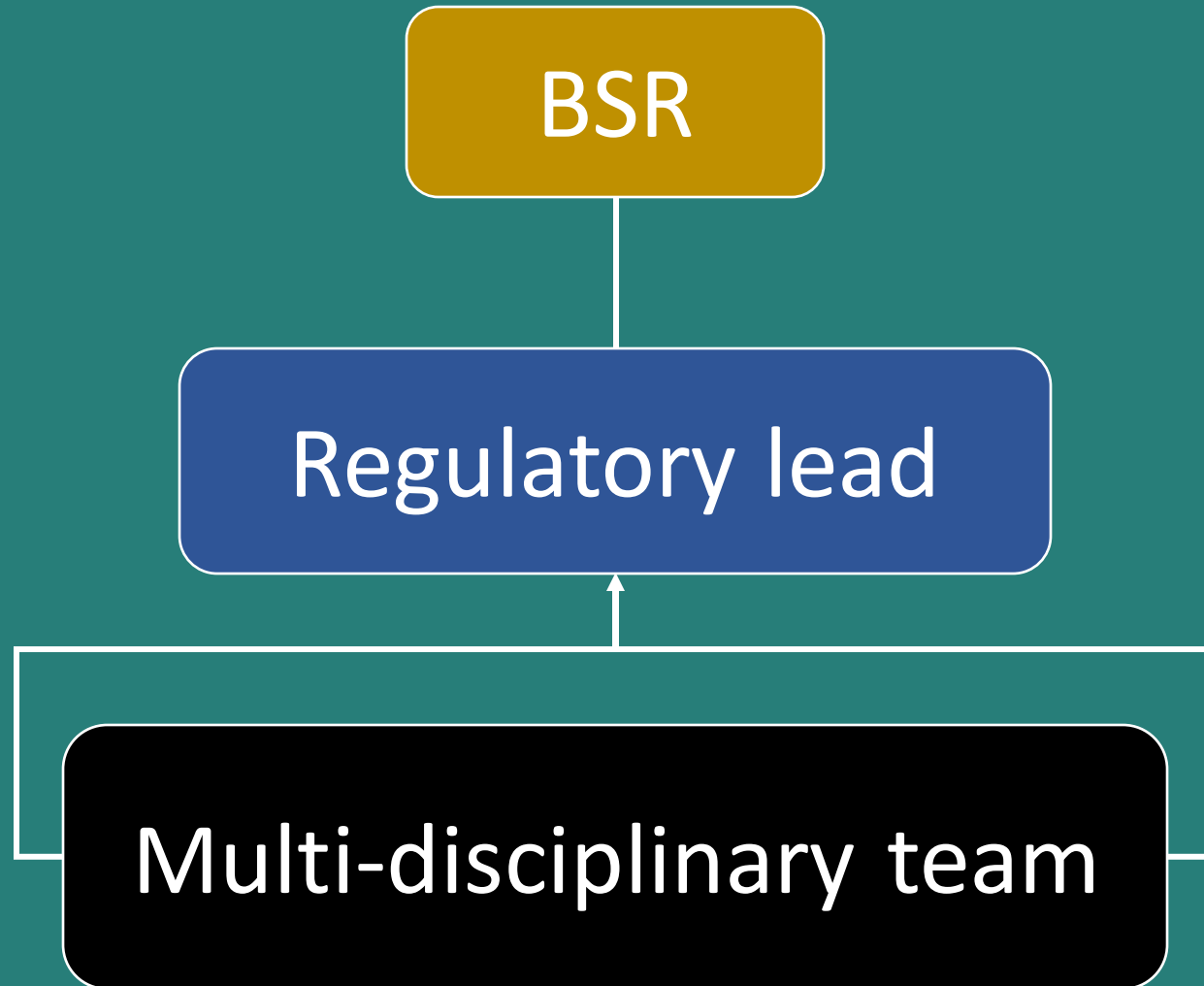


Building control regime



Multi-disciplinary team approach

- BSR has overall responsibility
- Delivered through multi-disciplinary teams
- Support from building control professionals
- Support from fire and rescue service



Golden thread of information

Right people have the right information when they need it

- Right people – those who require the information to carry out a function
- Right information – presented in a way that the receiver can use
- Right time – when the information will add value



Building control approval

- Plans, details, specifications
- PLUS
- Construction control plan
 - Fire and emergency file
 - Building regulations compliance document
 - Planning statement
 - MOR
 - Change control plan
 - Competence declaration
 - Description of mandatory occurrence reporting system



Building regulations compliance document

Purpose

To encourage dutyholders to carefully consider how compliance will be achieved for each applicable building regulation requirement before construction starts

- Dutyholders should carefully consider the approach to compliance with building regulations for each project
- Sets out the approach to compliance and why it is appropriate
- Reasons for adopting alternative approaches are evidenced



Building regulations compliance

Principles

- Design standard
- Water supply method
- Water supply duration
- Power supply
- Coverage

Reference	The proposed sprinkler installation is confirmed to be designed in accordance with X, to meet the functional requirements of paragraph B3(3), as detailed in the:
	<ul style="list-style-type: none"> (a) Fire and emergency file (b) Design approach document (c) Construction control plan (d) Submitted plans and information
Reference	The following is a requirement under [regulation X]
006 - 01	<ul style="list-style-type: none"> (a) Detailed design and installation drawings; (b) Detailed design and installation information for the pump and circulation components; and (c) Details of the interaction with the cause and effect matrix for the life safety systems of the building, to include back up power supply interface.
	The information is required by:
(a)	Within X weeks of the relevant operation being undertaken on site
Reference	Linked inspection schedule entry [regulation X]:
	<ul style="list-style-type: none"> Inspection stage 14 – inspection of first fix sprinkler installation Inspection stage 16 – inspection of second fix sprinkler installation
Completion	At the completion certificate application submission, a copy of the relevant commissioning information for the sprinkler installation and system components should be submitted

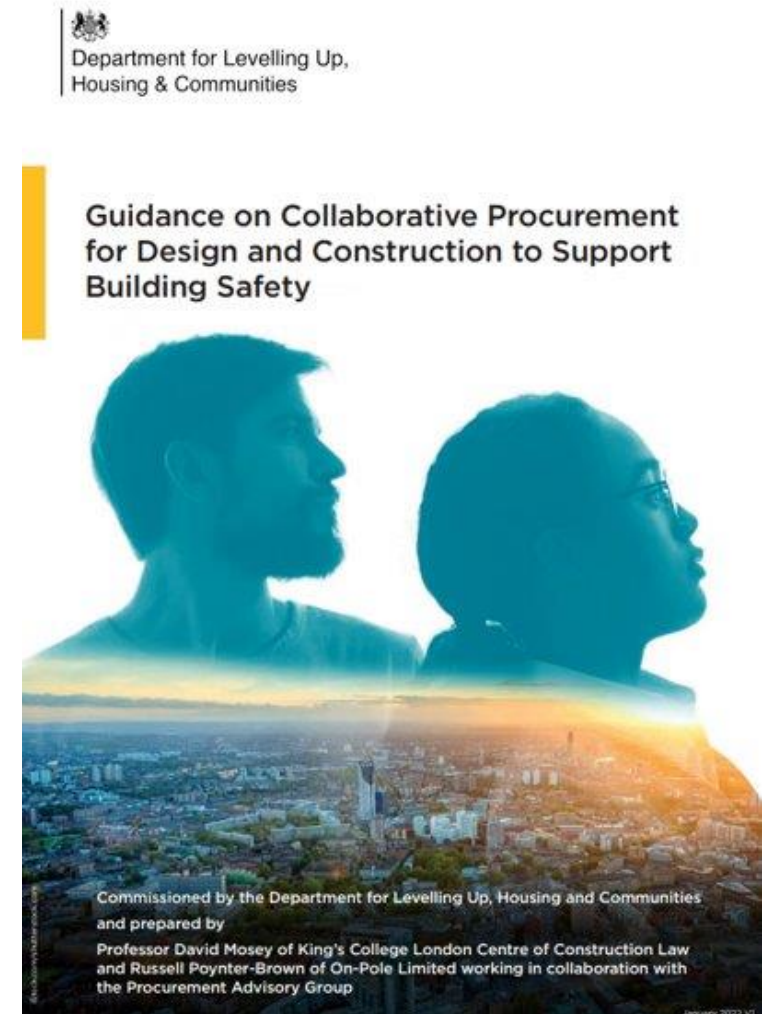
Construction control plan

Purpose

Dutyholders have clear strategies to ensure compliance with building regulations is maintained
Setting out how compliance with building regulations will be evidenced

It includes

- The strategies, policies and procedures the client has adopted for planning, managing and monitoring the HRB, so
- The applicable requirements of building regulations are met
 - To identify, assess and review competence
 - To support co-operation

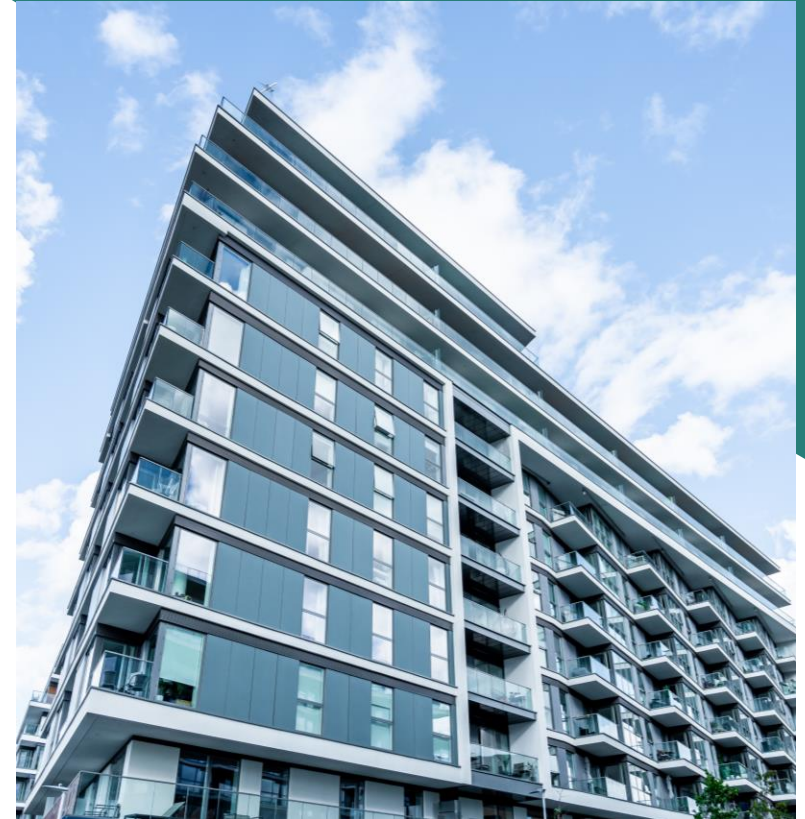


Completion certificate application

1. A statement - signed by the client, confirming that to the best of their knowledge
 - the higher-risk building, as built, complies with all applicable requirements of the building regulations
 2. A statement - signed by both the client and the relevant person, confirming
 - Golden thread information has been given and the relevant person has received the information
- As-built plans, details, specifications
 - PLUS
 - Construction control plan
 - Change control plan
 - Building regulations compliance document
 - Fire and emergency file
 - Mandatory occurrence reporting plan

And finally

Thank you for your attention – any questions?



The logo for the BSR Conference 2023 features the letters 'B', 'S', and 'R' in large, bold, white font. Each letter is set against a colored background: 'B' is on a gold background, 'S' is on a teal background, and 'R' is on a dark blue background. To the right of these letters, the words 'CONFERENCE' and '2023' are written in a smaller, white, sans-serif font, stacked vertically.

BSR CONFERENCE 2023

Sandra Ashcroft

Head of Operational Policy - Competence

Building Safety Regulator (BSR):

Discover how the building control
profession will be regulated



Introduction

- The Building Safety Act will help to ensure consistency across the building control profession and drive-up standards
- BSR will independently oversee the building control profession. This will cover
 - registration requirements and conditions
 - performance of building control functions
 - competence of the professionals supporting the delivery of building control functions



Building Safety Act 2022

CHAPTER 30

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

Building control oversight

Driving up standards in the built environment using a multi-pronged approach

- Horizon-scanning to keep the safety and standards of all buildings under review
- Use of data and intelligence
- Improved competence
- Improving and maintaining consistent standards of building control

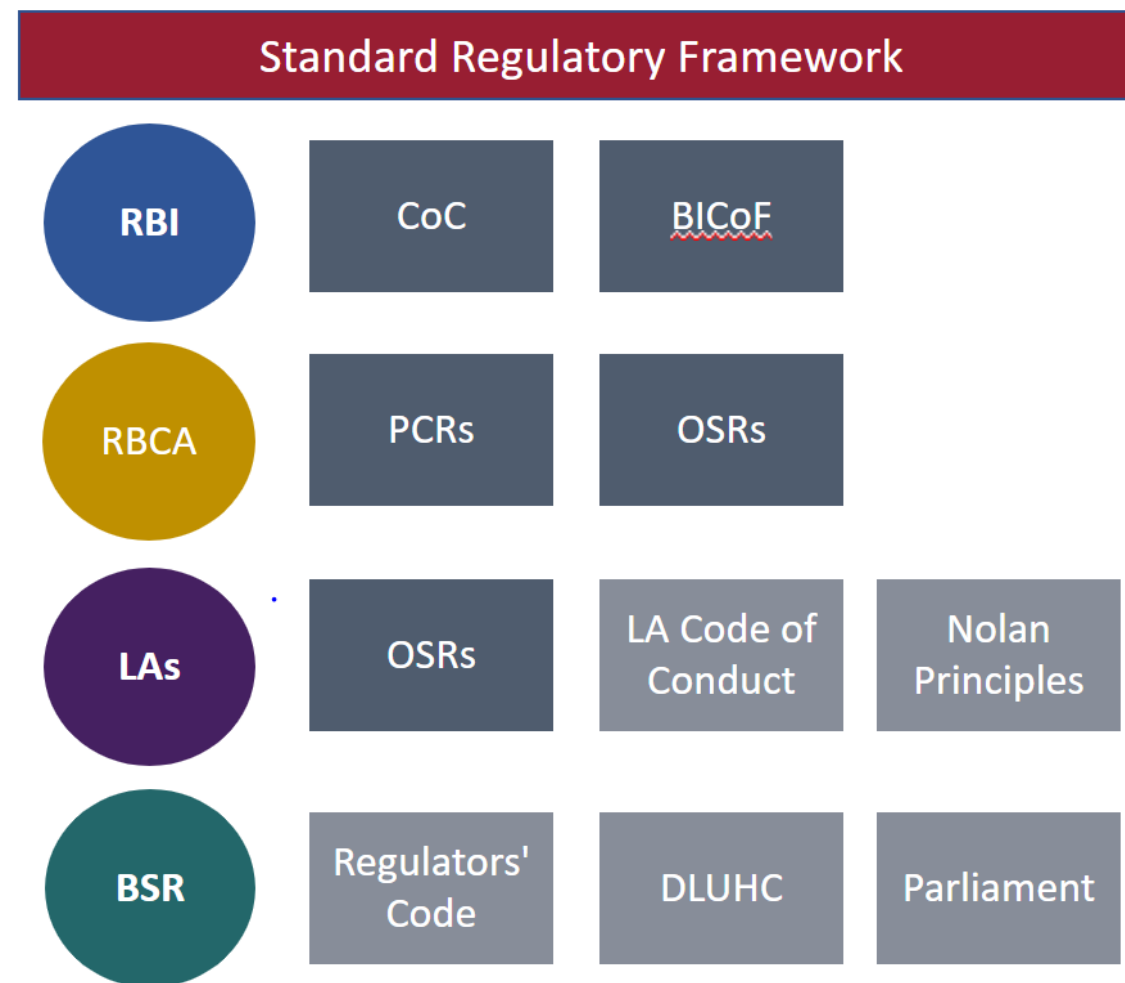


Building control oversight

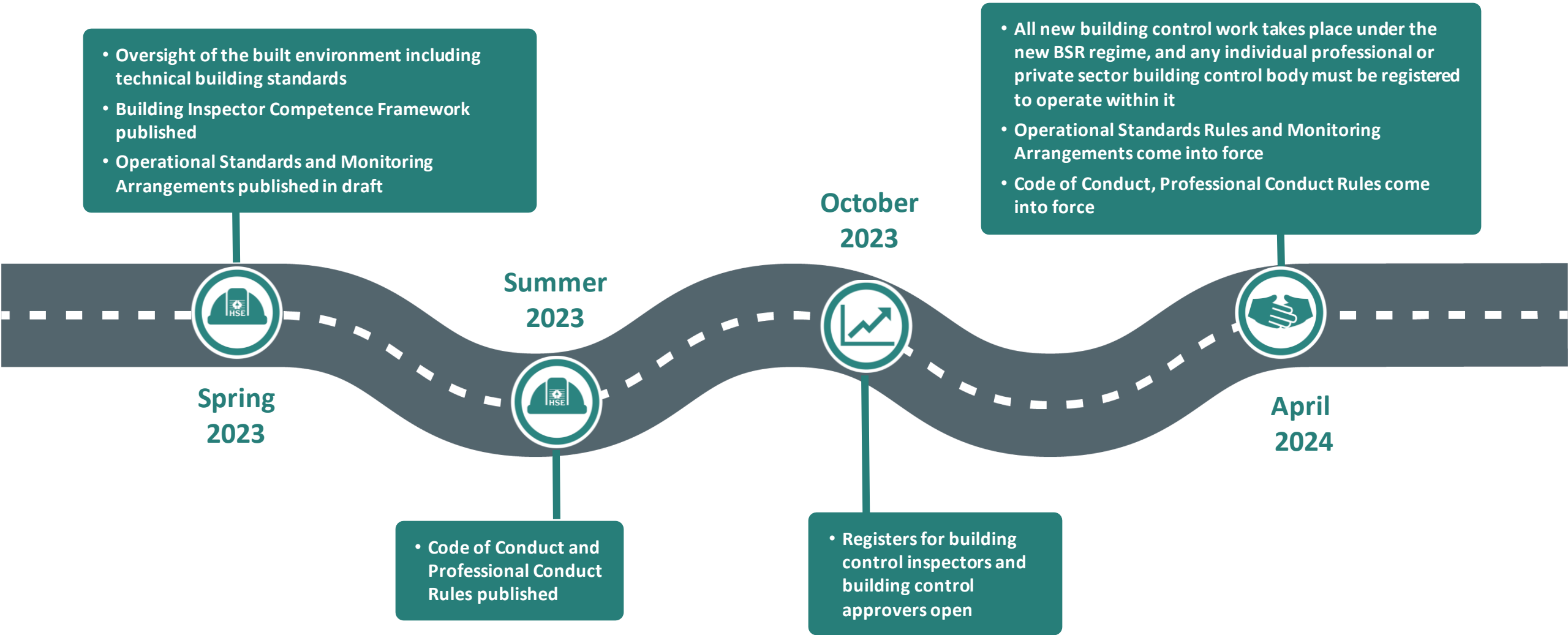
- Individuals
 - Registered building inspector (RBI)
 - Private/public sector building control professionals (BCPs)
 - Code of Conduct
 - Building inspector competence framework (BICoF)

- Private sector
 - Registered building control approver (RBCA)
 - Private sector building control body
 - Professional Conduct Rules (PCRs)
 - Operational Standards Rules (OSRs), including monitoring arrangements – reportable data and key performance indicators

- Public sector
 - Local authority (LA)
 - Public sector building control body
 - Operational Standards Rules (OSRs), including monitoring arrangements – reportable data and key performance indicators



Timeline



Code of Conduct (CoC) & Professional Conduct Rules (PCRs)

- **Mandatory principles of conduct**, behaviour, service standards and compliance with legal and other obligations.
- **Cover both** individual building inspectors (CoC) and building control approvers (PCRs).
- **Compliance will be monitored** via complaints, whistleblowing, continuous professional development (CPD) returns, audits and other means.
- **Sanctions and/or enforcement *can follow*** investigations triggered by the above where there is evidence of professional misconduct (e.g. breaching CoC/PCR) or a criminal offence under Section 42 of the BSA2022.



Registration conditions

- **A set of requirements** that applicants have to meet to register, for example agreeing to certain details being on a public register.
- **Conditions set by BSR** on an RBI or RBCA that may limit what they can do, e.g. the type of projects they can work on, or require them to do something, e.g. undertake certain actions/activities by a specified date.
- **Cover both** Registered Building Inspectors (RBIs) and Registered Building Control Approvers (RBCAs).
- **Compliance will be assessed** at registration and re-registration.



Building Inspector Competence Framework (BICoF)

- **Covers all** individual building control professionals (public and private sector)
- **Sets out mandatory standards of competence.** Working within boundaries of own competence and maintaining it over time are required to comply with the **Code of Conduct**
- **Enables building control bodies** to ensure their staff have the required competence for work they undertake
- **Compliance will be assessed** at the point of registration/re-registration and reactively



Operational standards rules (OSRs)

- **Performance standards** for building control bodies and the exercise of their building control functions.
- Combines goal-setting with prescription.
- Deliver building control functions effectively.
- Deliver sound risk-based judgements focused on outcomes.
- Take appropriate action to deal with non-compliance at the right time.

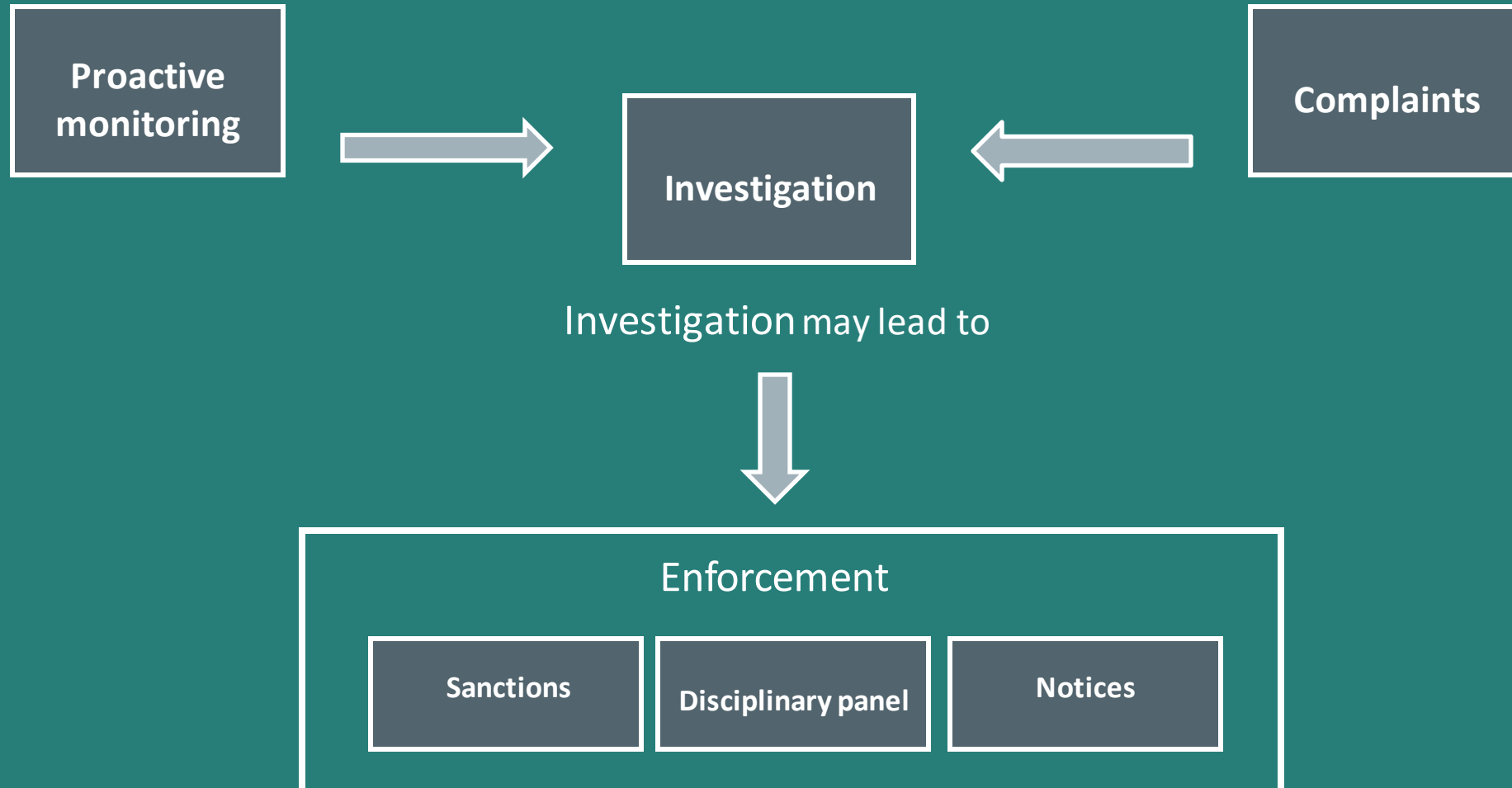


Monitoring arrangements (supporting the OSRs)

The monitoring arrangements consist of key performance indicators (KPIs) and reportable data, which will measure meaningful outputs and outcomes to determine the effectiveness of building control. Focussing on six areas

- KPI 1 - Building control functions
- KPI 2 - Enforcement and interventions
- KPI 3 - Risk management
- KPI 4 - Competence
- KPI 5 - Systems and controls
- KPI 6 - Complaints handling and appeals

Investigation, enforcement and sanctions



What you can do to get ready

- Keep up to date with BSR: HSE e-bulletin – regular updates on BSR and the new regime <https://www.hse.gov.uk/building-safety/index.htm>
- Register as an RBI or RBCA when the registers open in October 2023
- LAs and RBCAs – implement the requirements of OSRs and monitoring arrangements by April 2024



Panel Discussion on how the **building control profession** will be regulated

Ged Cooper – Head of Building Control Professional Standards

Elaine Harbour – Head of Operational Policy - Oversight

Sandra Ashcroft – Head of Operational Policy - Competence



Thank you



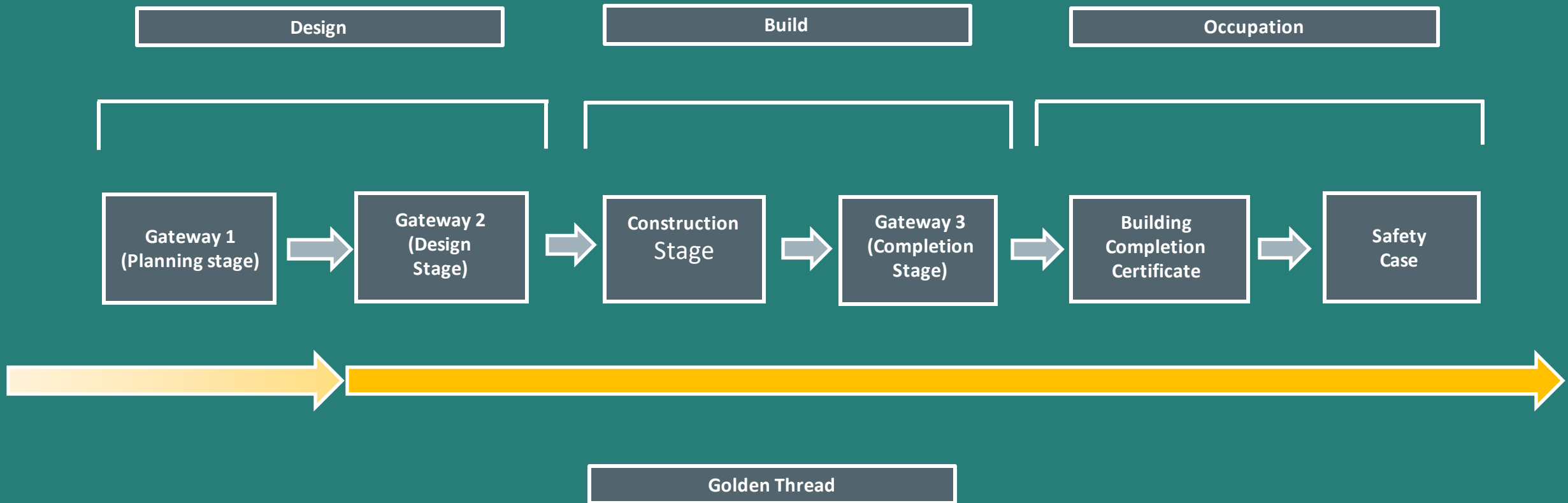
The logo for the BSR Conference 2023. The letters 'B', 'S', and 'R' are large and bold, each set within a colored vertical bar: 'B' is gold, 'S' is teal, and 'R' is dark blue. To the right of these bars, the word 'CONFERENCE' is written in a smaller, white, sans-serif font, and '2023' is written in a larger, white, sans-serif font below it.

BSR CONFERENCE
2023

Neil Hope-Collins – Policy Advisor
Higher Risk Buildings



The Golden Thread of Building Information



The Golden Thread of Building Information Principles

Content - The **Right People** have the **right information** at the **right time**

- **Right People** – those who require the information to carry out a function
- **Right Information** – the information they need, in a form they can understand
- **Right time** – when the receiver needs it, it will add value.

System - Act as a ‘**single source of truth**’

- **Digital Secure Transferable Accessible**



The Golden Thread of Building Information During design & construction phase

Information Requirements need to be considered

- Before Building work starts
- During Construction
- Through change Management
- When applying for a Building Completion Certificate

Through design and construction, the information relied upon in making the building completion certificate application is The Golden Thread of building information



The Golden Thread of Building Information In occupation phase

Information relied upon in the safety case

IS

The Golden Thread of building information in
occupation



The Golden Thread of Building Information

In occupation phase

At the start

New Build

For buildings that have been through the new building control process the information that was relied upon in the building completion certificate application will be passed from the construction phase client to the occupation phase accountable person

Existing buildings

For existing higher-risk buildings principal accountable persons (PAP) and accountable persons (AP) must take reasonable steps to discover the equivalent information they need to enable them to ensure duties to assess and manage building safety risks are met



The Golden Thread of Building Information In occupation phase

Managing the Building

The PAP/AP must capture information they need to demonstrate the effective, ongoing, management of building safety risks

Both how they will prevent and how they will limit the consequences

The PAP/AP must engage with residents or anyone else who uses the relevant parts of the building



The Golden Thread of Building Information

In occupation phase

Safety Case

The 'safety case' is in practice the functional activity of continuously assessing and managing the building safety risks.

This information will be augmented as risks are assessed

Safety Case Report.

The safety case report summarises the safety case/golden thread at a point in time

It is a report that gives the reader, including the regulator the confidence that the PAP and APs have

- identified and assessed potential risks relating to the spread of fire and structural failure
- taken all reasonable steps to manage and control those risks on an ongoing basis
- engaged with residents



The Golden Thread of Building Information In occupation phase

Information relied upon in the safety case

IS

The Golden Thread of building information in
occupation



The Golden Thread of Building Information In occupation phase

Building work in existing buildings

Where building work takes place in an existing high-rise residential building then

- The impact of the work, whilst the work is taking place
- The building work will be subject to the new building control regime, including the information requirements
- The impact of the planned work when finished



The Golden Thread of Building Information

Questions?



The logo for the BSR Conference 2023. It features the letters 'B', 'S', and 'R' in large, bold, white font, each set within a colored rectangular block: 'B' is gold, 'S' is teal, and 'R' is dark blue. To the right of these blocks, the words 'CONFERENCE' and '2023' are written in a smaller, white, sans-serif font, stacked vertically.

BSR CONFERENCE 2023

Colin Blatchford Brown

Operational policy lead for gateways and building control

BSR as building control authority

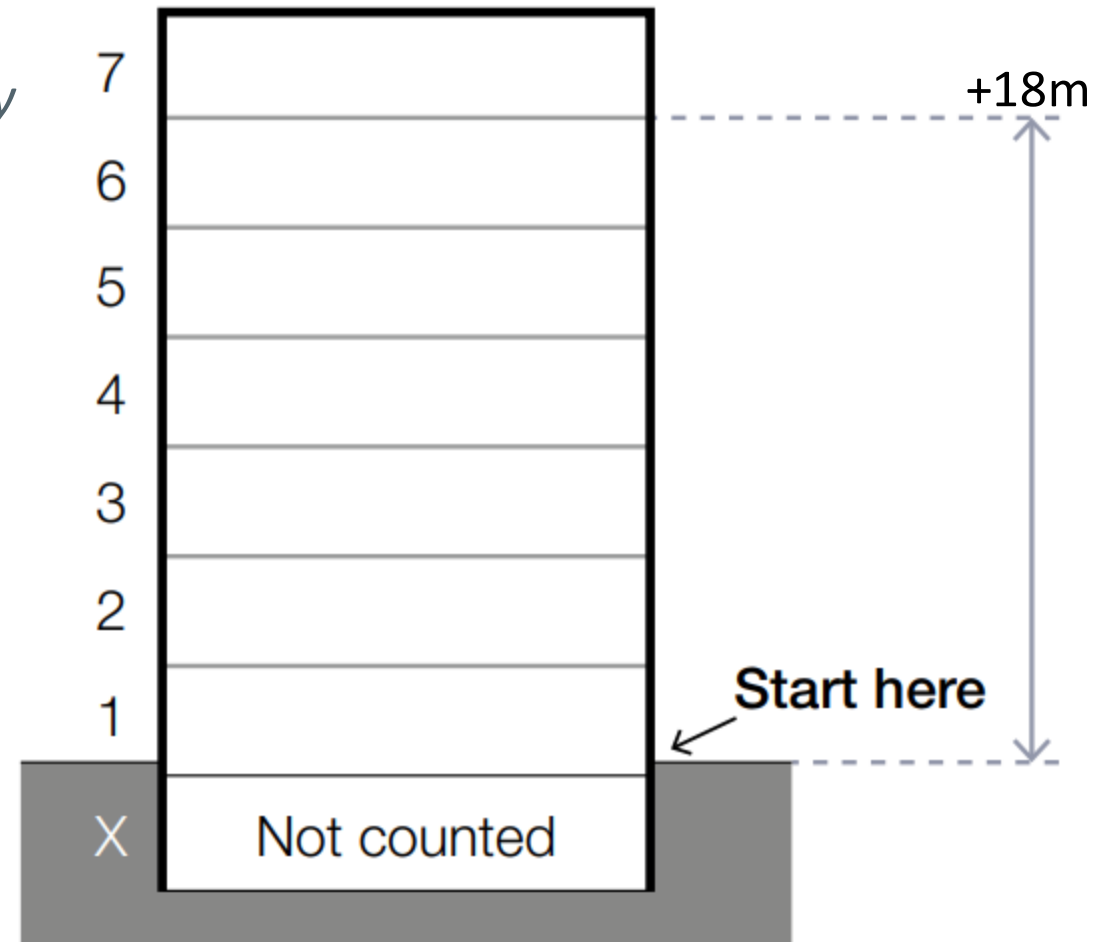


Building control authority

“The regulator is the building control authority in relation to any higher-risk building in England or any proposed such building”

- A building containing at least 2 residential units,
- hospitals, and
- care homes

Which are 18 metres plus in height, or have at least seven storeys

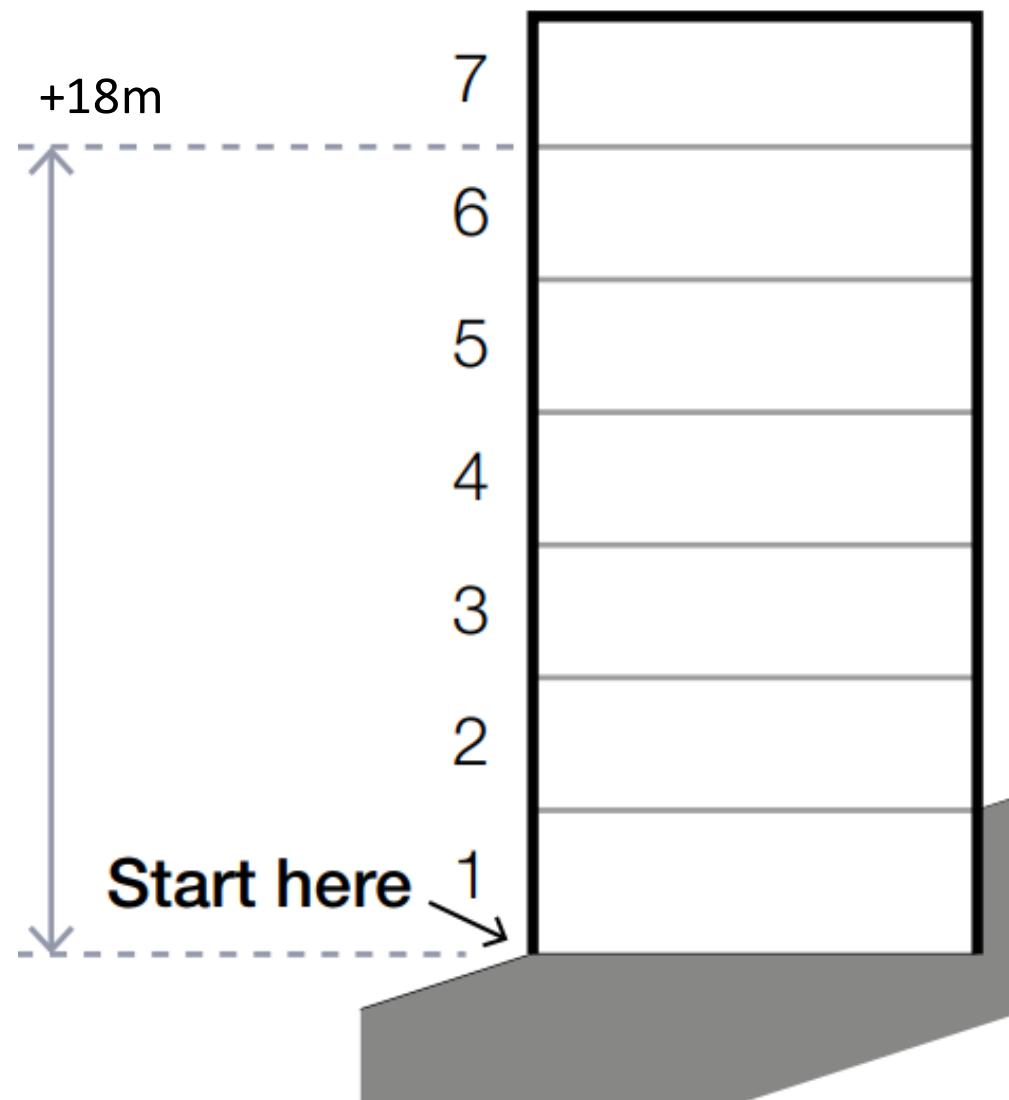


Building control authority

Height measurement

For this type of building, storeys should be measured from the lowest level of the ground directly adjacent to the structure above ground level

Measured to the top floor surface of the top storey – that is not exclusively rooftop machinery or plant rooms



Building control authority

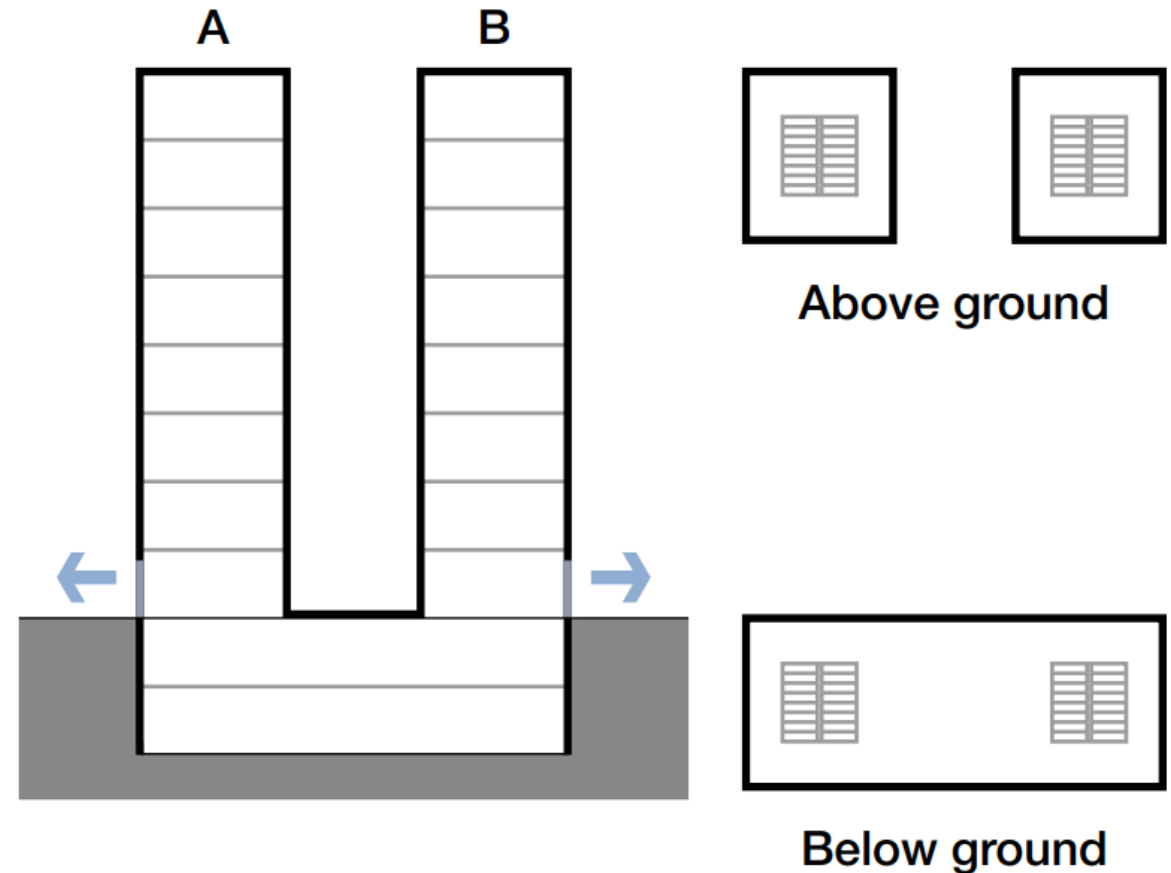
Whole building

The structures are joined by an underground car park or basement levels

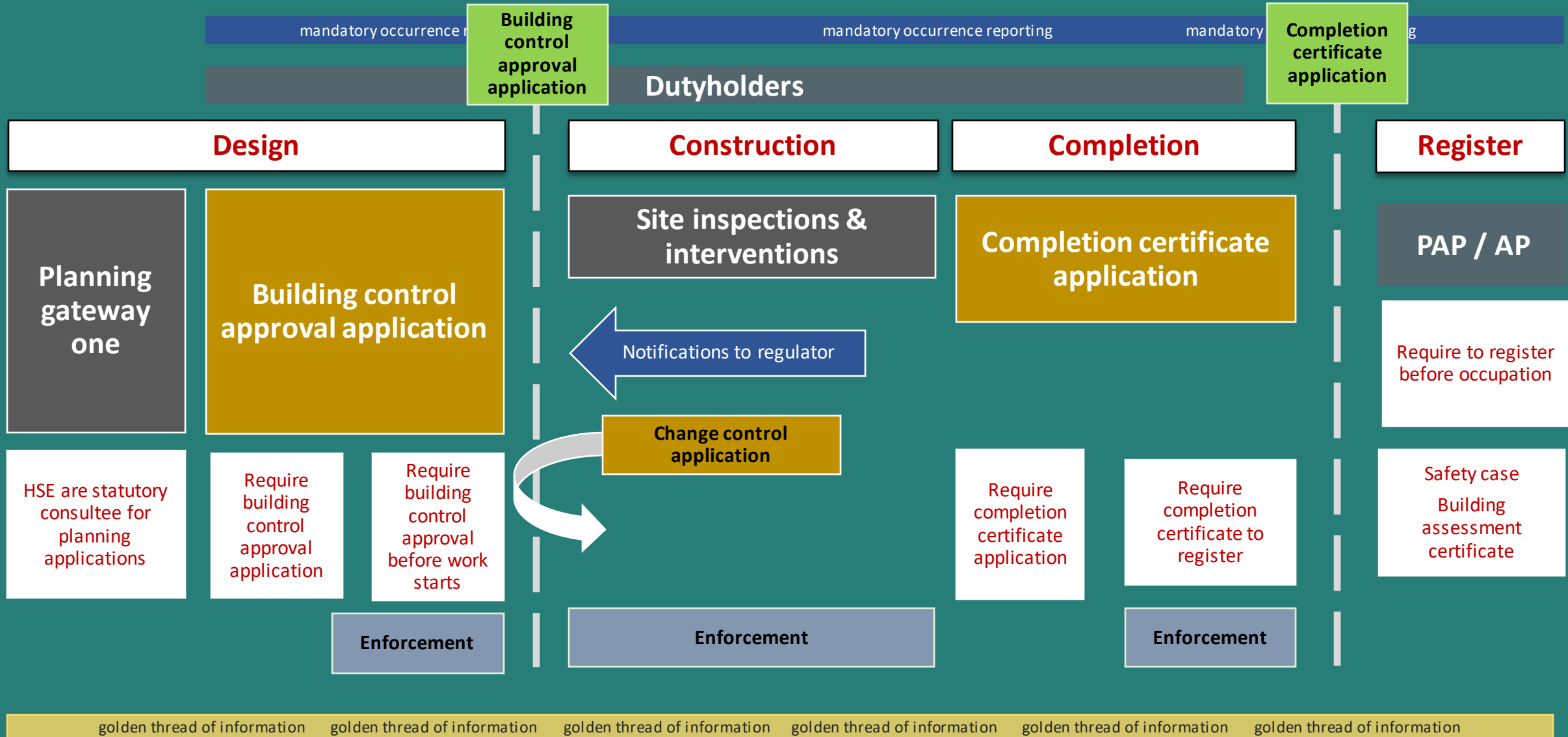
The structures each have separate cores

There is access between the two structures via the underground attached levels

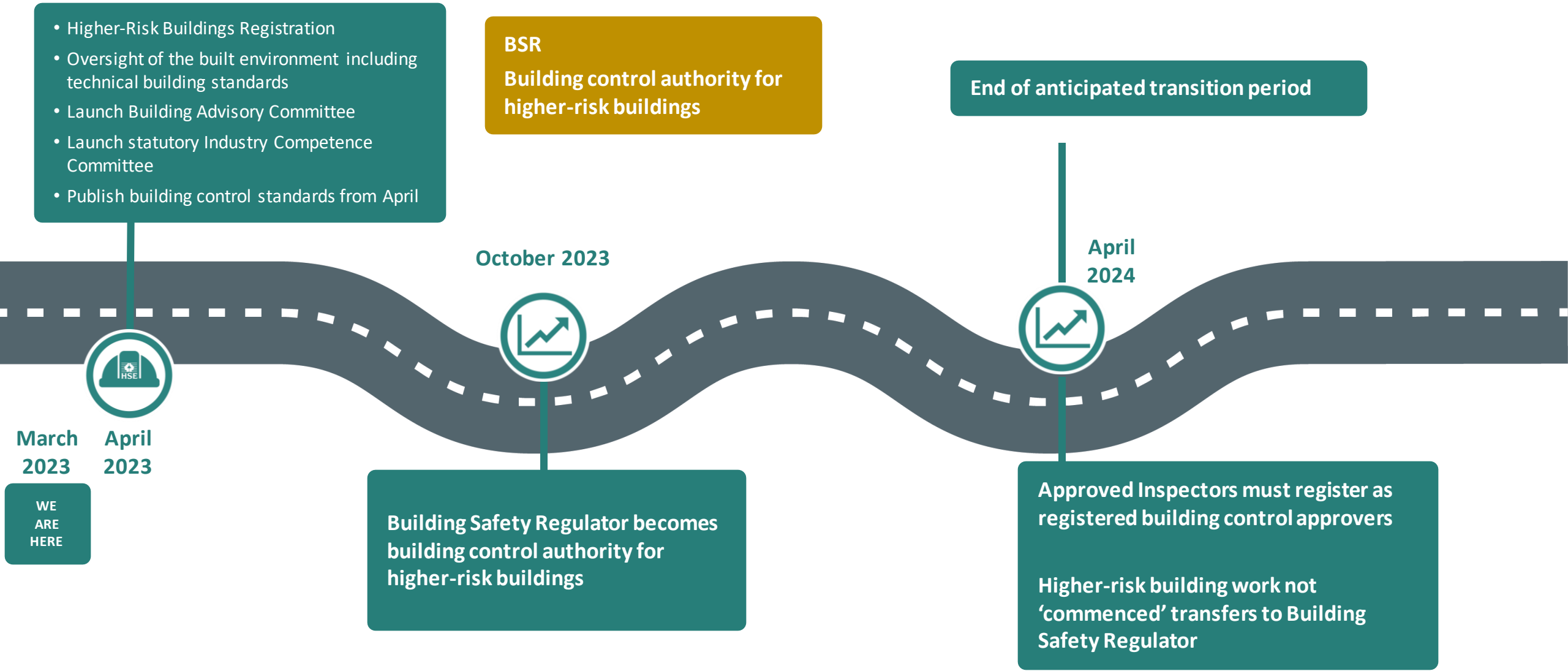
This type of building would be considered as one higher-risk building when it was being designed and constructed



Building control regime



Timeline



Enforcement powers

Offence	Scope of power	Penalty	Reference
Providing false or misleading information to BSR	Criminal offence Triable as an either way offence	Unlimited fine 1 year imprisonment (magistrates) 2 years imprisonment (crown)	Section 24 BSA22
Contravention of building regulations	Criminal offence Triable as an either way offence No time limit	Unlimited fine Fine for each day the contravention continues (£200)	Section 35 BA84
	Compliance notice Must be served within 12 months	Unlimited fine 1 year imprisonment (upon summary conviction - magistrates) 2 years imprisonment (upon indictment - crown)	Section 35B BA84
	Stop notice		Section 35C BA84
Failure to comply with compliance and stop notice	Criminal offence		Section 35B & C BA84
Removal of offending work	Time limit extended to 10 years	Notice to remove contravening work Chargeable work	Section 36 BA84

Key messages

- Building control process
- Change control management
- In-occupation
- Holistic approach to building safety
- PD, PC and Client duties



Department for Levelling Up,
Housing & Communities

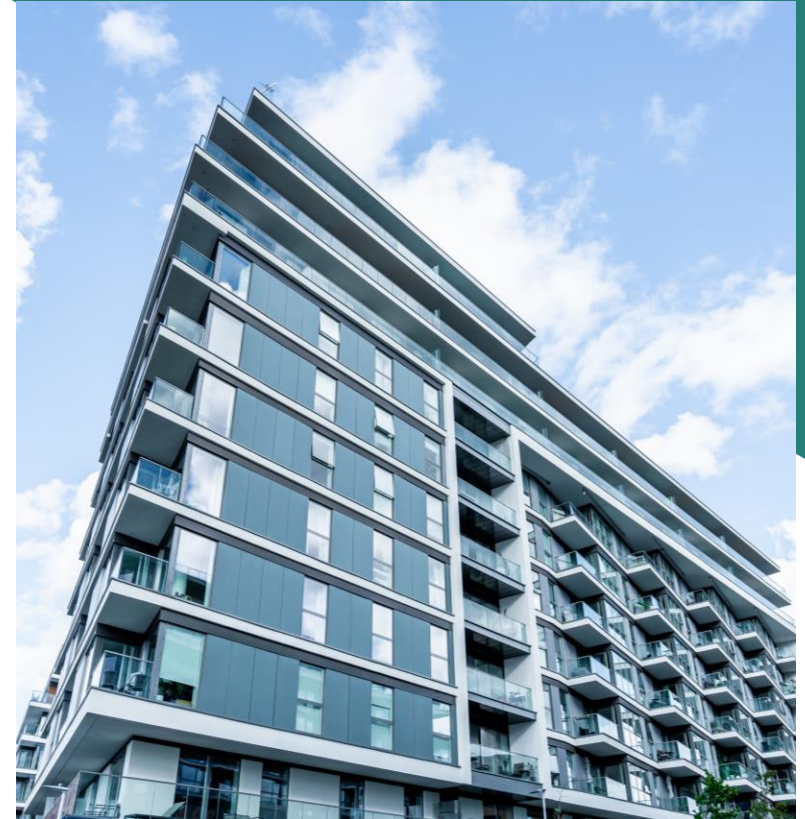
Guidance on Collaborative Procurement for Design and Construction to Support Building Safety



And finally

Thank you for your attention – any questions?

Please use the BSR Conference App to ask questions and complete the session survey



The logo for the BSR Conference 2023. It features the letters 'B', 'S', and 'R' in large, bold, white font, each set within a colored triangular shape pointing upwards. The 'B' is in a gold triangle, the 'S' is in a teal triangle, and the 'R' is in a dark blue triangle. To the right of these letters, the words 'CONFERENCE' and '2023' are written in a smaller, white, sans-serif font, stacked vertically.

BSR CONFERENCE 2023

Building Inspector Competence

Sandra Ashcroft

Head of Operational Policy – Competence

Building Safety Regulator



Introduction

- The Building Safety Act will help to ensure consistency across the building control profession and drive-up standards
- BSR will independently oversee the building control profession. This will cover
 - registration requirements and conditions
 - performance of building control functions
 - competence of the professionals supporting the delivery of building control functions



Building Safety Act 2022

CHAPTER 30

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

Building Inspector Competence – the Law

- The Building Safety Act 2022
 - Section 6 – Facilitating improvement in competence of building inspectors
 - Section 42
 - 58C – Register of Building Inspectors
 - 58D – Application for Registration
- Registration will open in October



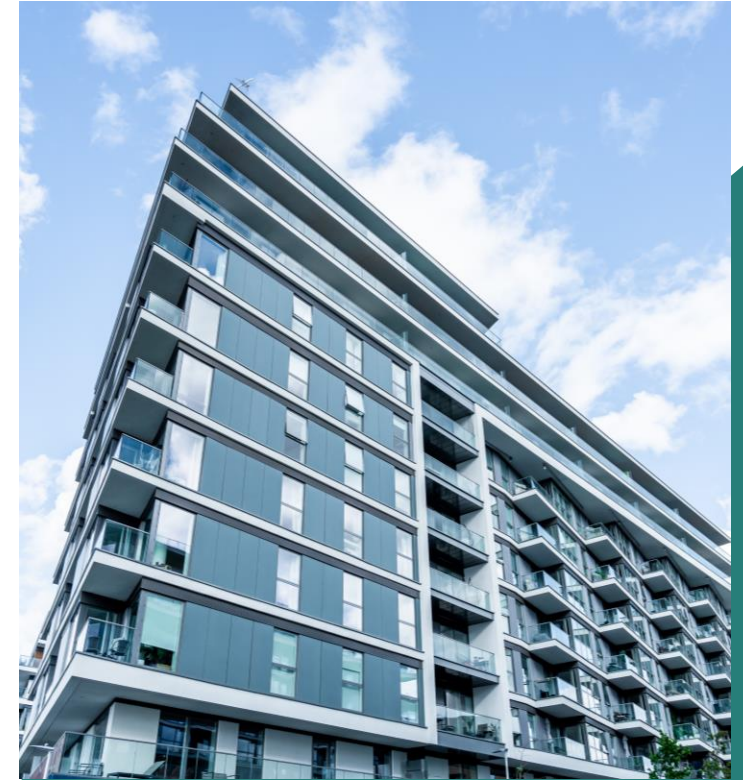
Building Safety Act 2022

CHAPTER 30

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

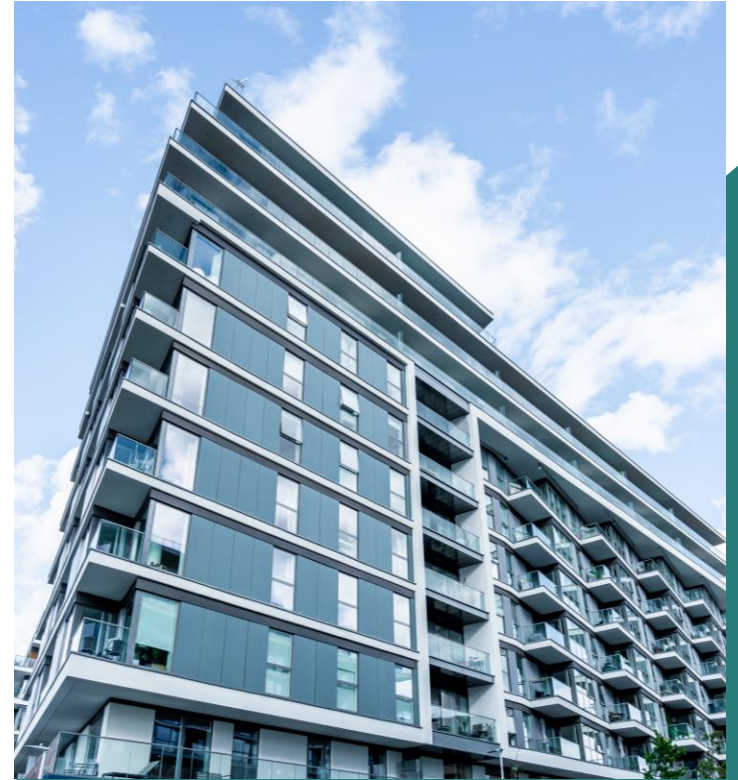
Building Inspector Competence – the Framework

- Building Inspector Competence Framework
AKA the BICoF
- Describes the different classes of Registered Building Inspector (RBI)
- Outlines detailed competence requirements an individual will have to demonstrate to register
- Explains what but not how



BICoF Public Consultation

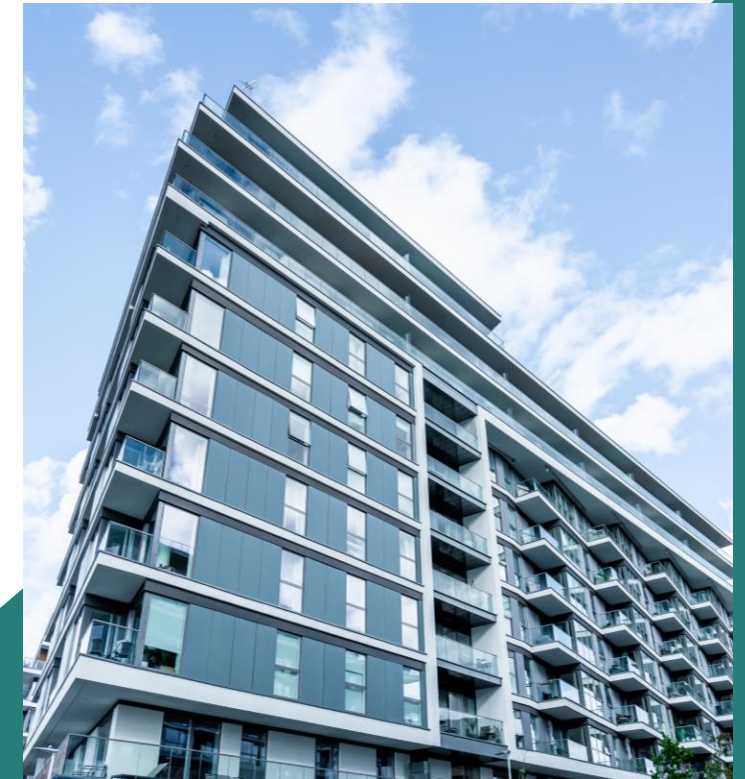
- 269 responses
 - 249 online
 - 20 by email
- Mix of individuals and representative organisations
- Results analysed by HSE Social Research team



BICoF Consultation Results

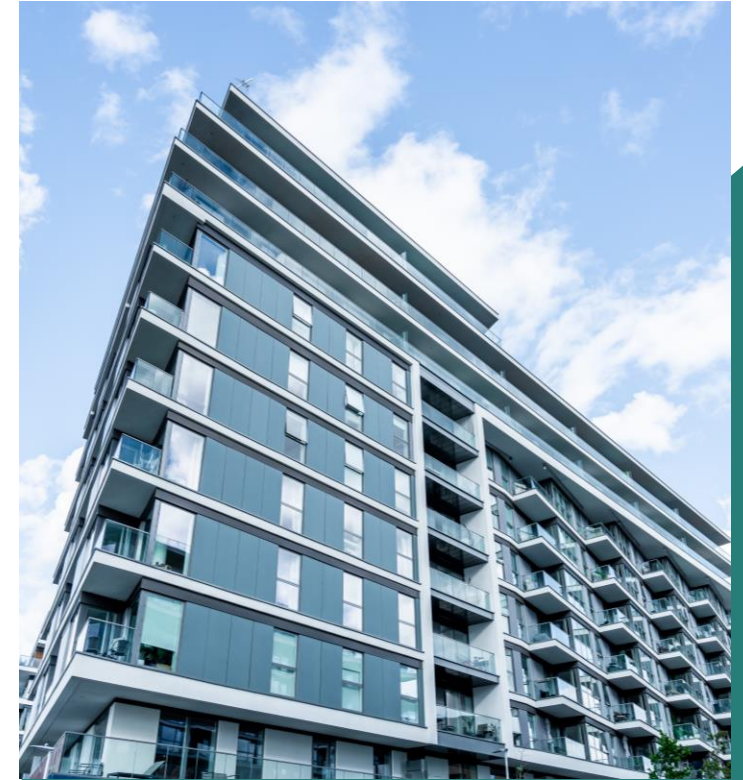
Very high level of support

Class 1 – Building Inspector (Associate/Assistant)	Class 2 - Building Inspector (Standard)	Class 3 – Building Inspector (Complex/HRBs)	Class 4 – Building Inspector (Manager)	Subject Areas Are these the correct competence subject areas for BICoF % yes	Levels Do you agree that the description of each level is clear % yes	Degree level Should building control be a level 6/degree equivalent % yes
76%	82%	93%	73%	78%	78%	71%



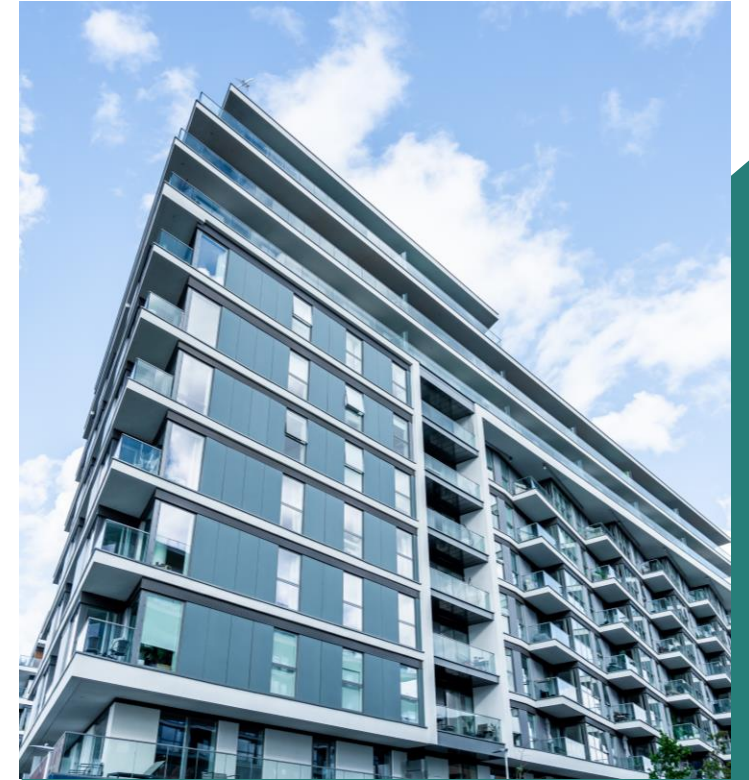
BICoF Consultation Key Themes

- Lack of support for
 - Class titles
 - Use of the term inspector
- Requests for:
 - Clarity of work types and individuals covered within the classes
 - Guidance on how professionals can progress between classes
 - Guidance on the range of building types covered by classes 2 and 3
 - Definitions on what is meant by 'complex' and 'under supervision'



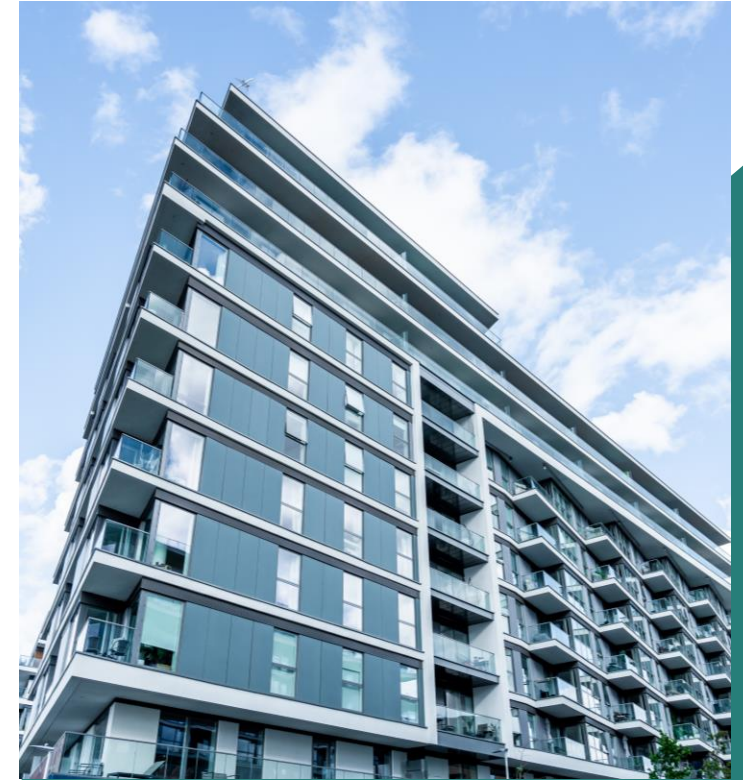
BICoF Next Steps

- Class 1 – Trainee
- Class 2 – Registered Building Inspector
- Class 3 – Registered Building Inspector (Specialist)
- Class 4 – Technical Manager



Demonstrating Competence

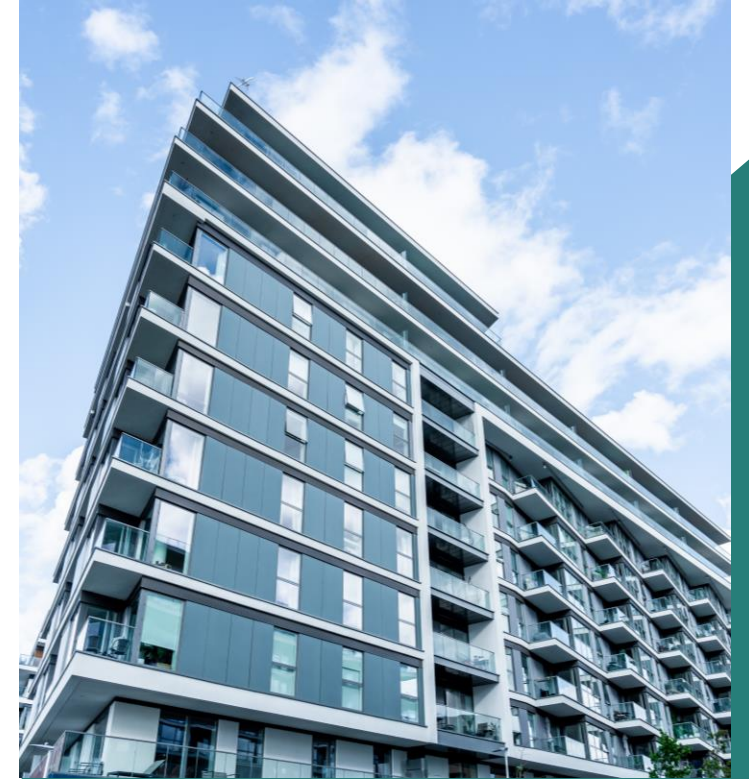
- So, the BICoF covers the ‘what’ but what about the ‘how’?
- How will you demonstrate your competence?



Demonstrating Competence – working with Industry Bodies

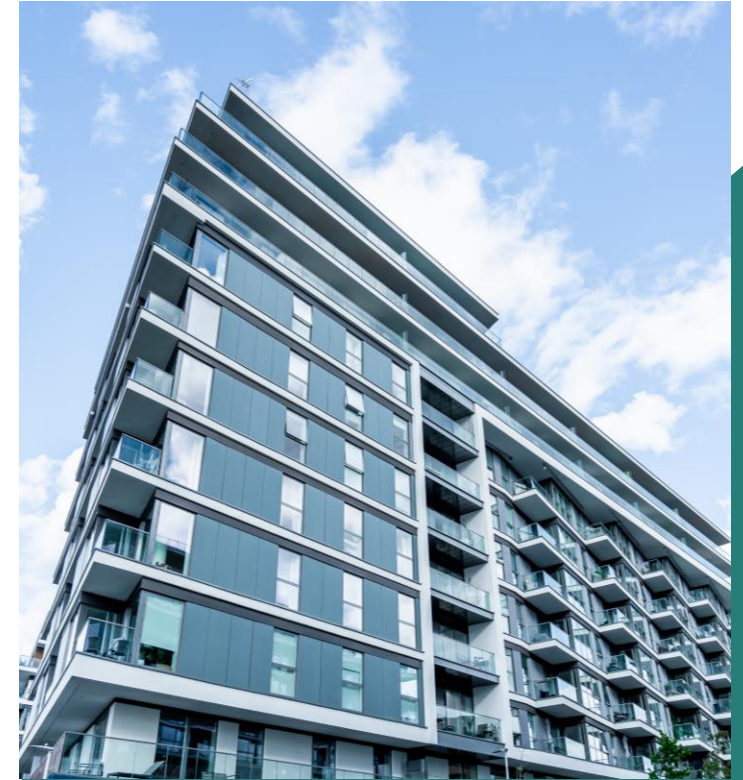


- Building Safety Competence Foundation (BSCF)
- Chartered Association of Building Engineers (CABE)
- Association of Consultant Approved Inspectors (ACAI)



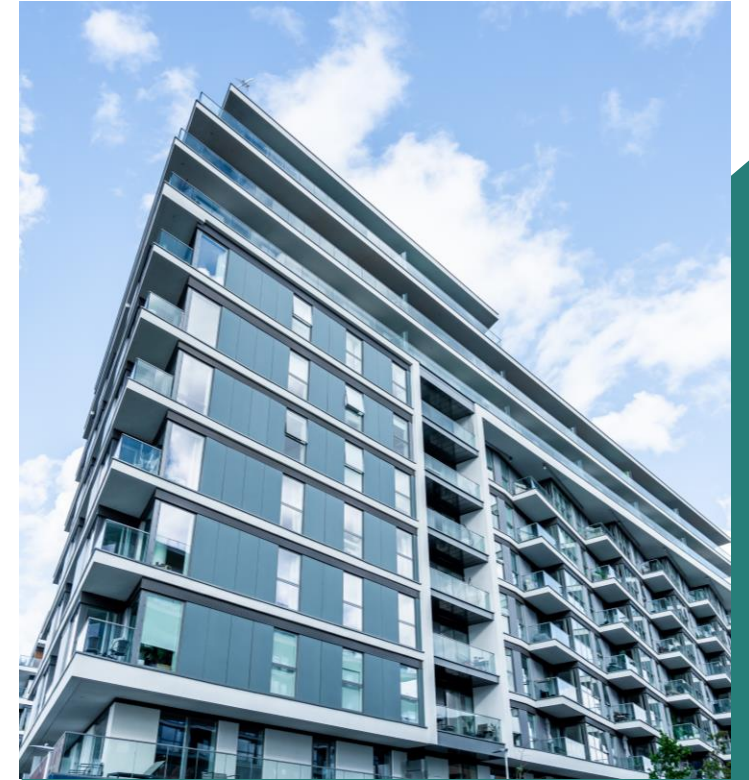
Demonstrating Competence – Assessment

- BSR supports industry taking a leading role
- BSR are working with professional bodies to provide assessment schemes that meet BICoF requirements
- Schemes will also be underpinned by third-party accreditation to ensure minimum standards are met



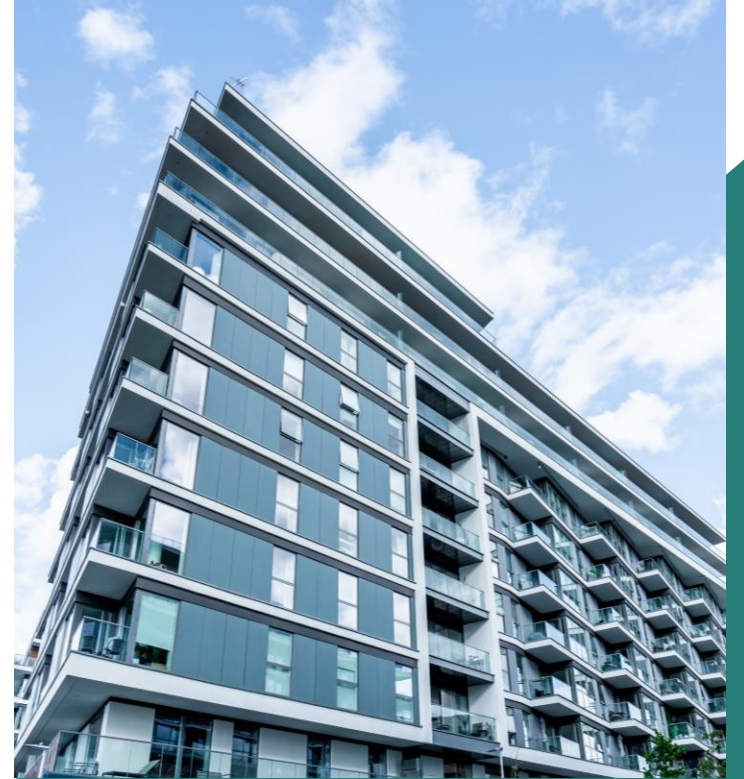
Demonstrating Competence – Transitional Arrangements

- Formal qualifications
- Training – formal and/or vocational
- Membership of a professional body
- CV
- Portfolio of work undertaken
- Completion of a recognised assessment



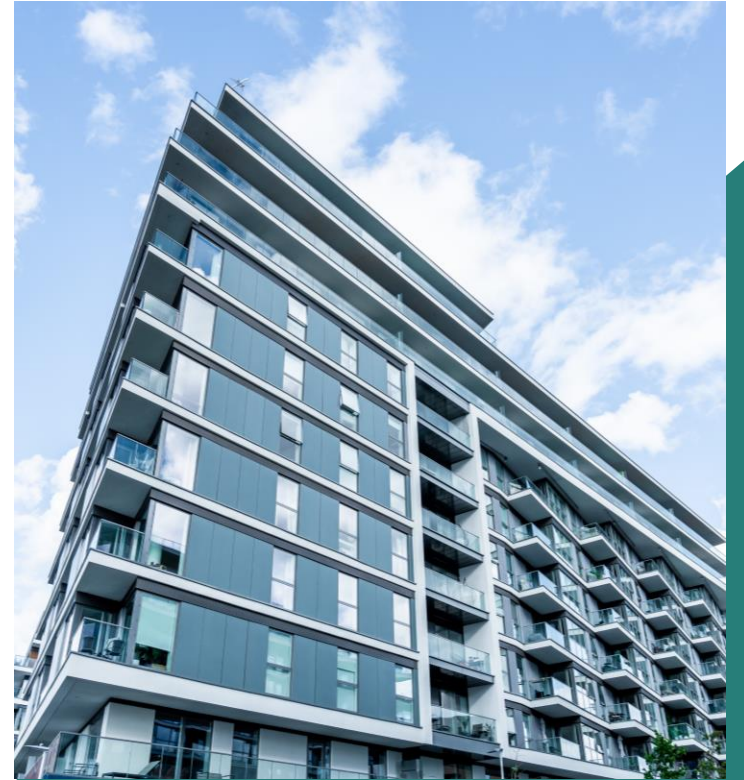
Demonstrating Competence – Transitional Arrangements

- Supportive statement from your employer
- Interview



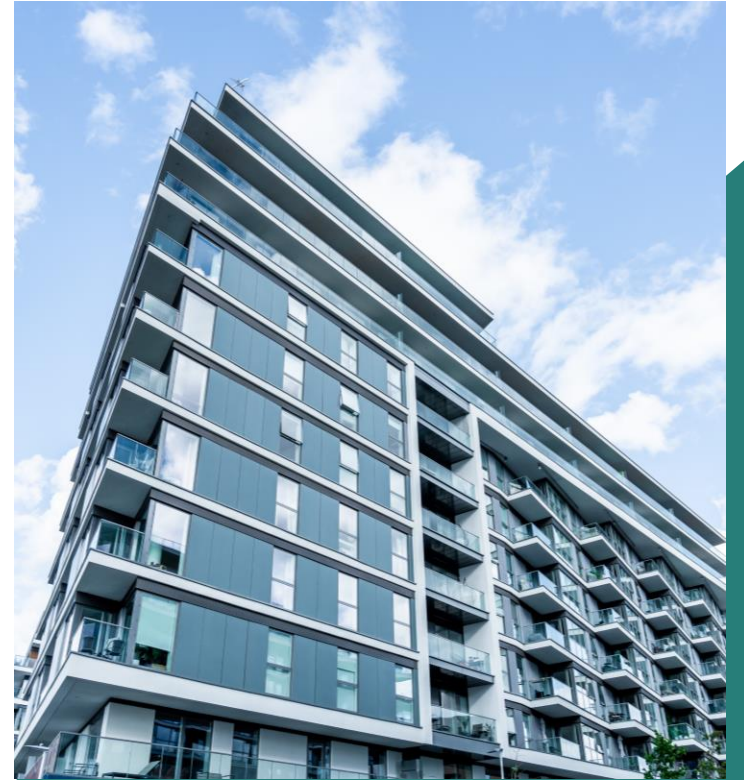
Demonstrating Competence – Transitional Arrangements

- Post registration checks
- Registration conditions



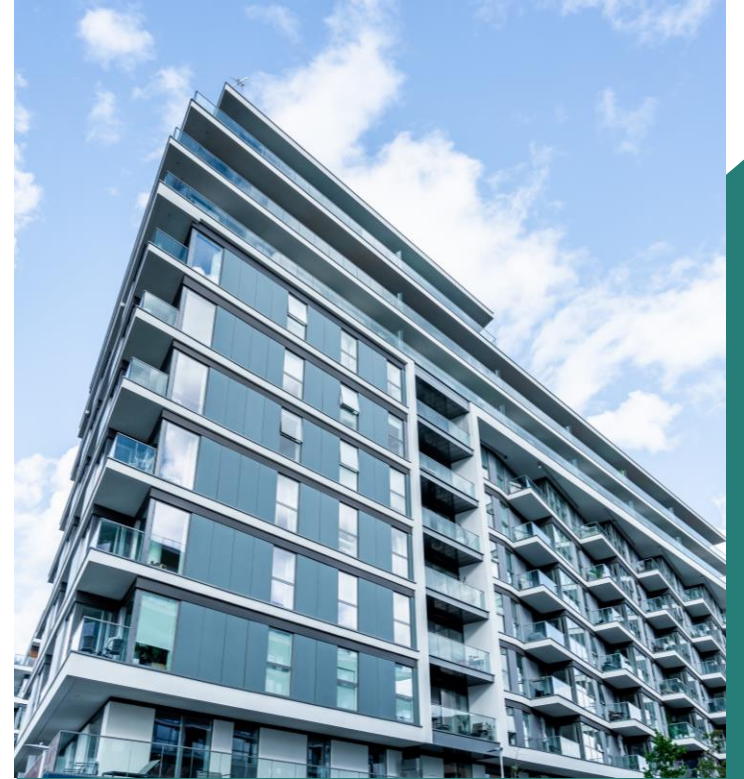
Demonstrating Competence – Call to Action

Start to prepare now



Building Inspector Competence

Thank you – any questions



The logo for the BSR Conference 2023. It features the letters 'B', 'S', and 'R' in large, bold, white font, each set within a colored, house-shaped background: 'B' is in a gold shape, 'S' is in a teal shape, and 'R' is in a dark blue shape. To the right of these letters, the words 'CONFERENCE' and '2023' are written in a smaller, white, sans-serif font, stacked vertically.

BSR CONFERENCE 2023

**Understanding the new Client, Principal
Designer and Principal Contractor Roles**
Andrew Moore



Aim of the new Building Regulation Roles and requirements

- Change the culture highlighted in the Grenfell Independent report and public enquiry
- The new duties / roles in building regulations modelled on Health and safety Construction Design and Management (CDM)
- The new regime applies to all building projects not just HRBs
- Greater emphasis on buildings being built to design.

Importance of the Client

- The client has a critical role by setting the tone and expectations for building work and projects
- Need to engage clients in building safety agenda
- Encourage a collaborative approach to procurement

<https://www.gov.uk/government/publications/collaborative-procurement-guidance-for-design-and-construction-to-support-building-safety>

Collaborative Procurement

Guidance on Collaborative Procurement For Design and Construction to Support Building Safety [GOVERNMENT](#)



Client Duties explained

1. Appoint Principal Designers (PD) and Principal Contractor (PC)
2. Ensure suitable arrangements for planning, managing, and monitoring a project
3. Allocation of sufficient time and resources to put in place management arrangements
4. Ensure that the arrangements are maintained and reviewed throughout the project
5. Provide building information as soon as is practicable to every designer and contractor on the project



Principal Contractor responsibilities to comply with the Building Regulations

- Plan, manage and monitor the building work during the construction phase,
- Coordinate matters relating to the building work
- Ensure the building work is in compliance with all relevant requirements.
- “Where the Principal Designer provides comments to the principal contractor in relation to compliance with the relevant requirements the principal contractor must have regard to those comments.”



Competence requirements for Principal Contractor + Principal Designer

- Individuals need the skills, knowledge, experience and behaviours necessary,
 - 8671 Built environment – Framework for competence of individual Principal Designers – Specification
 - 8672 Built environment – Framework for competence of individual Principal Contractors – Specification
- Organisational capability (management policies, procedures, systems and resources) for organisations
- <https://consultations.hse.gov.uk/bsr/building-safety-competence-information-pc-pd/>



Principle Designer and CDM - benefits and issues

“Nearly three quarters agreed the PD understood the oversight role and ensured that health and safety was an integral consideration in design.”

- Early consideration of design / health and safety
- Better coordination and communication between different teams / duty holders
- Improved integration of safety and design
- More understanding / awareness of design risk
- Improved project information



Principal Designer (PD)

- PD role mirrors the PC – plan manage, monitor and coordinate building regulation compliance
- PD should be a designer who is part of the design team
- PD coordination does not mean being an expert in every design specialism
- PD should understand building regulations
- PD should help contractors demonstrate that elements are built properly



Key messages

- CDM methodology has been applied to Building Regulations
- The new requirements apply to all building projects, not just HRBs
- Clients are required to lead building work
- PC needs the right competence (organisational capacity)
- PD should be a designer with influence over design decisions



The logo for the BSR Conference 2023 features the letters 'B', 'S', and 'R' in large, bold, white font. Each letter is set against a colored background: 'B' is on a gold background, 'S' is on a teal background, and 'R' is on a dark blue background. To the right of these letters, the words 'CONFERENCE' and '2023' are written in a smaller, white, sans-serif font.

BSR CONFERENCE 2023

**Understanding the building assessment
certification process**

1pm – Kim Tichias

3pm – Andrew Saunders

**In-occupation Operational Policy Team
Building Safety Regulator**



Building Assessment Certification Process - Overview

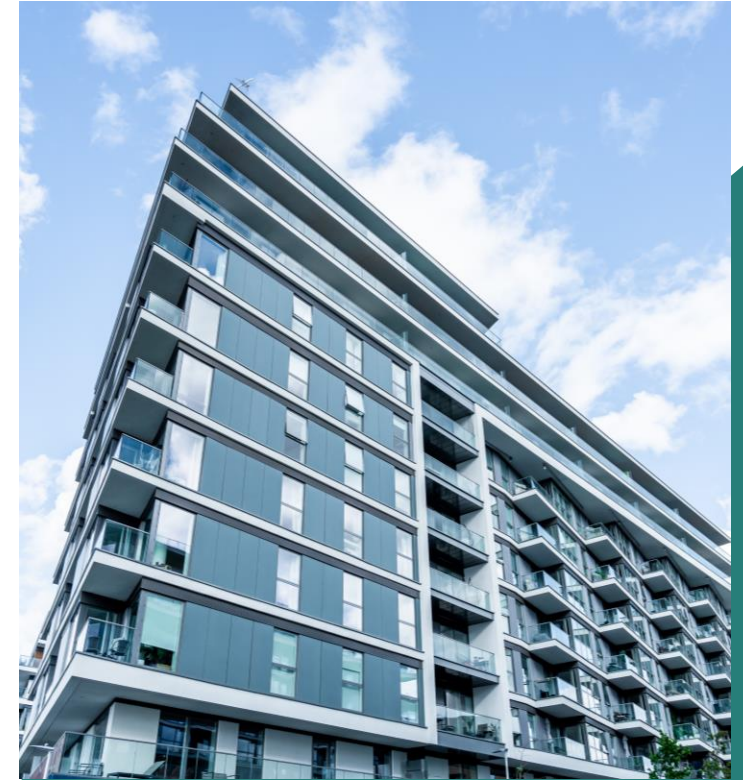
- Part 4 of the Building Safety Act – overview
- Timeline for BAC applications
- Submitting an application
- Assessment
- Resident engagement
- Inspection
- Outcomes

Abbreviations:

- PAP – Principal accountable person
- BAC – Building assessment certificate
- MDT – Multi-disciplinary team

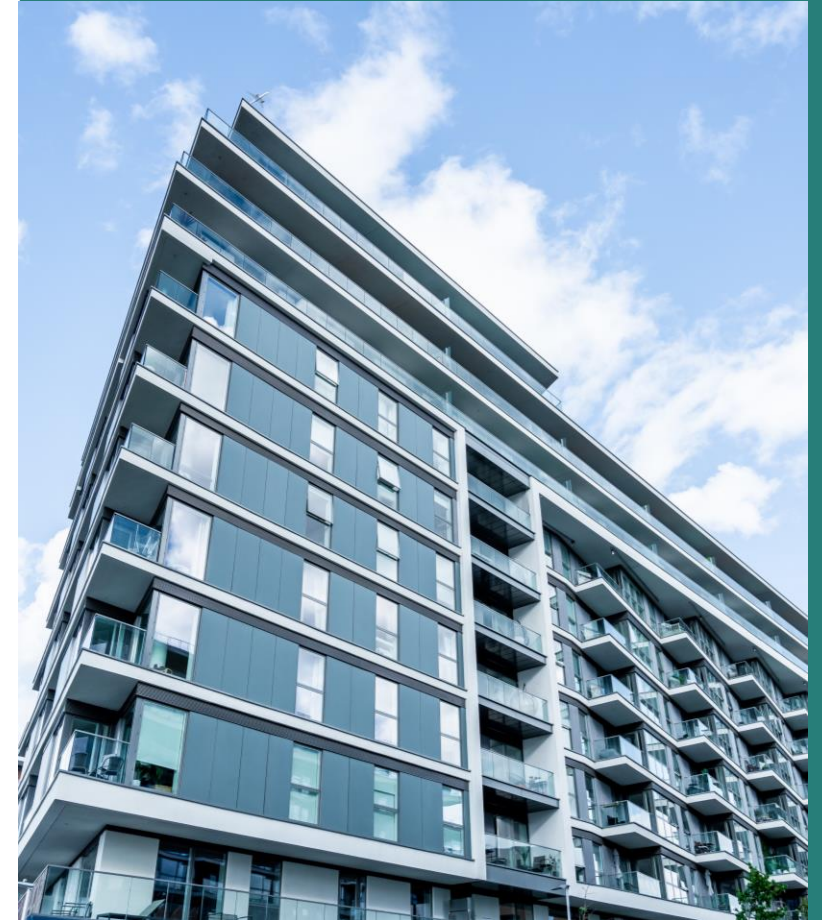
Overview of Part 4 of the Building Safety Act 2022 #1

- Introduces new dutyholders – Accountable Persons and Principal Accountable Persons – APs and PAPs
- Defines building safety risks for the purposes of the Act
 - Spread of fire
 - Structural failure
- Sets out the buildings in scope
 - At least 18 metres in height or have at least 7 storeys
 - Contains at least 2 residential units



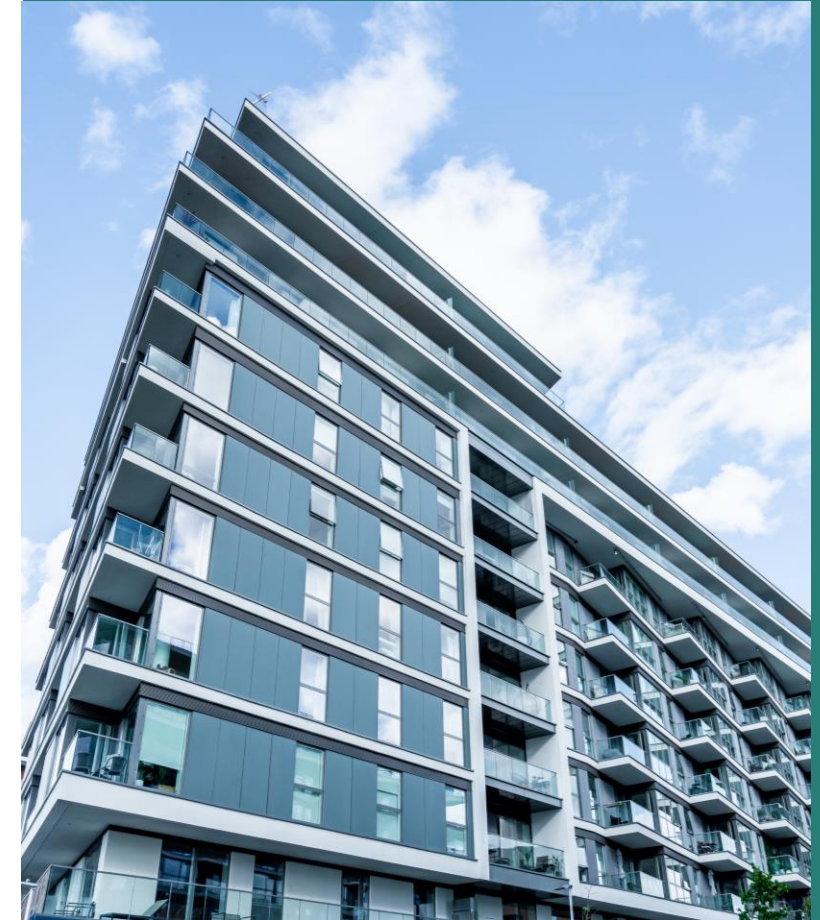
Overview of Part 4 of the Building Safety Act 2022 #2

- Requires APs to take all reasonable steps to prevent building safety risks and reduce the severity if an incident occurs
- PAPs for occupied buildings will have to apply to BSR for a building assessment certificate (BAC)
 - BSR will assess those applications
- When assessing BAC applications, BSR is checking whether specific legal duties have been met in relation to the building safety risks listed in the Act
 - Building safety risks are spread of fire and structural failure
 - BSR is not assessing the safety of the building, but rather how those risks are being managed



Timeline for BAC applications

- The Act requires PAPs to register their buildings with BSR. The information provided at registration will help BSR prioritise when buildings will have to apply for their BAC
- BSR expects to start assessing BAC applications from April 2024
- PAPs will be invited to apply; cannot nominate themselves
- BSR plans to assess existing buildings over a period of 5 years
- Timing will be based on height / number of dwellings and information from registration
- Buildings are currently expected to be reassessed at least every 5 years

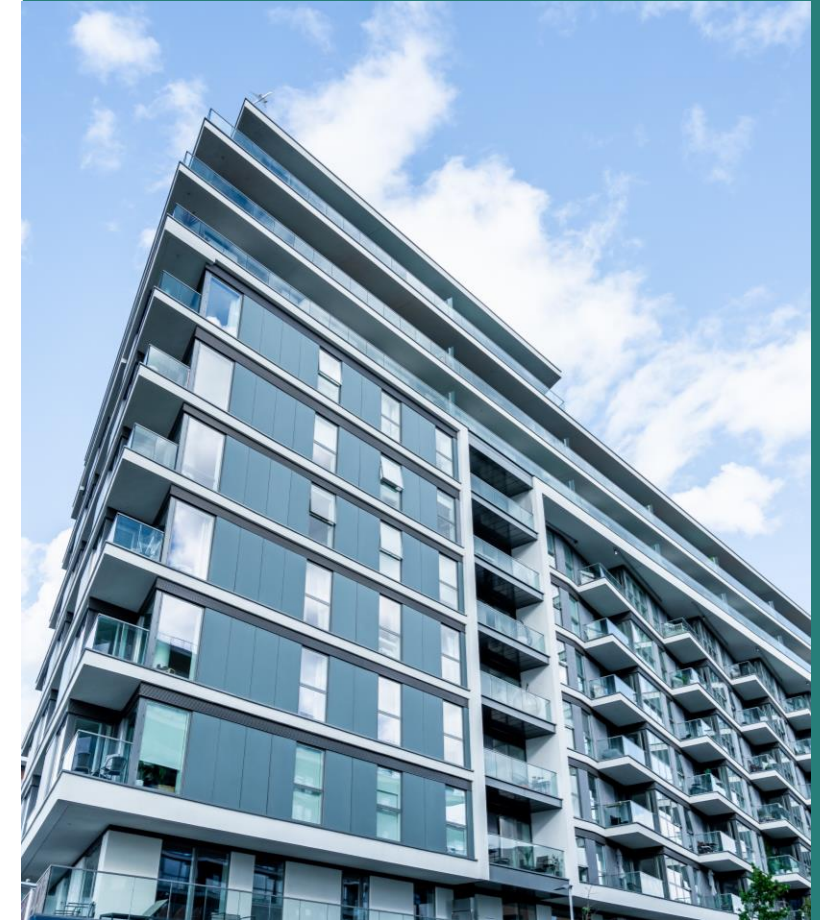


Submitting an application

- When invited, the PAP will have 28 days to submit the BAC application
- Application must include:
 - A copy of the latest safety case report.
 - A copy of the residents' engagement strategy.
 - Information on how the mandatory occurrence reporting system operates.
 - A statement confirming all APs have supplied relevant information and documents to all appropriate persons (BSR, residents, other APs etc).

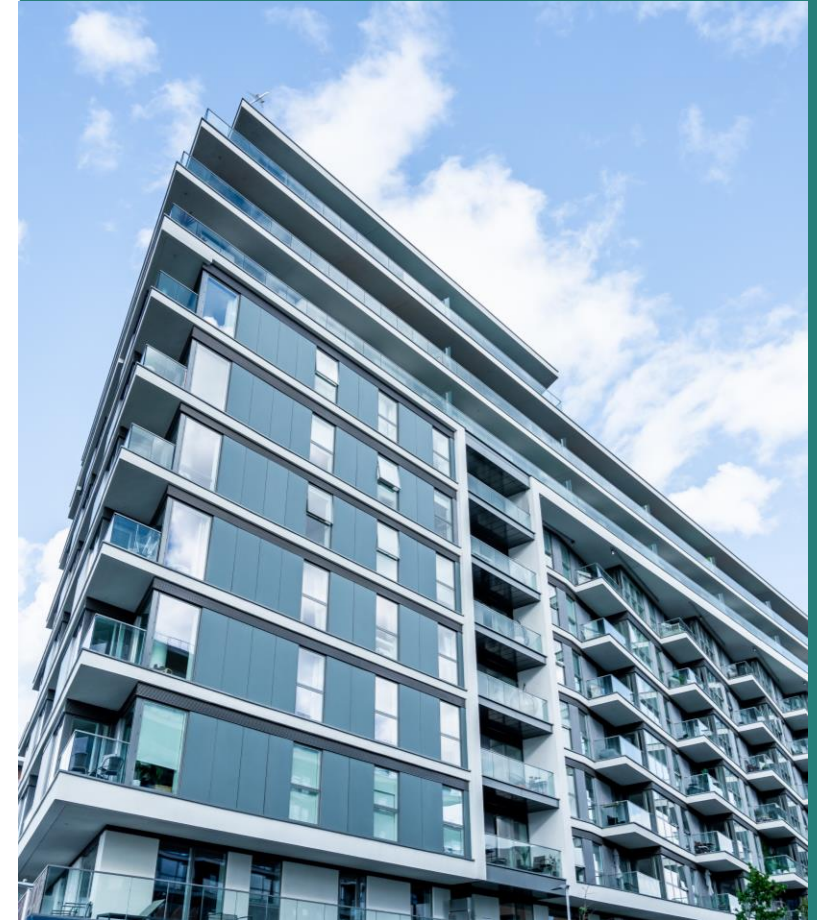
BAC Assessment #1

- BSR will review the application to make sure it contains what it needs to
- Assessments will be undertaken by multi-disciplinary teams (MDTs)
- **The assessment is to establish whether the relevant legal duties have been met at that point in time**



BAC Assessment #2

- Assessment will be a review of the information and documents submitted
- BSR will have the option to request further information if necessary for the assessment
- BSR is developing assessment criteria to ensure consistency
- BSR is also looking at how we assess common information for PAPs with large numbers of buildings



Resident Engagement

- The Hackitt review highlighted the importance of residents and the need for them to be at the heart of the new regime
- PAPs will have to submit their resident engagement strategy as part of the BAC application
- BSR will assess the strategy as part of considering the BAC application
- BSR has recently set up the Statutory Residents' Panel, building on the work with the Interim Panel. This will ensure the views of residents are heard
 - BSR has also undertaken research on residents' views and this continues to inform our work

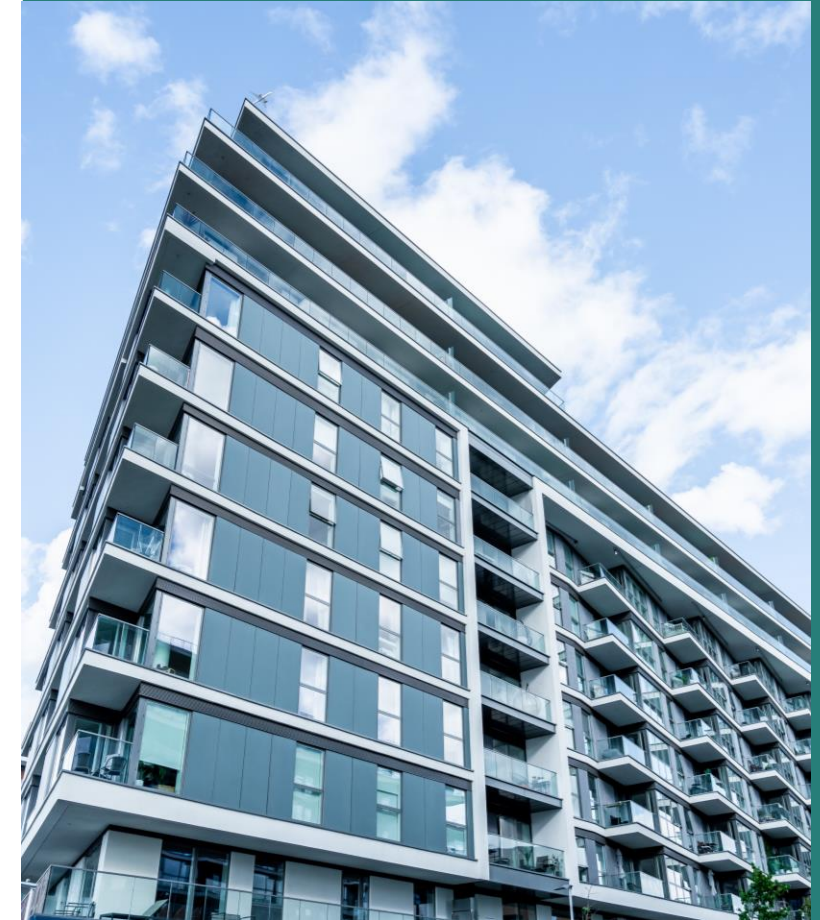


BAC Assessment - Inspection

- Assessment of BAC applications will determine whether legal duties have been met. Generally, this will be based on the documents submitted as part of the application
- If BSR cannot get assurance from those documents that risks are being appropriately managed, then it may carry out inspections
- If BSR does inspect, it may be a virtual or remote inspection, or a discussion with the PAP on particular issues. It will not necessarily be a site visit
 - Inspection – including any site visits – will be targeted on issues with the BAC assessment, it will not be a general inspection of the building. BSR is currently developing criteria for inspections
- Inspections and site visits may take place as part of other BSR interventions – such as complaint or incident investigation – but those are separate to BAC applications
- Existing legislation remains in force. Other regulators such as local authorities or fire and rescue services may still visit buildings under those existing requirements

BAC Assessment - Outcome #1

- Once BSR has assessed the application, the BSR Regulatory Lead will make a decision
- If BSR is satisfied the relevant legal duties have been met, it must issue a building assessment certificate
 - PAPs must display the most recent BAC in a “conspicuous position” in the building
- If BSR is not satisfied legal duties have been met, it must refuse the application and tell the PAP why
 - BSR will be able to issue compliance notices if legal duties are not being met
 - If the application is refused, the PAP will have to reapply at a later date

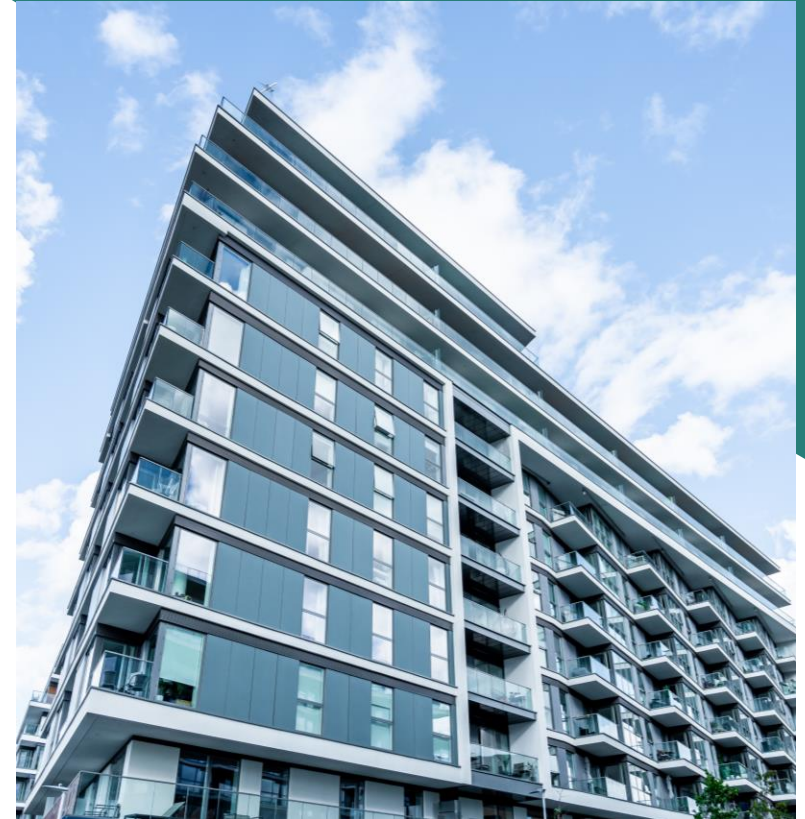


BAC Assessment - Outcome #2

- If BSR would have to refuse the application but the issue can be resolved promptly, it can issue a notice requiring that issue to be resolved within a specified period of time
 - If it is, BSR must issue the BAC instead of refusing the application
- Refusing an application does not necessarily mean the building is unsafe – it means that one or more of the legal duties under the Act has not been met
 - For example: if the residents' engagement strategy does not meet the requirements in the legislation, the decision would be refusal (or possibly a prompt remedy)
 - Although this would need to be resolved, it does not mean that the building is unsafe in the meantime
- PAPs will be able to appeal decisions made as part of the BAC process

And finally

Thank you for your attention – any questions?



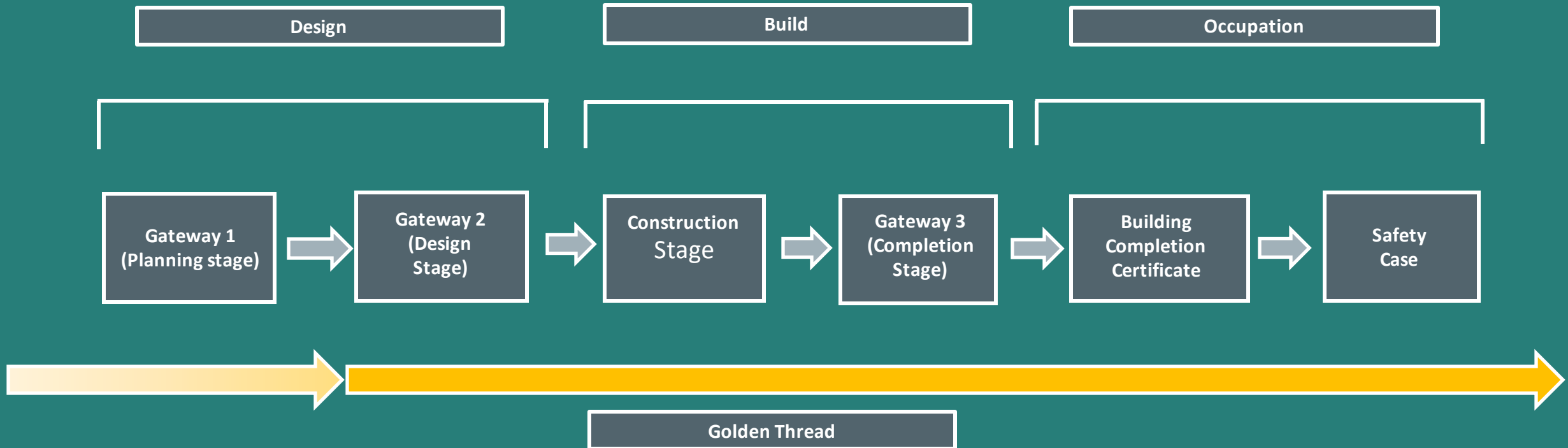
The logo for the BSR Conference 2023. The letters 'B', 'S', and 'R' are large and bold, each set within a colored vertical bar: 'B' is gold, 'S' is teal, and 'R' is dark blue. To the right of these bars, the word 'CONFERENCE' is written in a smaller, white, sans-serif font, and '2023' is written in a larger, white, sans-serif font below it.

BSR CONFERENCE
2023

Neil Hope-Collins – Policy Advisor
Higher Risk Buildings



The Golden Thread of Building Information



The Golden Thread of Building Information Principles

Content - The **Right People** have the **right information** at the **right time**

- **Right People** – those who require the information to carry out a function
- **Right Information** – the information they need, in a form they can understand
- **Right time** – when the receiver needs it, the point it will add value.

System - Act as a ‘**single source of truth**’

- **Digital Secure Transferable Accessible**



The Golden Thread of Building Information During design & construction phase

The information relied upon in making the
building completion certificate application

IS

The Golden Thread of building information
through design and construction



The Golden Thread of Building Information During design & construction phase

Before Building work starts

Sufficient information to show how the building will satisfy all applicable functional requirements.

- Plans, details, specifications - PLUS
- Construction control plan
- Fire and emergency file
- Building regulations compliance document
- Planning statement
- Change control plan
- Competence declaration
- Description of mandatory occurrence reporting system



The Golden Thread of Building Information Design & construction phase

During Construction

Sufficient information (evidence) must be captured to show how the building work itself conforms to the design that was approved, including any approved changes

Change Management

Sufficient information (evidence) must be captured to show that all changes from the original building control approval application were

- Assessed by the client's team for impact
- Recorded in a change control log



The Golden Thread of Building Information During design & construction phase

Completion Certificate Application

The Building Completion Certificate Application must contain sufficient information to show how the building conforms

- to the approved design and
- satisfies all the applicable functional requirements

This evidence base comprises

- 'as built' plans and information
- Evidence captured through construction
- Information captured through commissioning
- Information captured through final functional inspections

The Golden Thread of Building Information During design & construction phase

The information relied upon in making the
building completion certificate application

IS

The Golden Thread of building information
through design and construction



The Golden Thread of Building Information In occupation phase

Building work in existing buildings

Where building work takes place in an existing high-rise residential building then

- The impact of the planned work, when finished must be considered as part of the duties to assess and manage building safety risks and summarised at an appropriate point in an updated safety case report
- The building work will be subject to the new building control regime, including the information requirements
- The impact of the work, whilst the work is taking place must be considered as part of action to comply with the safety case regime, and all other applicable legislation



The Golden Thread of Building Information In occupation phase

1. At the start –
 - i. New Build
 - ii. Existing buildings
2. Managing the Building
3. Safety Case
4. Safety Case Report
5. Building work in an existing building



The Golden Thread of Building Information

Questions?



The logo for the BSR Conference 2023. It features the letters 'B', 'S', and 'R' in large, bold, white font, each set within a colored, house-shaped block: 'B' in a gold block, 'S' in a teal block, and 'R' in a dark blue block. To the right of these blocks, the word 'CONFERENCE' is written in a smaller, white, sans-serif font, and '2023' is written in a larger, white, sans-serif font below it.

BSR CONFERENCE 2023

Beginners' guide to a safety case report

Andrew Saunders

In-occupation operational policy

Building Safety Regulator



Overview

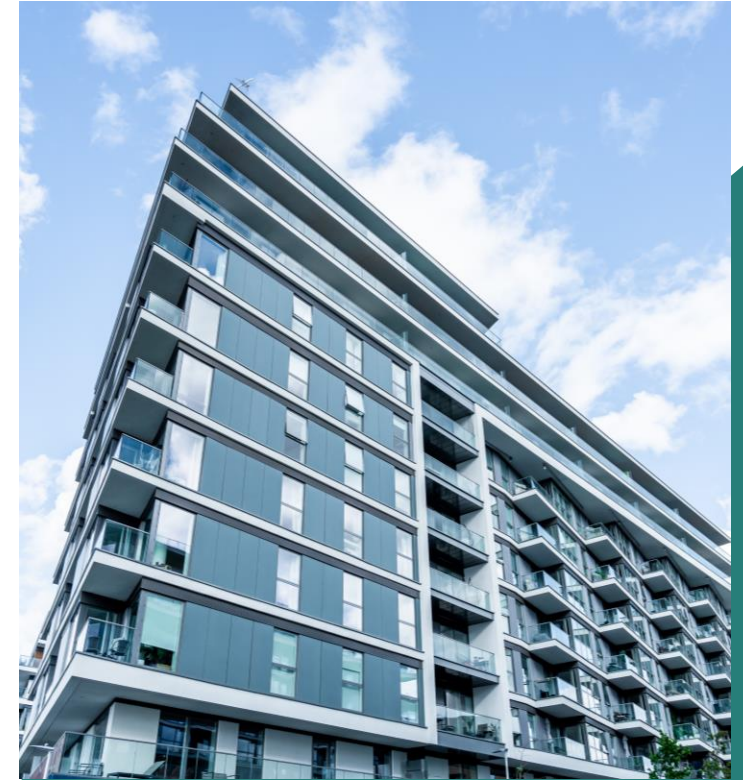
- Part 4 of the Building Safety Act - overview
- Introduction to safety cases
- Safety Case - v - Safety Case Report
- The Importance of Information
- Risk Assessment
- All Reasonable Steps
- Safety Case Report – Form and Content

Abbreviations

- AP – Accountable person
- PAP – Principal accountable person

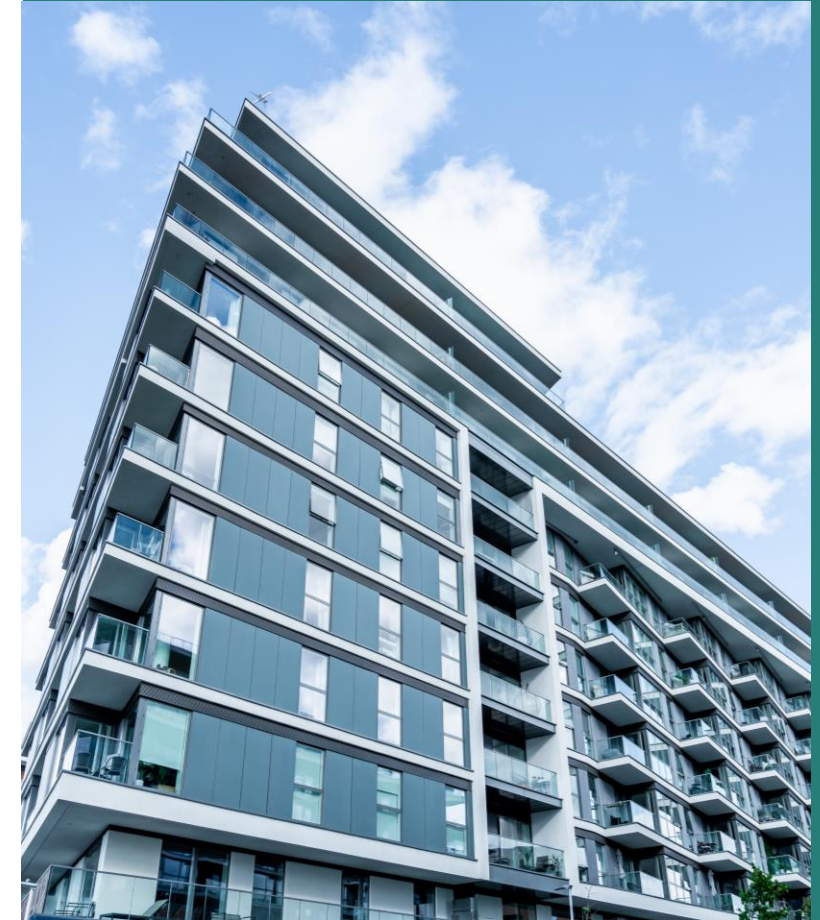
Overview of Part 4 of the Building Safety Act 2022 #1

- Introduces new dutyholders – Accountable Persons and Principal Accountable Persons – APs and PAPs
- Defines building safety risks for the purposes of the Act
 - Spread of fire
 - Structural failure
- Sets out the buildings in scope
 - At least 18 metres in height or have at least 7 storeys
 - Contains at least 2 residential units



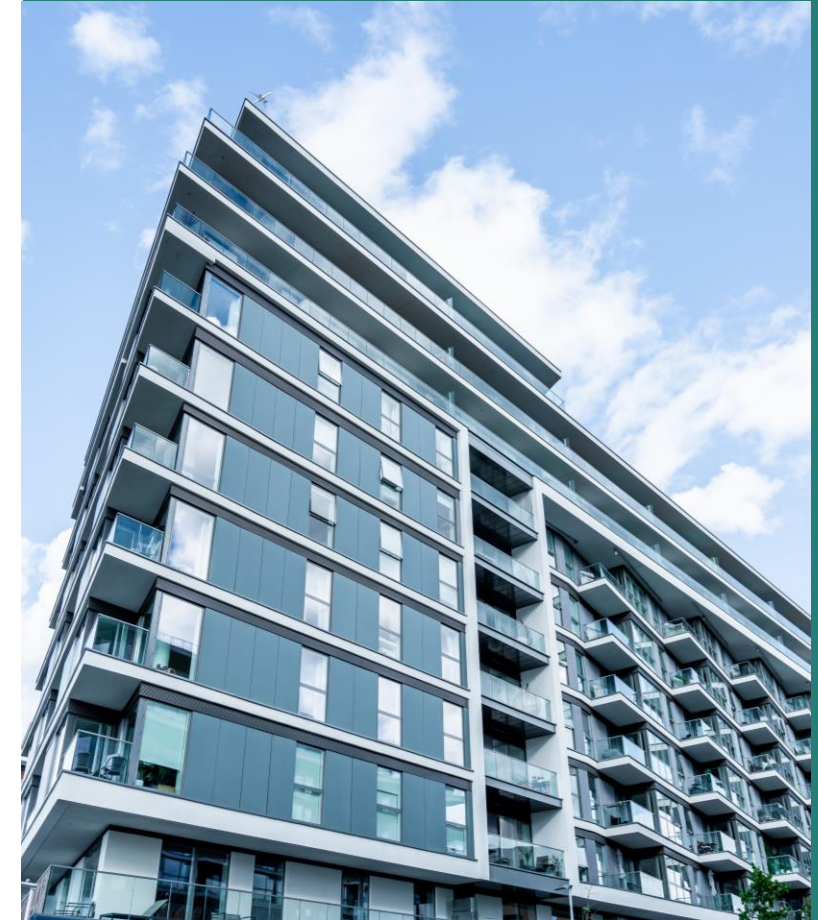
Overview of Part 4 of the Building Safety Act 2022 #2

- Requires APs to take all reasonable steps to prevent building safety risks and reduce the severity of an incident should it occur
- Duties include
 - Registering the building with BSR (PAP)
 - Assessing building safety risks (AP)
 - Have arrangements in place to manage building safety risks (AP)
 - Preparing a safety case report (PAP)
 - Applying for a building assessment certificate (BAC) when invited to do so (PAP)



An introduction to safety cases

- Safety cases are used in other industries but it's a new concept to building management
- A safety case is a written record of how you manage the building safety risks defined in the Act
 - The level of detail needed should be proportionate to the risks in the specific building
- If you are managing your building well and understand the risks, you are probably doing most of what you need to do already

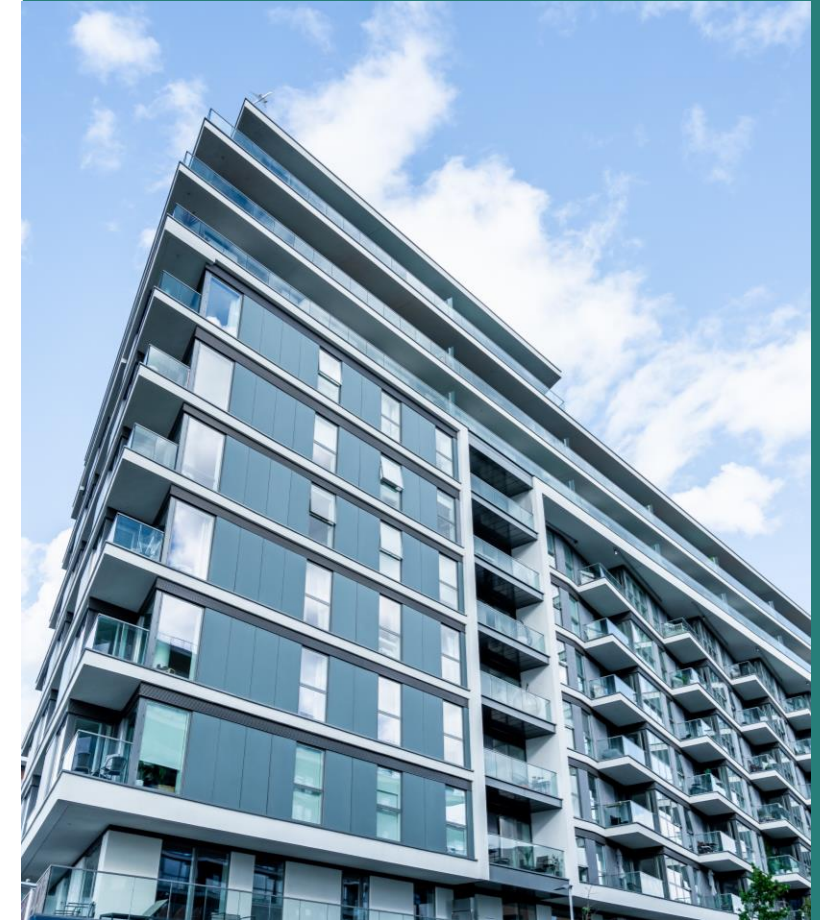


Safety case –v– safety case report #1

- The safety case is all the information you use to manage building safety risks
- This information will become part of your building's golden thread
- The safety case report is a summary of what you have in place that demonstrates you have taken all reasonable steps to manage building safety risks (spread of fire and structural failure)
 - You will need to liaise with any other APs for the building in order to produce the report
- The safety case report will need to contain details of your assessment of building safety risks and what you have in place to manage those risks
 - This will include both the physical measures and the supporting management arrangements

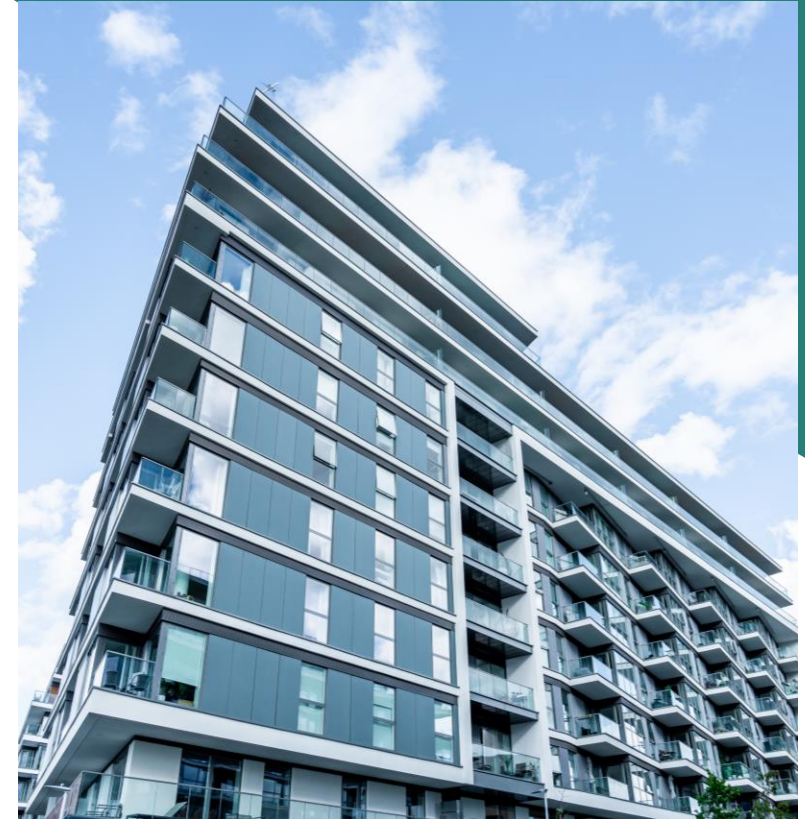
Safety case –v– safety case report #2

- The safety case report needs to make an argument, supported by evidence, that you have taken all reasonable steps
 - It isn't just a list of control measures or a collection of unlinked reports and assessments
 - It should summarise and link to the supporting evidence in the wider safety case for the building as part of the demonstration



The importance of information #1

- You cannot meet your duties under Part 4 of the Act without accurate, up-to-date information about your building (this is held in your golden thread)
- You will need the information so you can
 - Register your building
 - Assess building safety risks
 - Prepare your safety case report
 - Demonstrate you have taken all reasonable steps
- If there is information you don't have, you will need to decide how important it is to managing building safety and take reasonable steps to find it

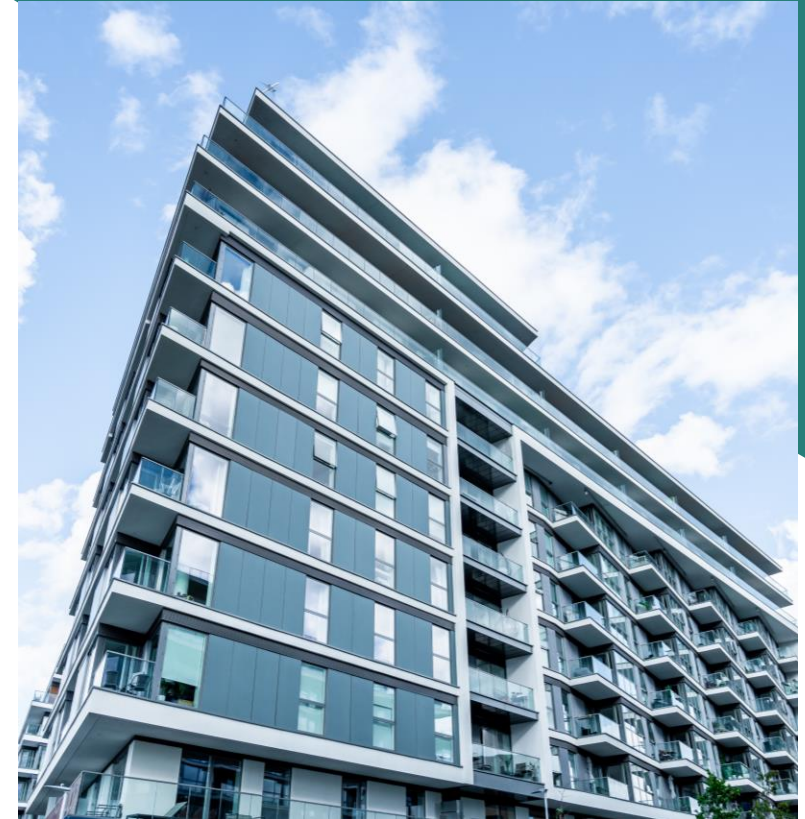


The importance of information #2

- Examples of the type of information you will need include
 - Basic building information
 - How your building is constructed
 - Resident profile
 - Previous refurbishments or changes to the building that could affect building safety
 - Fire prevention and protective measures
 - Structural safety
 - Services and utilities supplying the building
 - Maintenance and inspection relating to spread of fire and structural failure
- This list is not exhaustive and will vary depending on the building

Risk Assessment #1

- There are lots of risk assessment techniques available
- There is no requirement to use any particular method
- The one you currently use may be suitable, but whatever method you choose, it should be systematic
- You will need to assess
 - What could happen and how
 - What are the consequences if it does
 - What measures you already have in place
 - How you know they will work as intended (e.g. maintenance and testing)
 - Whether there is anything more you could reasonably do



Risk Assessment #2

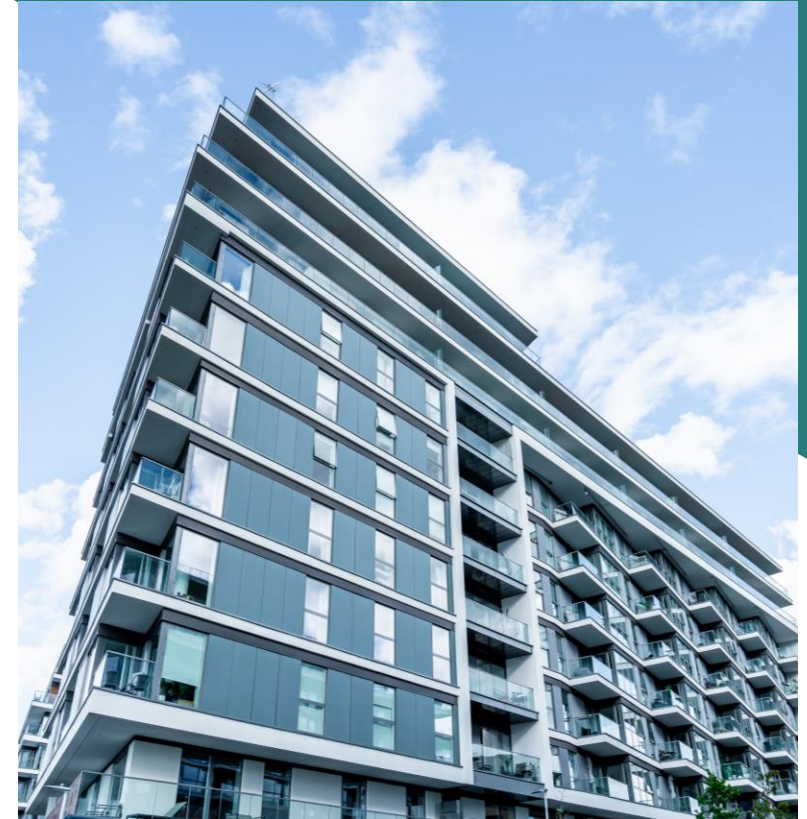
- You need to consider how building safety risks could occur in your particular building
- Possible fire spread scenarios include
 - Single-floor scenarios
 - Between-floors scenarios
 - Multiple-floor or whole building scenarios
 - Evacuation scenarios
- Possible structural scenarios include
 - Collapse of a residential unit or common area
 - Multiple-floor collapse
 - Whole-building collapse
 - Undermining or compromise of foundations
 - Specific incidents such as gas explosion or impact damage

All reasonable steps

- The standards in existing buildings may be different to those if it was built today
- APs not expected to bring every building up to modern standards. However, APs will need to demonstrate that they have taken all reasonable steps to manage building safety risks
 - It is not enough to simply say “it was built to X standard at the time of construction”
- Because
 - Building may have changed since it was built – e.g. it has been refurbished
 - There may also be other things APs can reasonably do
 - APs also have to act in accordance with "prescribed principles" – a hierarchy of control
- What that means in practice will vary depending on the building
 - BSR is working on guidance to illustrate what all reasonable steps may look like in common situations.

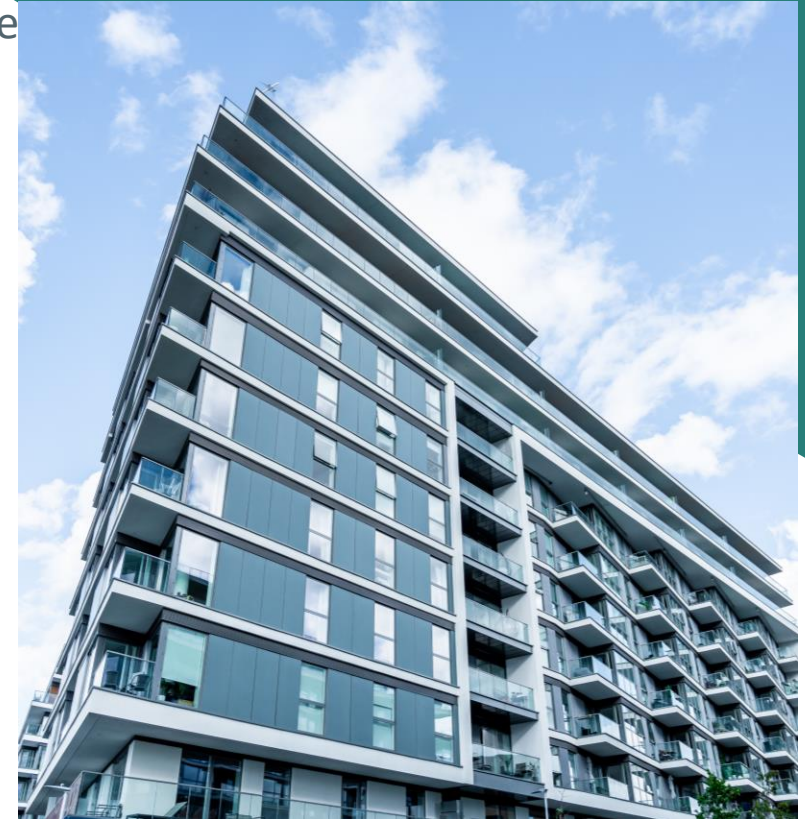
Safety case report – Form & Content #1

- The safety case report will need to be submitted as part of the BAC application
- There is no set format – there won't be a template
 - It's about demonstrating how PAPs manage their buildings
- Early guidance already published and BSR is now working on detailed guidance to explain what is required
- As well as containing details of the measures you have in place, it will need to make a demonstration that you have taken all reasonable steps – supported by the evidence that forms part of your wider safety case (which may be referenced in the report)



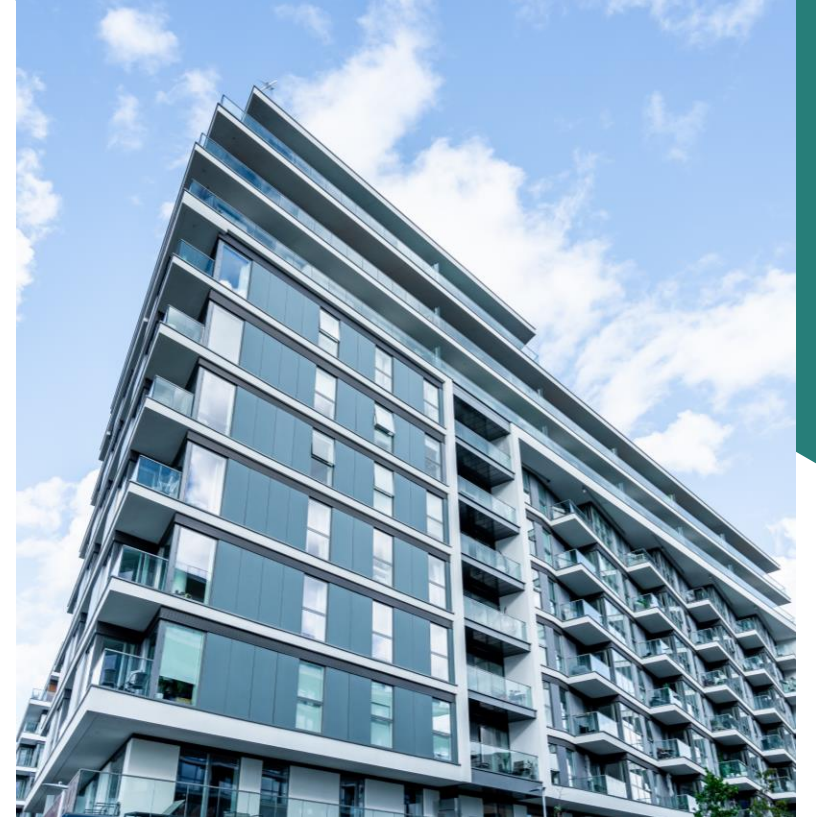
Safety case report – Form & Content #2

- Regulations will set out the content requirements for the safety case report
- Headings you are likely to need include
 - Details of accountable persons
 - Description of the building
 - Assessment of building safety risks
 - Steps taken to manage building safety risks
 - Safety management system
 - Planning for emergencies
 - Demonstration you have taken all reasonable steps
 - Ongoing work, improvement plans and any interim measures



And finally

Thank you for your attention – any questions?



The logo for the BSR Conference 2023. It features the letters 'B', 'S', and 'R' in large, bold, white font, each set within a colored, house-shaped block: 'B' in a gold block, 'S' in a teal block, and 'R' in a dark blue block. To the right of these blocks, the words 'CONFERENCE' and '2023' are written in a smaller, white, sans-serif font, stacked vertically.

BSR CONFERENCE 2023

Colin Blatchford Brown

Operational policy lead for gateways and building control

BSR as building control authority

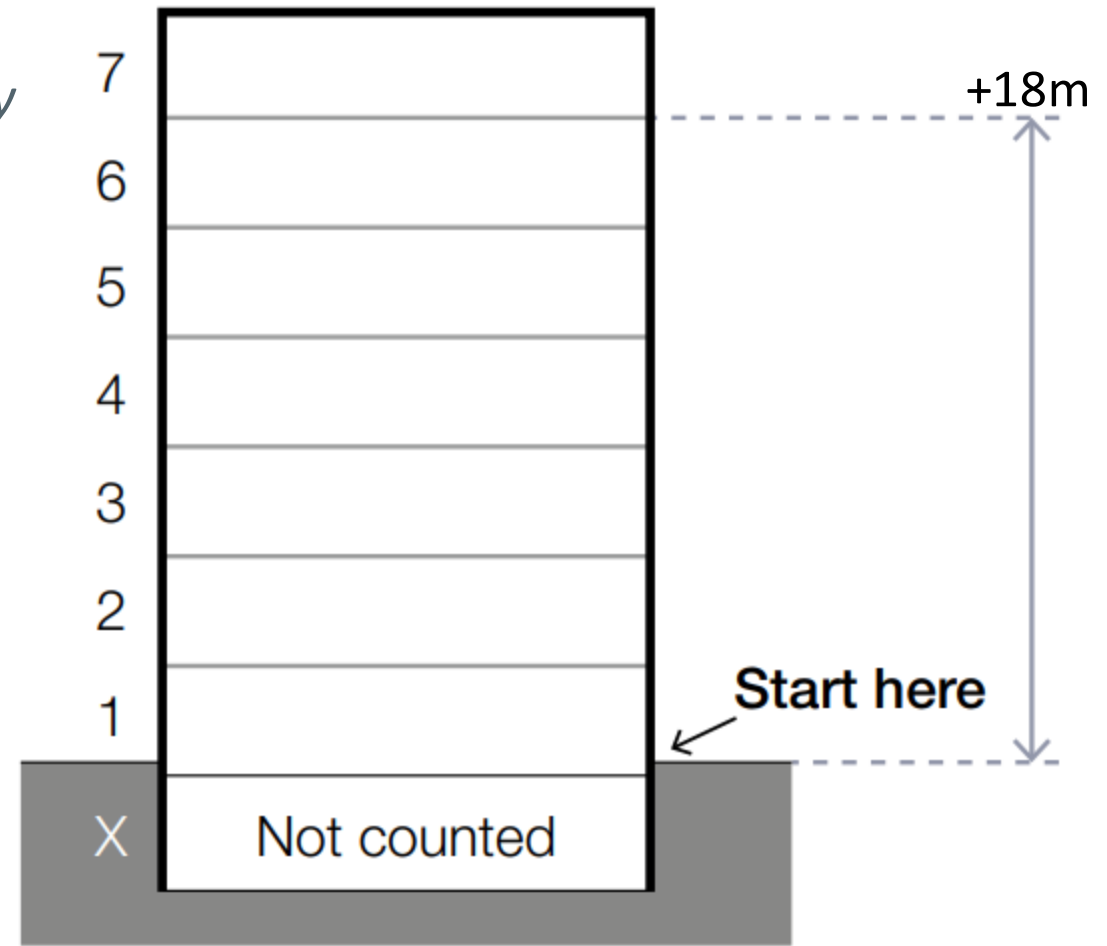


Building control authority

“The regulator is the building control authority in relation to any higher-risk building in England or any proposed such building”

- A building containing at least 2 residential units,
- hospitals, and
- care homes

Which are 18 metres plus in height, or have at least seven storeys

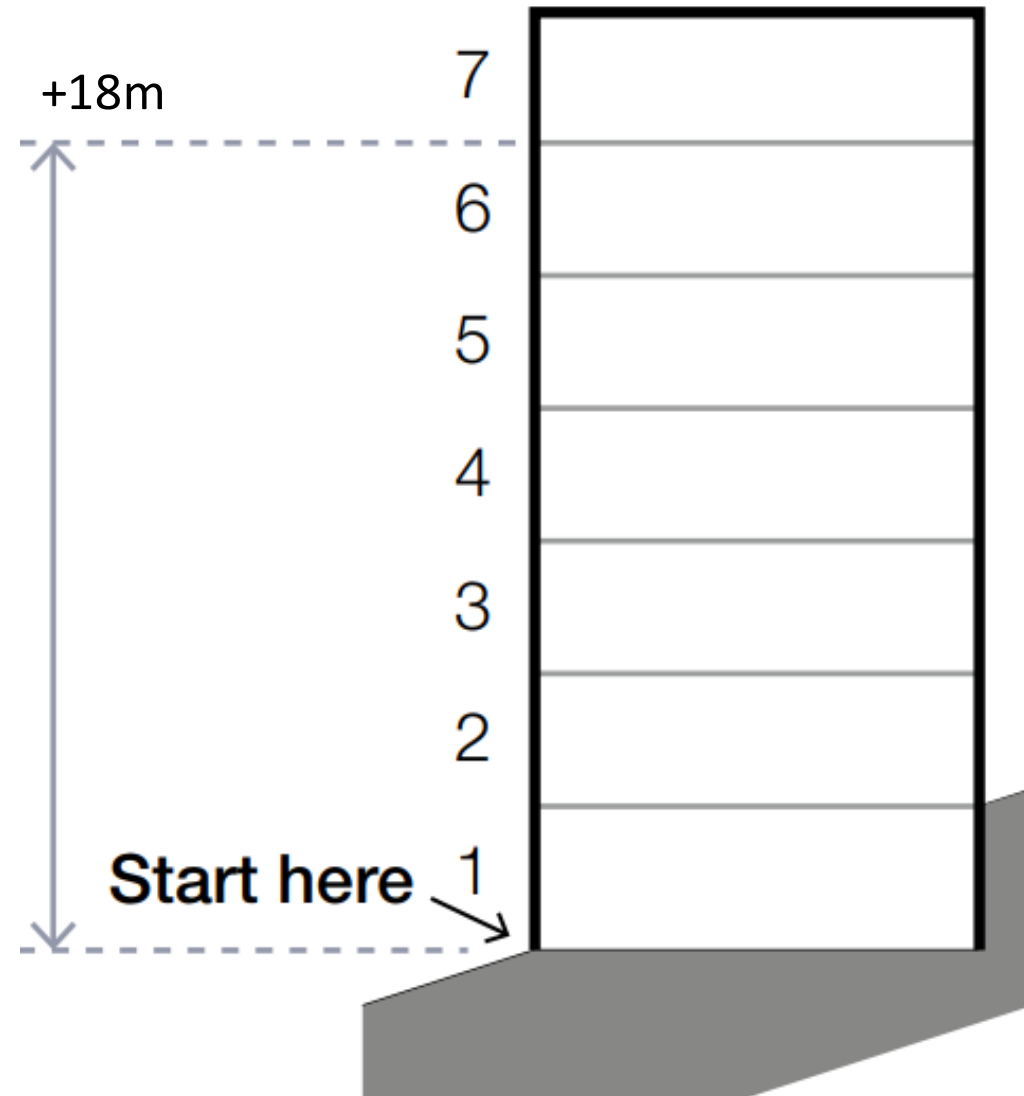


Building control authority

Height measurement

For this type of building, storeys should be measured from the lowest level of the ground directly adjacent to the structure above ground level

Measured to the top floor surface of the top storey – that is not exclusively rooftop machinery or plant rooms



Building control authority

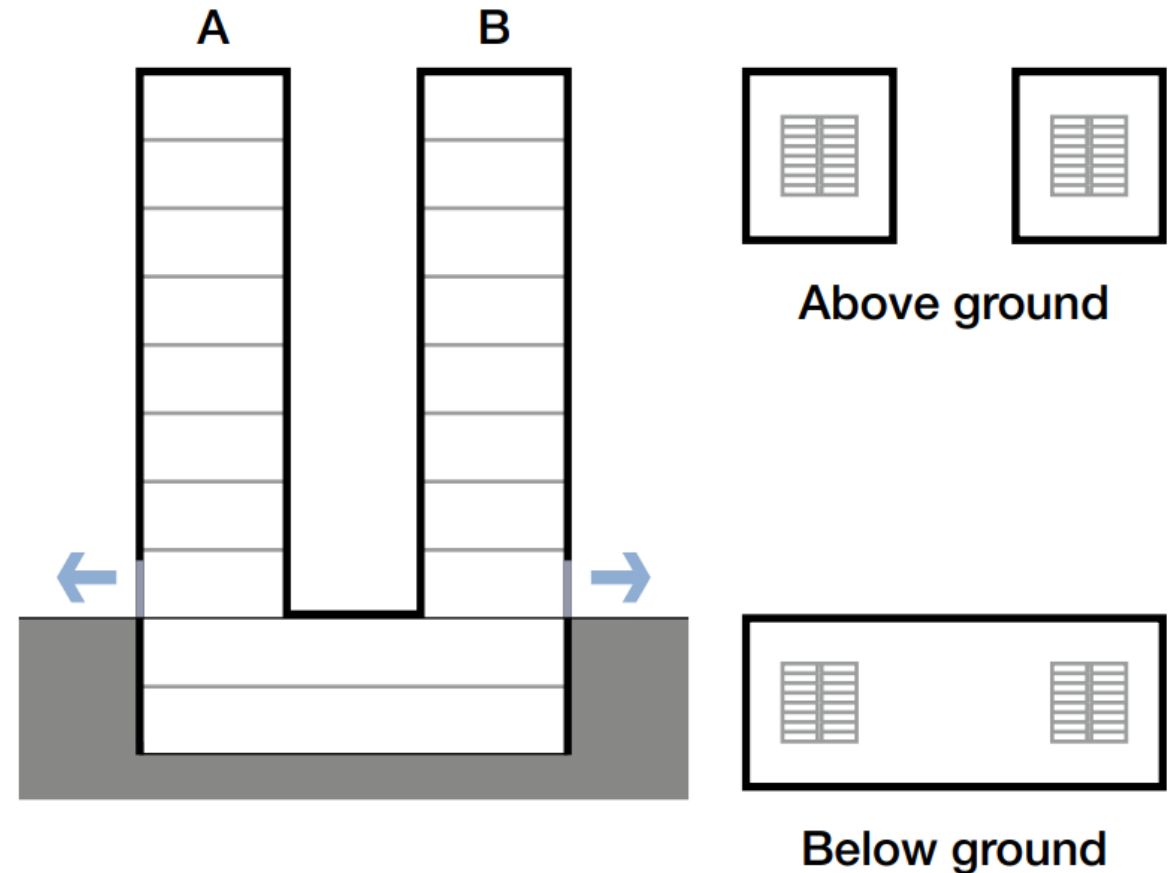
Whole building

The structures are joined by an underground car park or basement levels

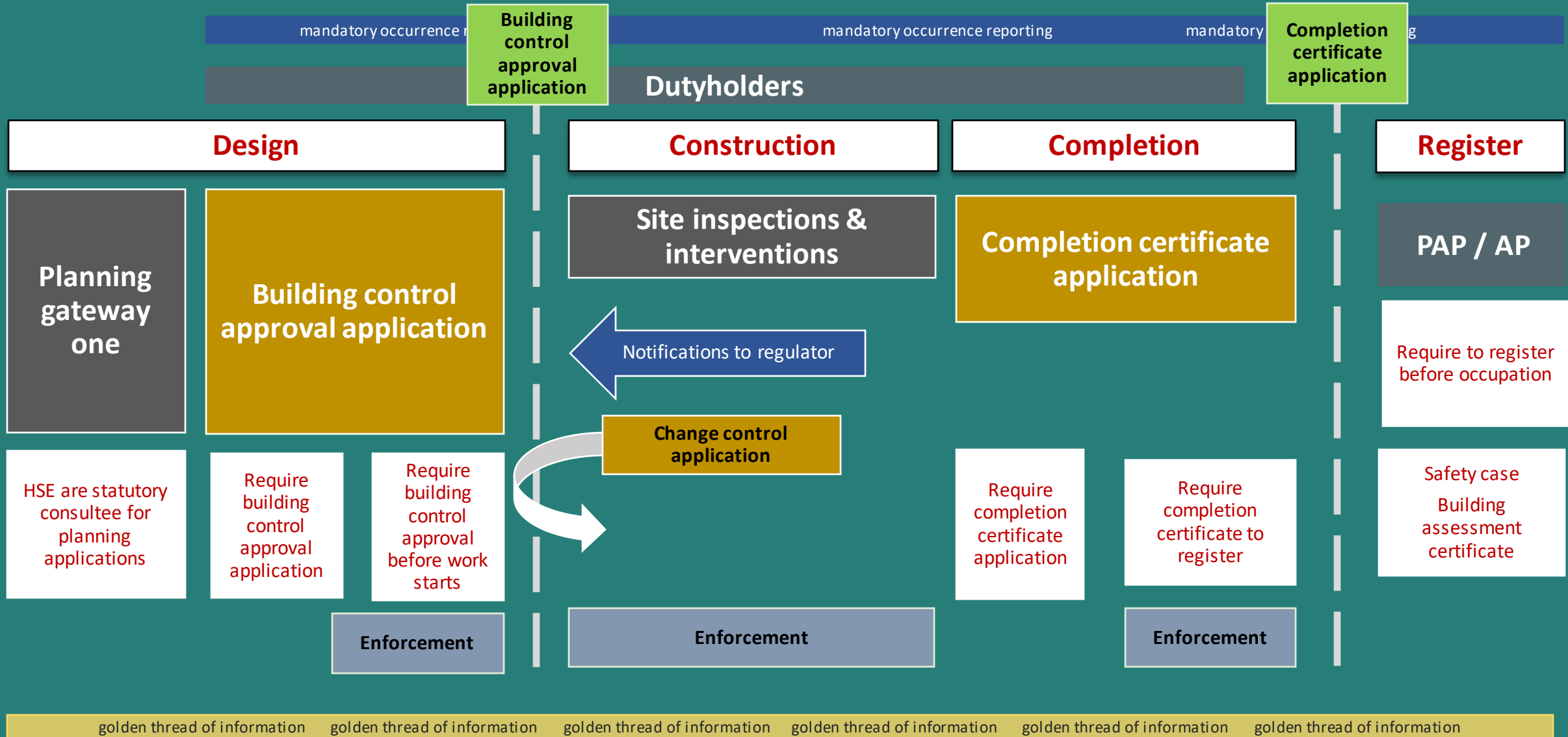
The structures each have separate cores

There is access between the two structures via the underground attached levels

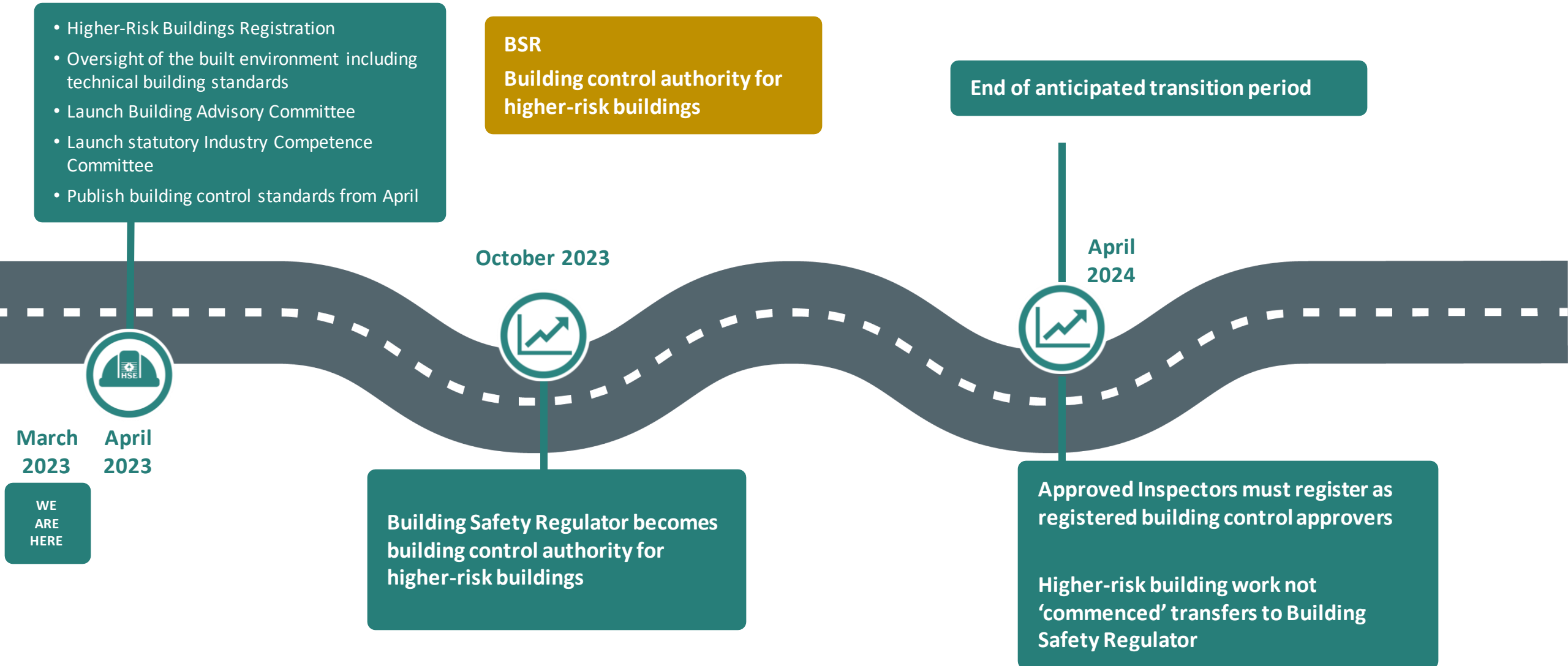
This type of building would be considered as one higher-risk building when it was being designed and constructed



Building control regime



Timeline



Enforcement powers

Offence	Scope of power	Penalty	Reference
Providing false or misleading information to BSR	Criminal offence Triable as an either way offence	Unlimited fine 1 year imprisonment (magistrates) 2 years imprisonment (crown)	Section 24 BSA22
Contravention of building regulations	Criminal offence Triable as an either way offence No time limit	Unlimited fine Fine for each day the contravention continues (£200)	Section 35 BA84
	Compliance notice Must be served within 12 months	Unlimited fine 1 year imprisonment (upon summary conviction - magistrates) 2 years imprisonment (upon indictment - crown)	Section 35B BA84
	Stop notice		Section 35C BA84
Failure to comply with compliance and stop notice	Criminal offence		Section 35B & C BA84
Removal of offending work	Time limit extended to 10 years	Notice to remove contravening work Chargeable work	Section 36 BA84

Key messages

- Building control process
- Change control management
- In-occupation
- Holistic approach to building safety
- PD, PC and Client duties



Department for Levelling Up,
Housing & Communities

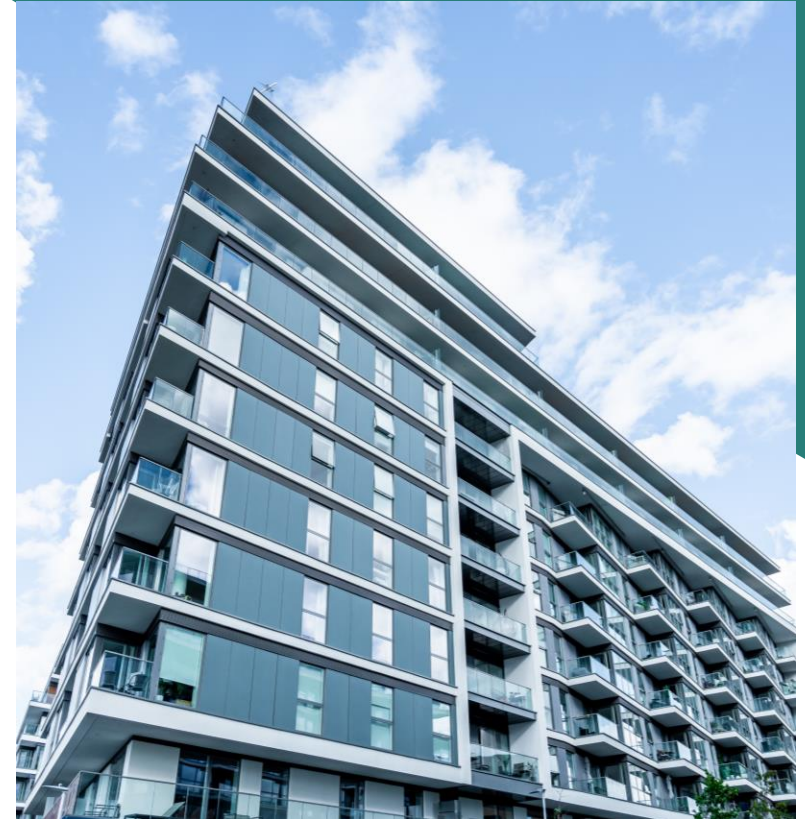
Guidance on Collaborative Procurement for Design and Construction to Support Building Safety



And finally

Thank you for your attention – any questions?

Please use the BSR Conference App to ask questions and complete the session survey



The logo for the BSR Conference 2023 features the letters 'B', 'S', and 'R' in large, bold, white font. Each letter is contained within a colored, house-shaped block: 'B' is in a gold block, 'S' is in a teal block, and 'R' is in a dark blue block. To the right of these blocks, the words 'CONFERENCE' and '2023' are written in a white, sans-serif font, stacked vertically.

BSR CONFERENCE 2023

**What is a principal accountable person
/accountable person and what are their
responsibilities?**

**Sarah Mallagh – Policy Lead
Building Safety Regulator**

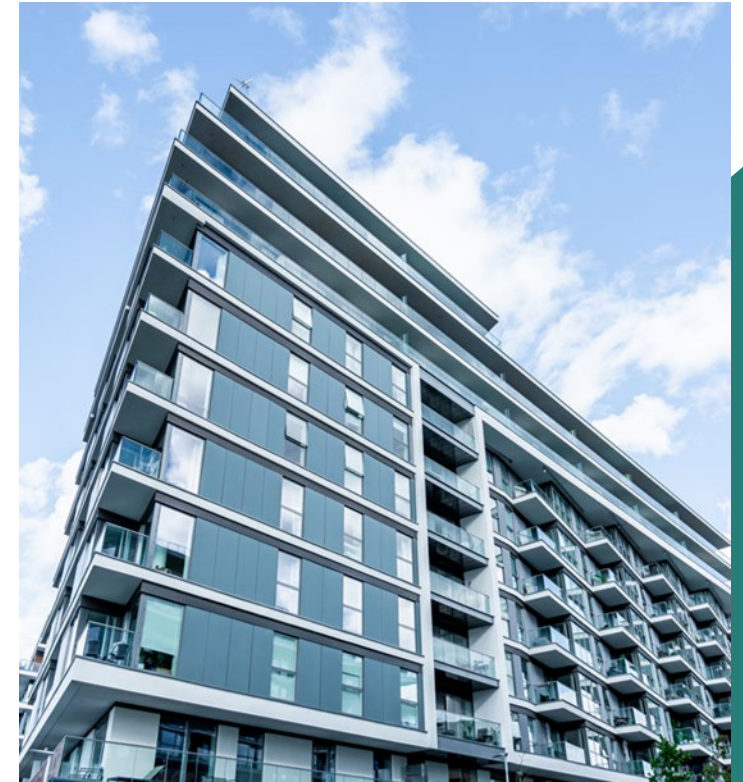


Accountable persons, principal accountable persons and their duties - introduction

- New, more stringent regulatory regime for high-rise residential buildings (HRBs)
- These are buildings which contain at least two residential units and that are 18 metres plus in height, or at least 7 storeys
- Clear accountability and legal responsibilities on those persons who manage occupied HRBs
- Referred to as accountable persons (APs) and principal accountable person (PAP)
- Must have effective measures in place to manage building safety risks and reduce the severity of any incidents that do occur
- "Building safety risk" means a risk to the safety of people in or about a building from **structural failure** or the *spread of fire*

What is an accountable person?

- APs are **defined in law** in relation to their legal interest in an occupied high-rise residential building and whether they have an obligation to repair the common parts of that building
- Common parts means the structure and exterior of the building, or any part of the building provided for the common use by residents, such as corridors, lobbies and staircases
- Does not include parts of the building leased to individual residents or premises occupied for business purposes



Can you assign the role of accountable person to someone?

The AP role is not something that can be assigned to someone else to carry out

It is defined in law (s.72 Building Safety Act 2022)

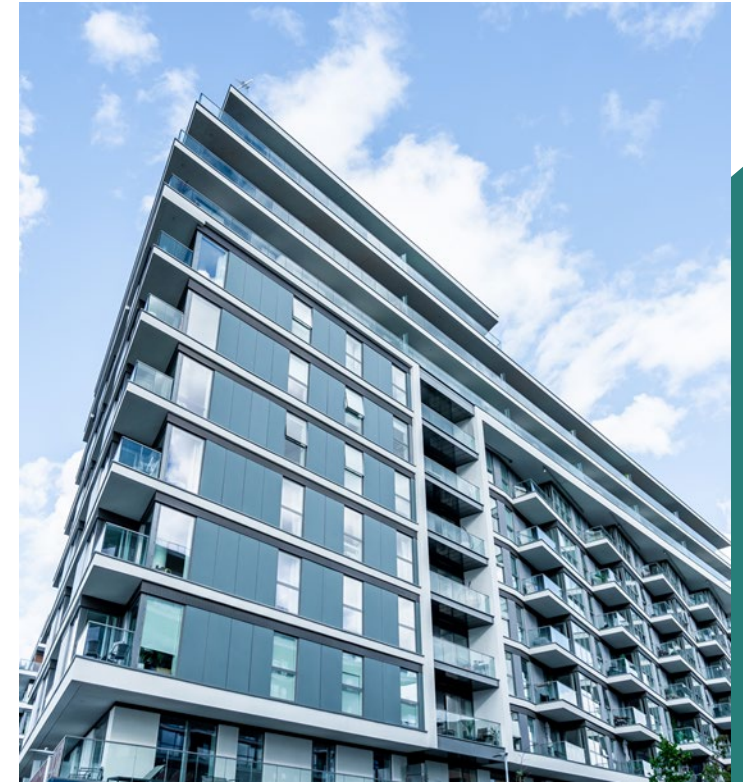
Depending on the ownership of the building, an AP will be either

- an organisation or individual that owns or has repairing responsibilities for the common parts of the building, or
- an organisation or individual required under the terms of a lease, or by virtue of an enactment, to repair or maintain any part of the common parts of a building (referred to as being 'under a relevant repairing obligation')

If the AP is an organisation

Where the AP is an organisation, an individual within the organisation will be authorised to act as the single point of contact

- **THIS DOES NOT MAKE THAT INDIVIDUAL THE AP**
- It is the organisation that is the AP. This might be:
 - Local Authority / registered Social Housing provider
 - Resident Management Company
 - Commonhold Association
 - Right to Manage Company

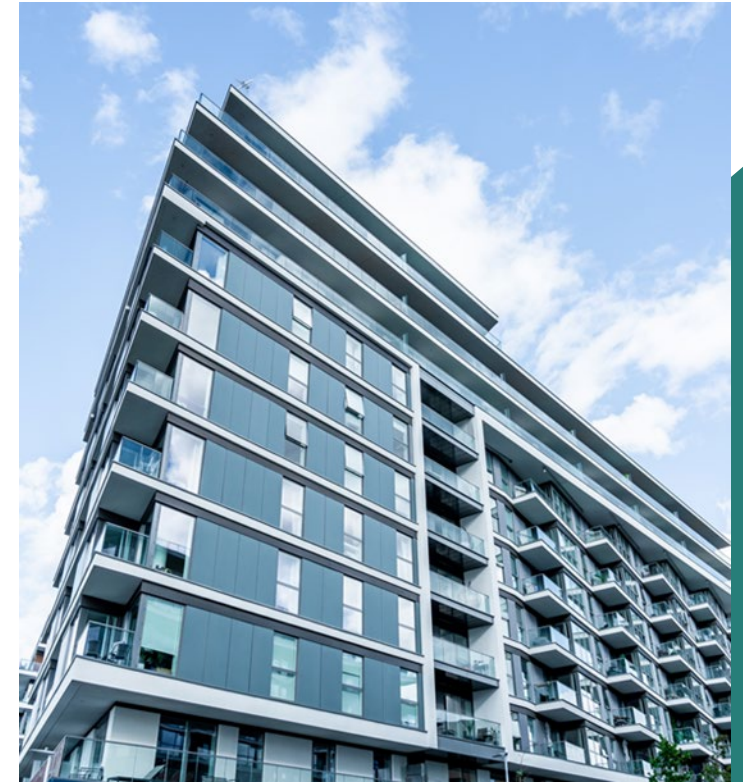


Can APs delegate their duties and responsibilities?

- In a word **NO!**
- APs can employ someone (management company or similar) under contract to carry out the day-to-day management of the building but the duties and liabilities under the Act remain with them

However

- If an AP leases part of the building and the lease contains an obligation to repair any part of the common parts, the lessee becomes the AP for those parts

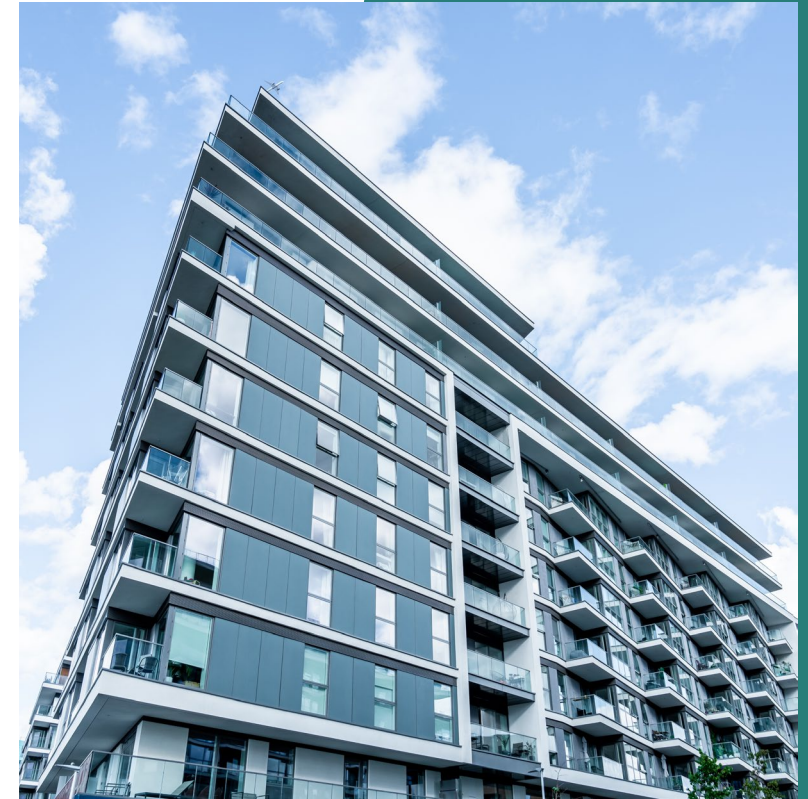


Principal accountable person

- Each building will have one clearly identifiable AP, known as the principal accountable person (PAP)
- **‘Principal accountable person’ is defined in law (s. 73 Building Safety Act)**
- **You cannot choose who it will be**
 - In buildings with just one AP, they are the PAP
 - In buildings with multiple APs, the AP that owns or is legally responsible for the repair of the structure and exterior of the building will be the PAP
- The PAP has the same duties and responsibilities as other APs plus additional responsibility for meeting specific statutory obligations for the whole building
- Where there is uncertainty over who is an AP or PAP, an application can be made to the First-Tier tribunal asking them to make a determination

Duties on all APs

- Duty to assess and manage building safety risks
- All APs must ensure they have effective, proportionate measures in place to manage building safety risks in the buildings, or parts of the building which they are responsible for
- In buildings with multiple APs, they must cooperate with each other and the PAP to deliver building safety
- Provide information and documents to BSR, residents and other people
- When asked, provide information and documentation relating to building safety to residents and owners of residential units in the building

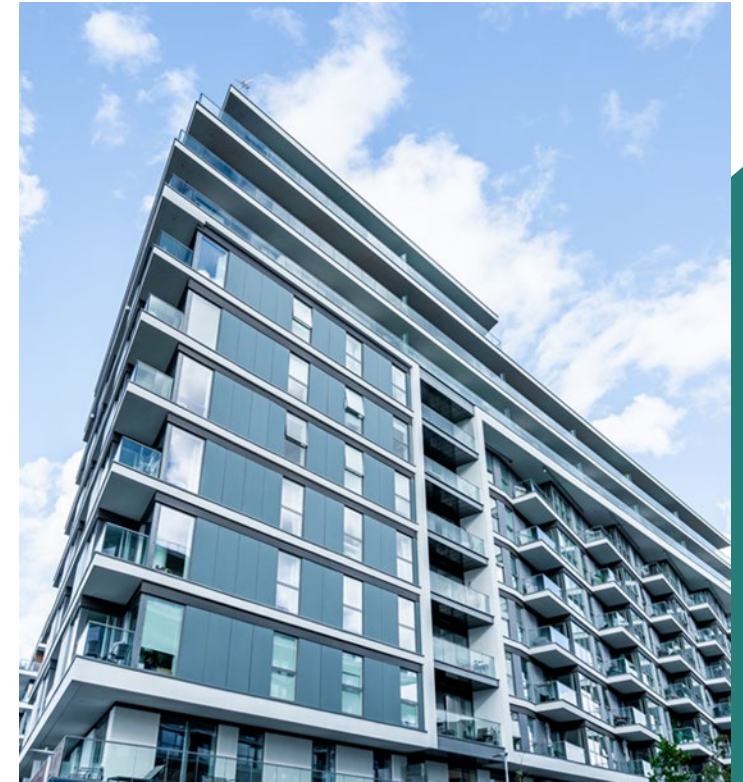


Keeping information – the golden thread

- The golden thread is the information that enables an AP/PAP to understand their building and demonstrate they are taking the steps needed to effectively manage building safety risks on an ongoing basis
- APs/PAPs need to consider what information they need
- Ensure the information is secure, transferable, accessible, relevant and proportionate
- Ensure the right information is given to the right people at the right time, in a form they can use
- The golden thread is the information relied on in the safety case

Duties on PAPs

- Register the building with the BSR
- Provide key information about their buildings
- **When directed by BSR**, apply for a building assessment certificate (BAC)
- Produce a safety case report
- Establish and operate a mandatory occurrence reporting system
- Prepare a residents' engagement strategy
- Establish and operate a complaints procedure

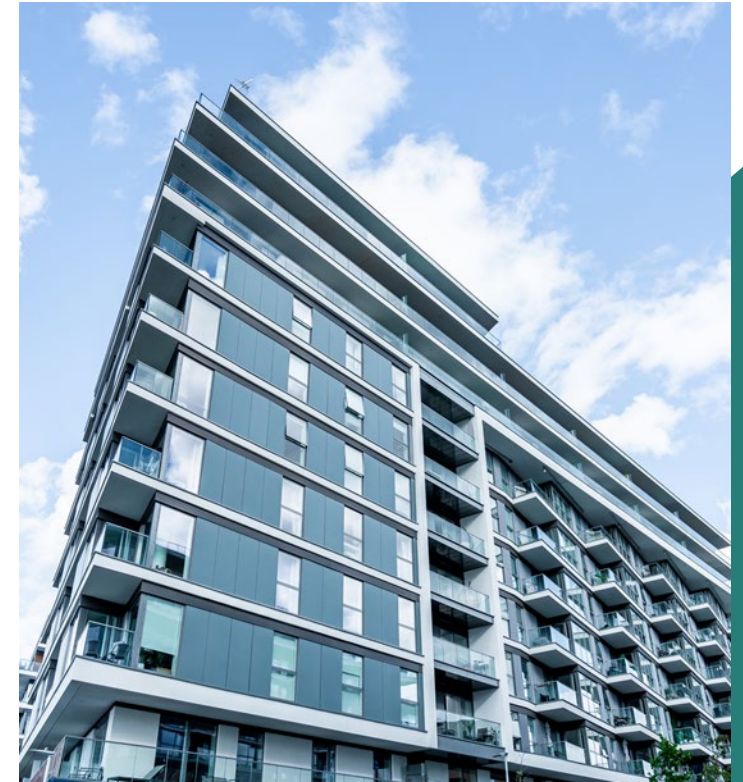


High Rise Building Registration

- PAPs will have to register their building(s) with the BSR
- Existing buildings can be registered between 12 April and 30 September – they must be registered by 1 October 2023
- Registration will:
 - Identify the PAP and all other accountable persons for the building
 - Identify the building
 - Confirm eligibility to register
- Examples of registration information include:
 - Building address details
 - PAP details (type of organisation)
 - AP details
 - Building eligibility (height, number of storeys, number of residential units, completion certificate)

Key building information

- As well as registering, PAPs will have to provide key information about their buildings
- This must be submitted within 28 days of submitting the application to register the building.
- This information will be used by BSR to help it prioritise buildings for HRB building assessment certificate (BAC) process
- The PAP must notify BSR of any changes to the key building information within 28 days of becoming aware the change.



Examples of the key building information that will be needed include:

- Building use – primary and secondary uses and uses of basement levels
- Material changes to the building; Change of use
- Structure – frame type and material; connections to other blocks
- Roof (structure and material)
- Number of staircases
- External wall system (all materials and %), insulation (primary material and %)
- External features and attachments to the building (type and material)
- Types of energy supply to and within the building
- Fire precautions – evacuation strategy
- Fire and smoke control measures

Building assessment certificate

When directed by BSR, the PAP must apply online for a building assessment certificate (BAC)

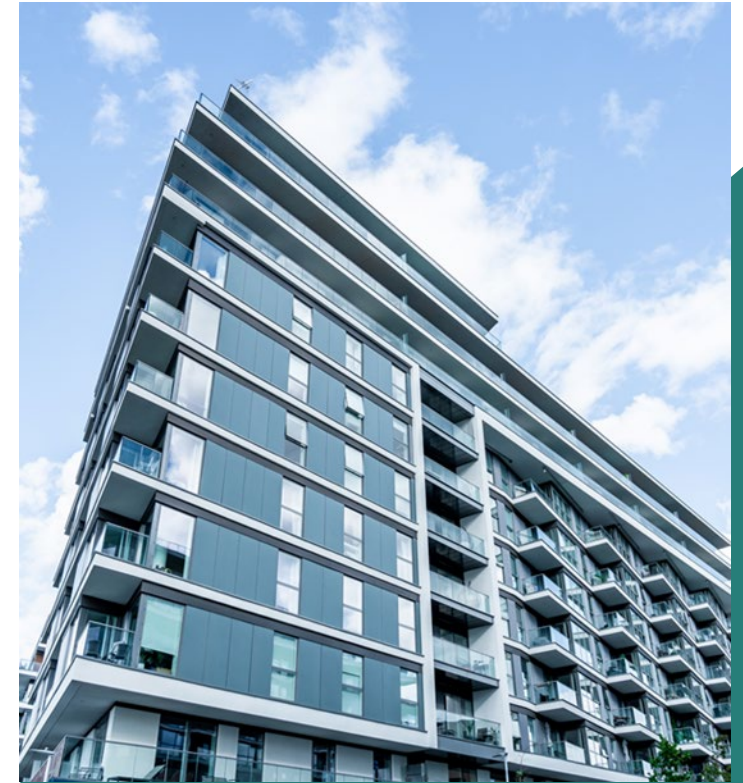
The application must include

- A copy of the latest safety case report
- A copy of the residents' engagement strategy
- Information on how the mandatory occurrence reporting system operates
- A statement confirming all APs have supplied relevant information and documents to all appropriate persons (BSR, residents, other APs etc)



Safety case

- PAP must put together a safety case and, with the cooperation of any other APs for the building, produce a safety case report.
- The report should demonstrate that all APs have identified and assessed the building safety risks in the building
- It should show that all reasonable steps have been taken to address those risks or reduce the severity of incidents arising from them
- The safety case approach will demonstrate that risks in the building have been identified, and proportionate and effective measures implemented to ensure that people in and around high-rise residential building are safe



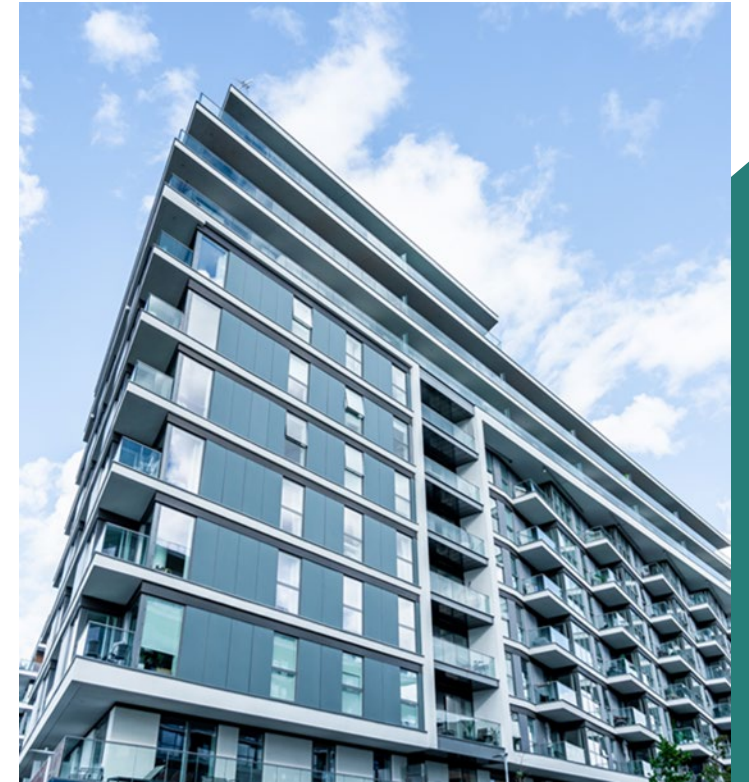
Safety case

To meet these new requirements the **PAP** will need to demonstrate

- how they are managing building safety risks
- why they believe the measures that are in place to prevent and limit the consequences of a building safety risk are sufficient and effective, and
- that there is a robust approach to the ongoing management of the building to make sure those measures remain effective.

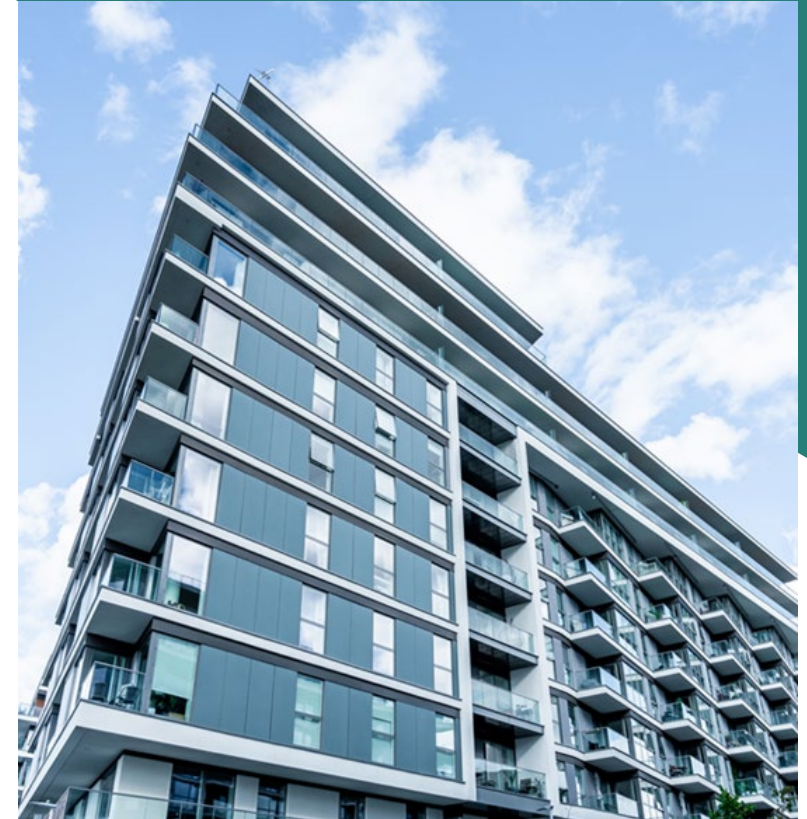
Think about the building holistically - think of it as a system

Guidance on safety cases is available on HSE's website



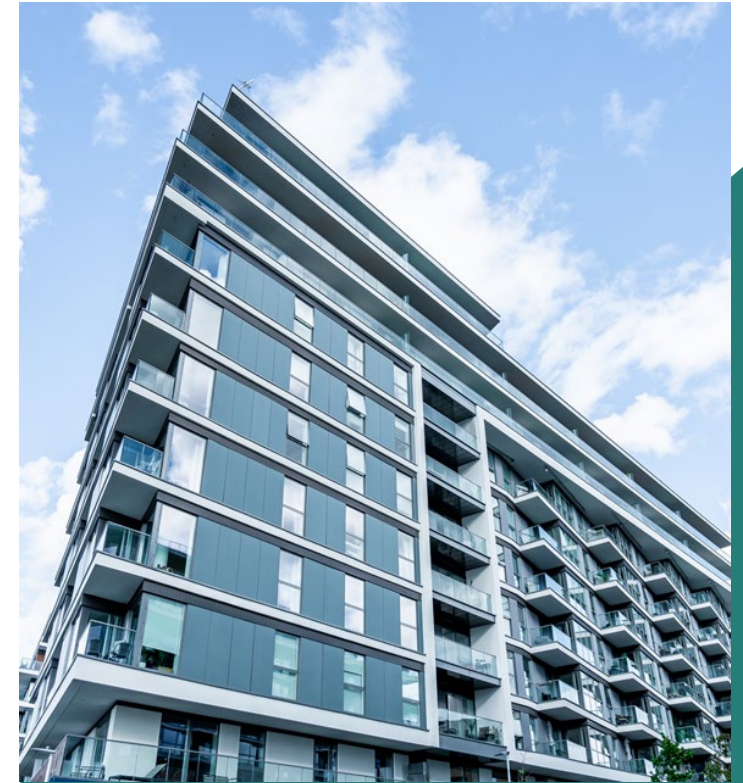
Mandatory occurrence reporting system (MOR)

- The PAP has a duty to establish, operate and maintain a single reporting system for APs to record mandatory occurrences
- A 'mandatory occurrence' is an incident or situation relating to structural integrity or fire safety which, if not remedied would likely present a risk of serious injury or death to a significant number of people
- The system will be used by all APs to record occurrences reported to them by residents and other stakeholders
- This will enable information on building safety risks for the whole building to be captured by APs and reported to the BSR



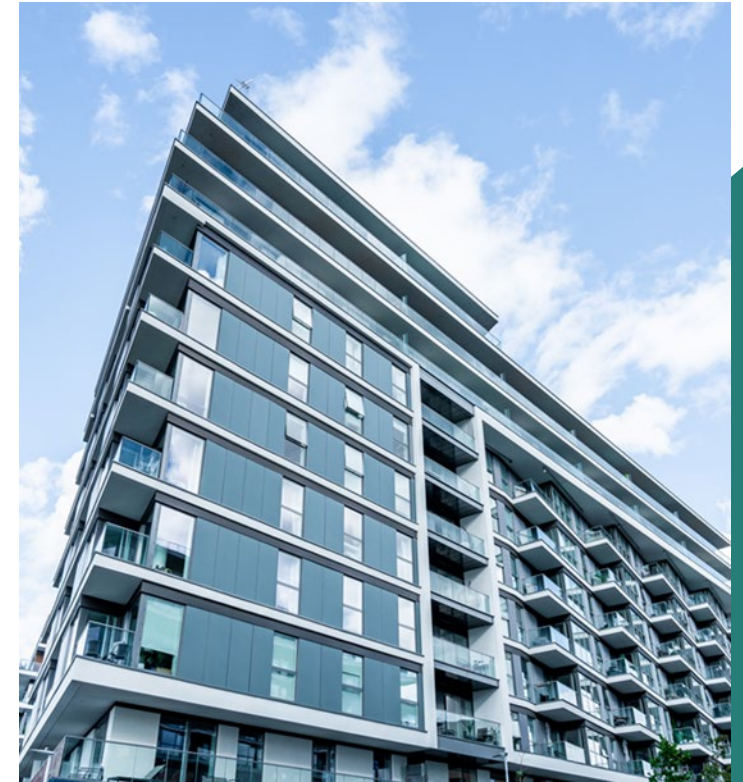
Resident engagement strategy

- Under the new regime, the PAP must ensure that they have a resident engagement strategy
- Such a strategy aims to involve residents in matters relating to building safety
- The strategy will set out
 - what information will be provided to residents about decisions relating to building safety management
 - what the PAP will consult residents on
 - what aspects of decisions residents will have a say in
 - how the PAP will consult residents



Complaints procedure

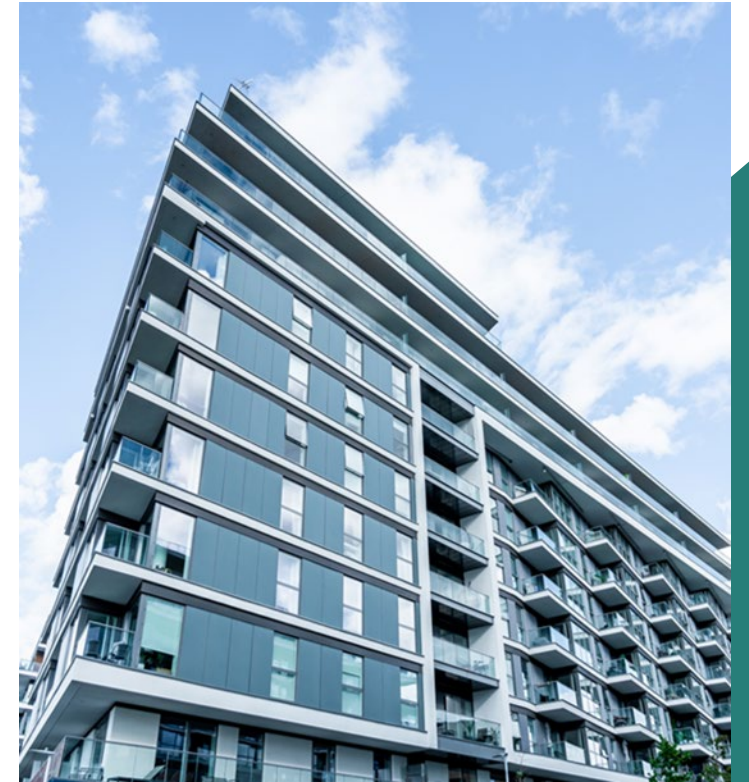
- The PAP should have a complaints procedure for dealing with ‘relevant complaints’ and provide all residents with a copy of it
- The procedure should detail
 - The stages of the complaint process and timings
 - The possible outcomes and how to challenge them
 - How to escalate a complaint to the regulator when the PAP route is exhausted
- All complaints will be recorded
- The Regulator will only deal with ‘relevant complaints’



Any questions?

Further information and detailed guidance will be available to assist APs and PAPs to comply with their duties

Any questions?



The logo for the BSR Conference 2023. The letters 'B', 'S', and 'R' are large and bold, each contained within a colored triangle pointing upwards. The 'B' is in a gold triangle, the 'S' is in a teal triangle, and the 'R' is in a dark blue triangle. To the right of these letters, the word 'CONFERENCE' is written in a smaller, white, sans-serif font, and the year '2023' is written in a larger, white, sans-serif font below it.

BSR CONFERENCE 2023

CDM 2015 and its relationship to BSR

Tim Beaumont – Acting Head of Construction Sector
Construction Division
Health & Safety Executive



How it started

“ The Construction (Design and Management) Regulations (CDM Regulations) under the Health and Safety at Work Act have already driven exactly this culture and behaviour change in the very same industry sector in relation to the safety of those employed in constructing and maintaining buildings [....]

This is not just my view but one that we have heard repeatedly from the many people we have spoken to as part of this review – they have told us that they want to see a revised framework for building regulation, one that is as clear and effective as the CDM Regulations”

Building a Safer Future

Independent Review of Building Regulations and Fire Safety:
Final Report

May 2018

Dame Judith Hackitt DBE FREng

Cm 9607



**CONSTRUCTION
HEALTH & SAFETY**

CDM

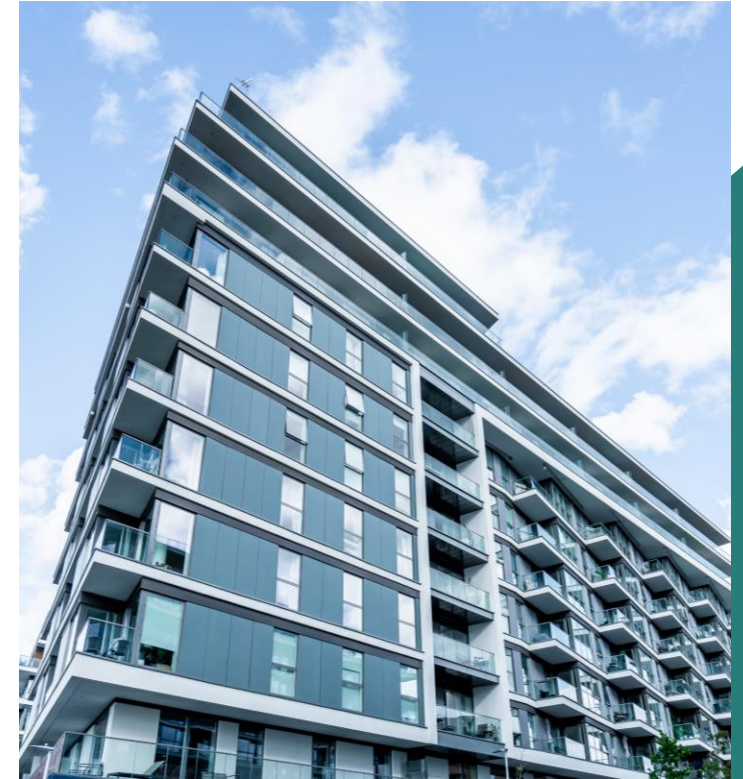
**Building
Safety
Regime**

How is it going?

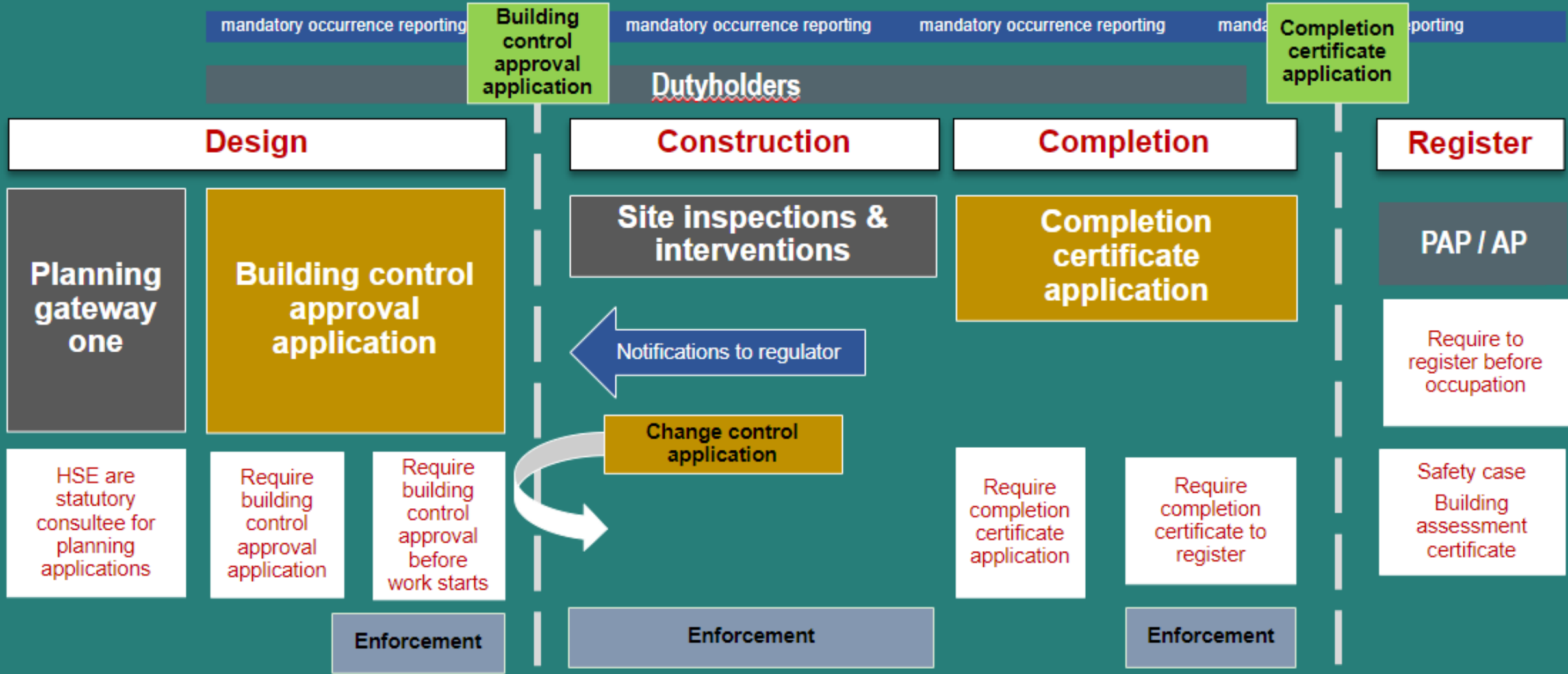
- What do CDM and Building safety regime look like side by side?
- What are the big overlaps?
- Where does the industry need clarity?
- What will happen next?

...but

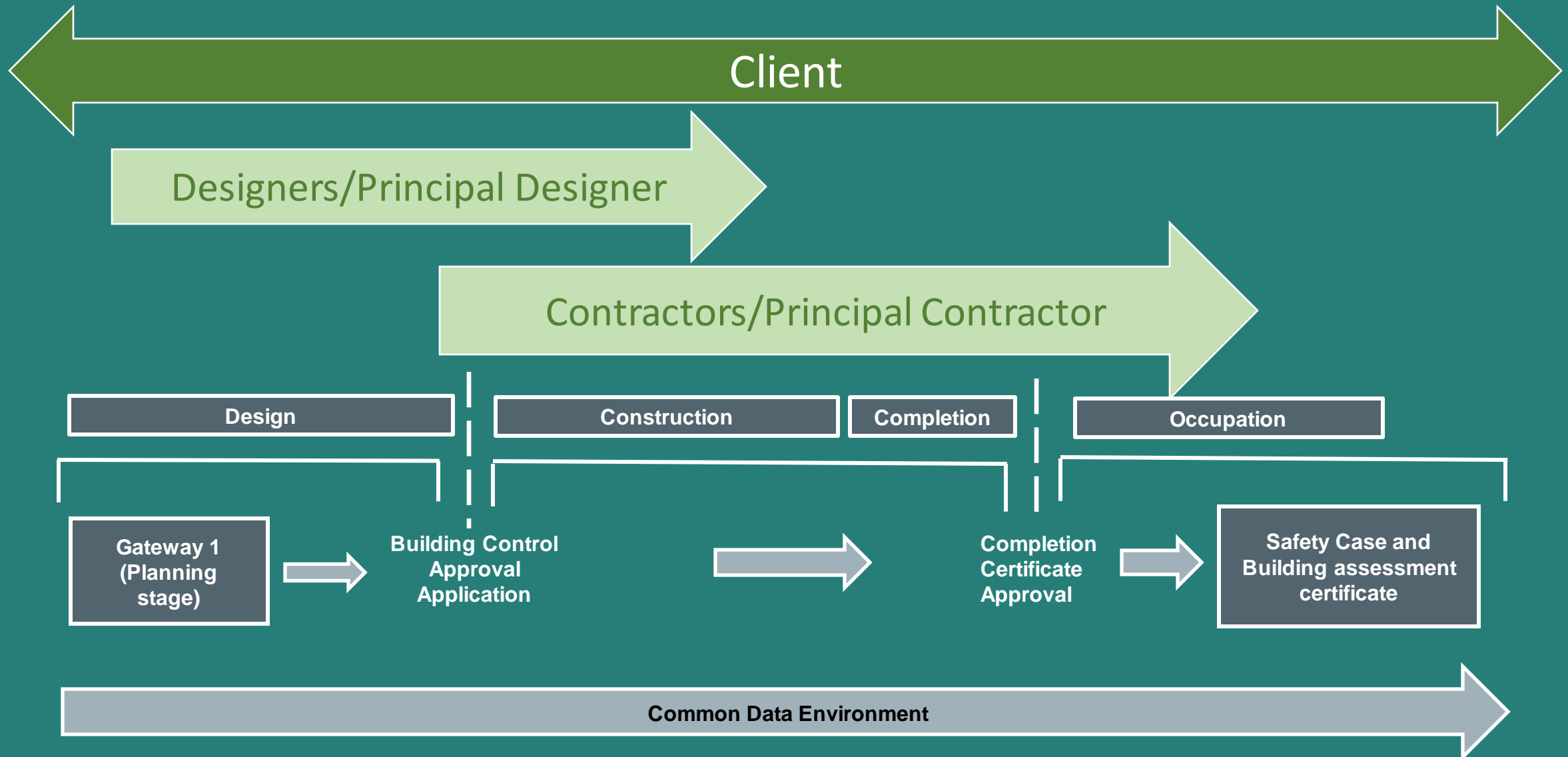
- This presentation is not the definitive answer to the questions. It reflects current thinking as policy develops



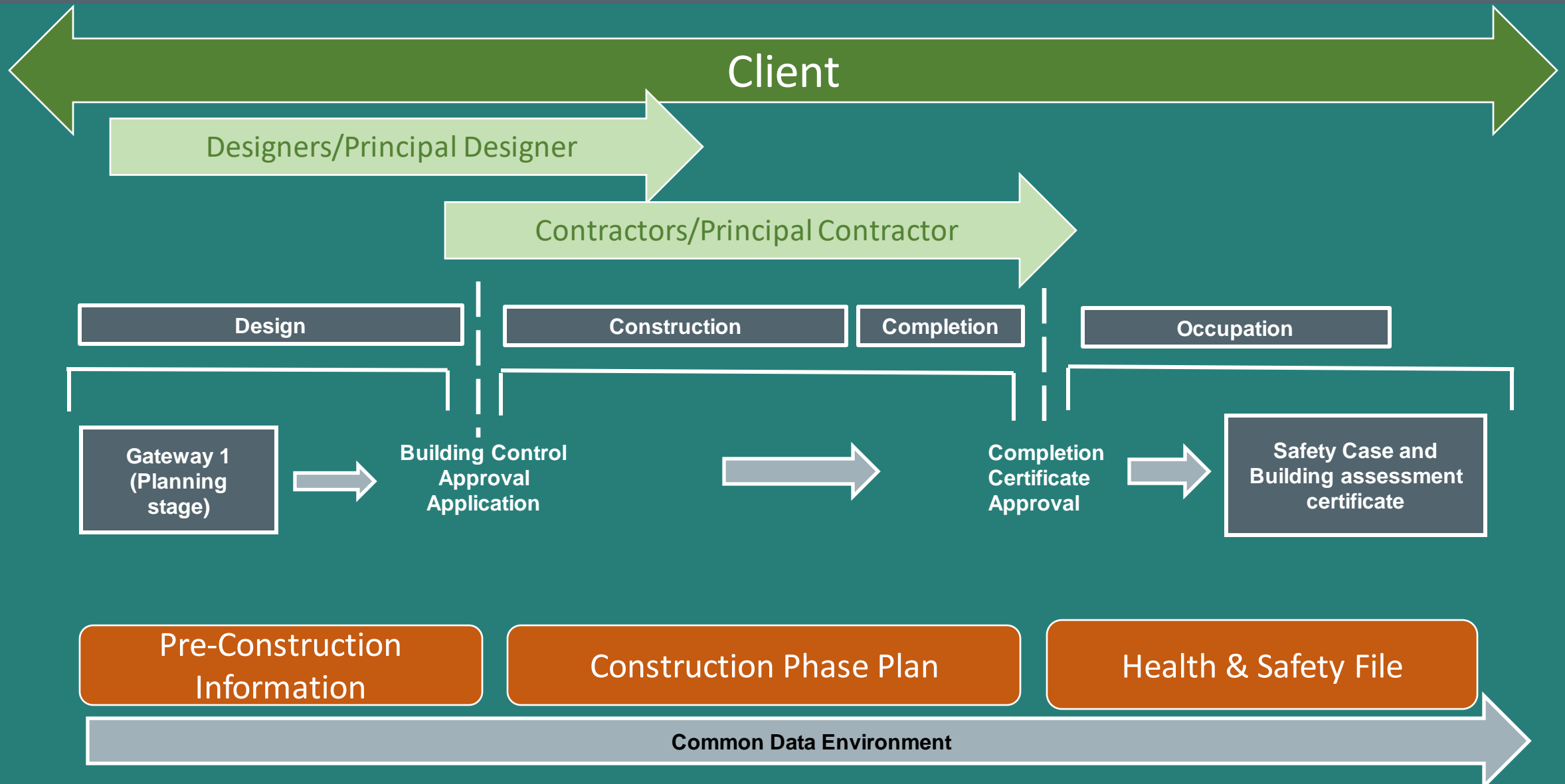
Building control regime



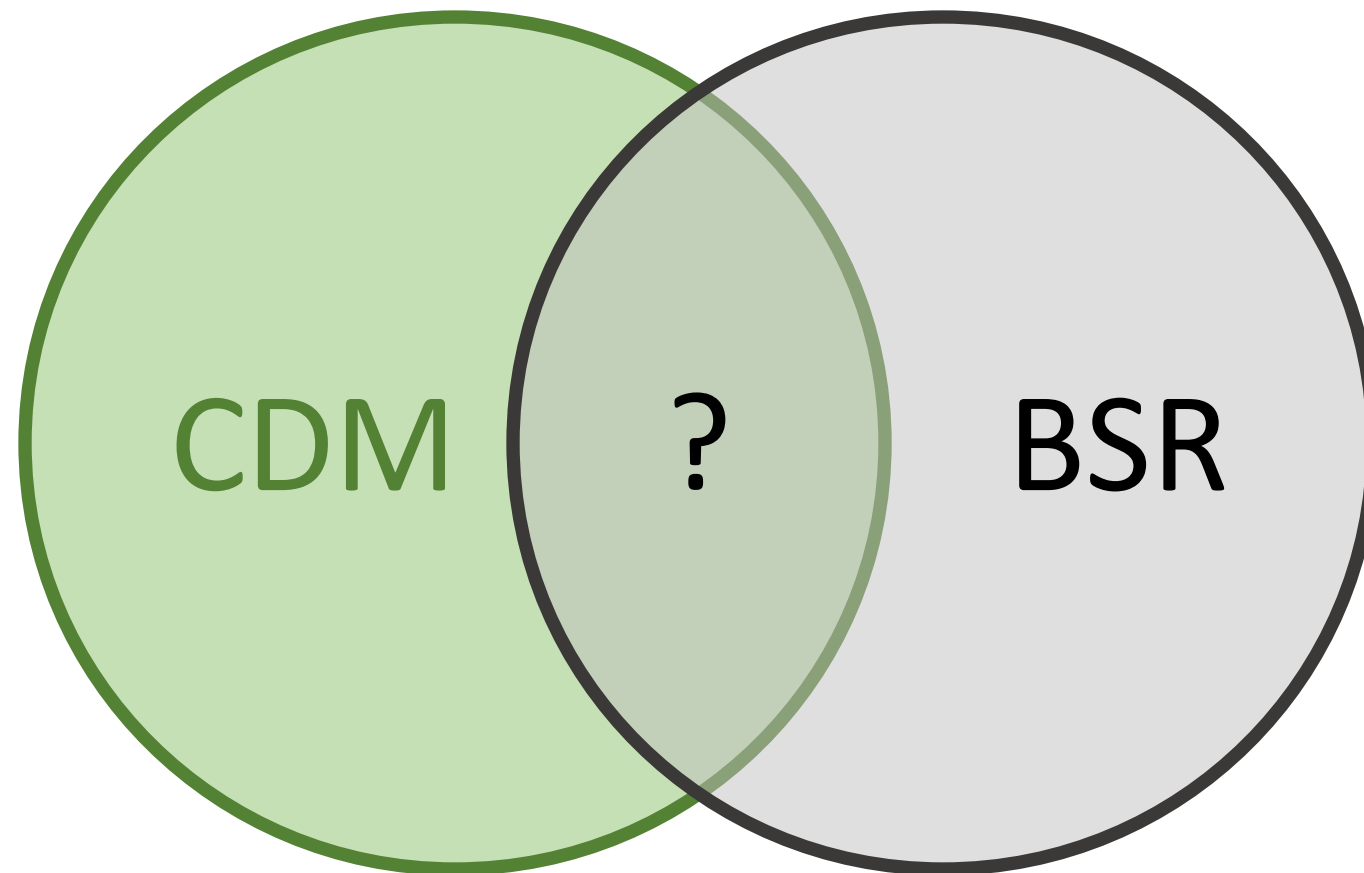
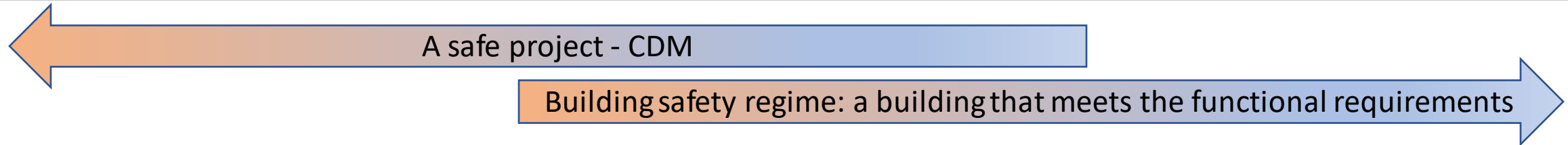
CDM/HRB regime alignment – duty holders



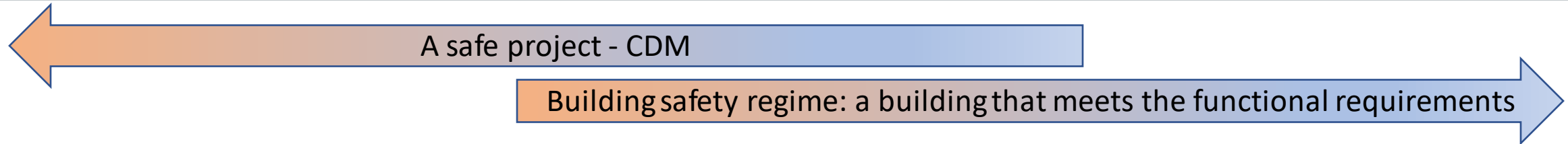
CDM/HRB regime alignment – CDM Information Products



BSR & CDM information management



Building safety regime & CDM information management



PCI/Full Plans

Detailed plans
Underlying site hazards

CDM

?

BSR

HSF/FEF

Residual risks to enable
future assessment
Essential information
for building users

CCP/ CPP

Change control
Management of structural
failure during construction
Fire safety risks
during construction

Golden Thread

Golden thread crossover – single point of truth

- Common data environment to facilitate effective and enduring risk management
- Envisaged in CDM, mandated in HRB regime
- In CDM a digital data driven approach (BIM):
 - provides the opportunity to communicate project risk efficiently and in a way that impacts dutyholder behaviour;
 - facilitates risk elimination and management
- In new HRB environment new requirements enhance CDM objectives:
 - Product and structural storage facility recording what was built
 - Design intent preservation
 - Essential information relevant to management of change
 - Enables on-going risk management
- **One set of common processes and information sources in design will feed information needs of both CDM and HRB regime**

Statutory roles

- Envisage **whatever configuration works best for the project** – as long as the purposes of legislation are fulfilled. **'Can be'** not **'Will be'** is the intention for having the same dutyholder for both the building safety regime & CDM.
- Clients: must provide **time and resources** to invest to achieve improvements in design risk management at procurement stages - improve uptake of MMC and efficient working and **integration of fire engineers' role in design**
- Principal Contractor: effective record keeping of design changes to a high level of detail to be incorporated into golden thread
- Fixation with titles rather than functions driven by contractual relationships – **CDM and building safety regime want to see ownership rather than delegation**
- **As for Principal Designers: expansion of role under the building safety regime highlights the centrality of the PD role in CDM**

Principal Designer duties

- The Building safety regime, like CDM, takes this very broad view that anyone designing, planning or in detailed pre-construction or on-site risk management of work will probably be a designer
- Designers probably need teaching about Building Regs as much as they need teaching about CDM
- CDM 2015 post implementation review published in 2020 based on CITB survey from across the industry. Savings envisaged by CDM 2015 held up by the PD role needing further establishing in the industry
- Some evidence that the new PD role had led to a greater professionalisation of risk management
- Where the PD role was embedded, it was found to have brought benefits to the project

Principal Designer duties

- HSE research report into the implementation of the PD role by MPW R&R Ltd to be published shortly
- 849 respondents to an industry wide survey along with 20 stakeholder organisations asked the following questions:
 1. What organisations and individuals make up the PD community?
 2. What activities are the PD community carrying out?
 3. How does the role of the PD influence health & safety management in key categories of construction projects?
 4. To what extent is the PD role operating in comparison to the functions set out in the CDM Regulations?
 5. What behaviours impact positively and negatively on the effectiveness of the PD role?

Principal Designer duties

- Successes of the PD role:
 - Early consideration of design / health and safety
 - Better coordination and communication between different teams / duty holders
 - Improved integration of safety and design
 - More understanding / awareness of design risk
 - Improved project information

Principal Designer duties

- Further focus required:
 - The need for more designer-led design risk management
 - Appointing the right people at the right time with the right resources is necessary to ensure the PD role can be done properly
 - The current understanding of the PD role is not always sufficient
 - Some PDs are not empowered or given the authority to undertake the role and may not be 'in control' of the pre-construction phase
 - Contracts and procurement routes influence how the PD role is undertaken

Principal Designer duties

- Some organisations are more willing to undertake the PD role than others
- The PD is perceived by some to be a low value role
- Not all with PD duties have integrated the PD role within their organisation
- PDs' interaction with temporary works needs to increase
- The potential value of BIM is only being realised on some projects

Designer-led risk management – future of the PD

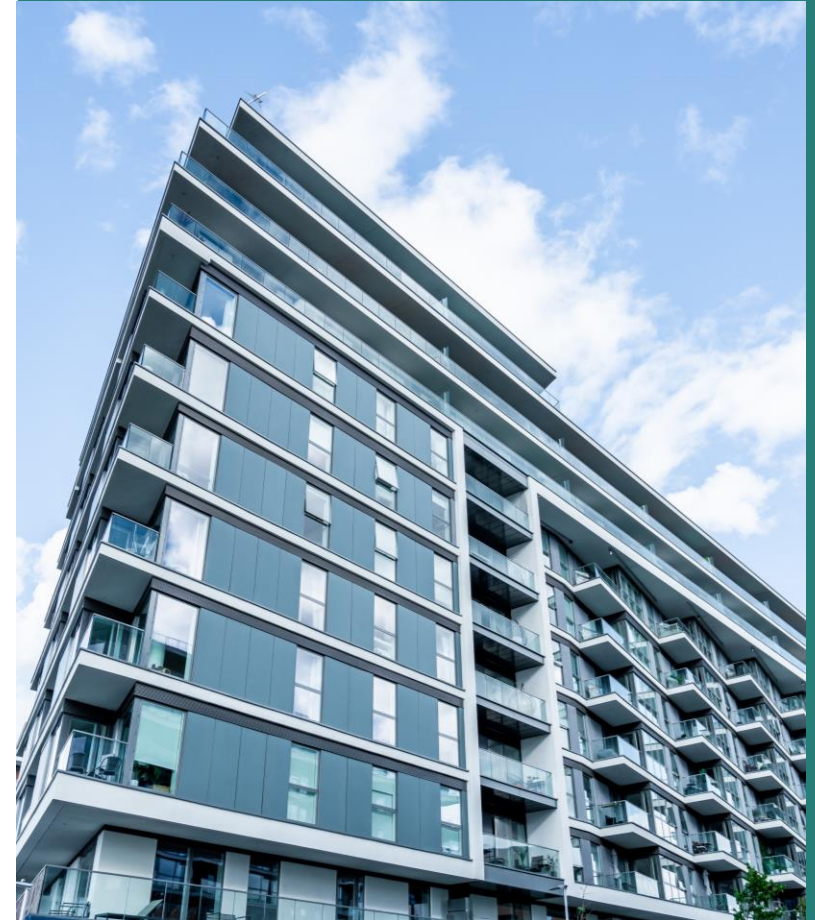
- CDM has a greater early reach in its provisions to enforce principles of prevention on designers:
 - Early design reviews which consider needs of both CDM and Building safety regime will be crucial
 - Some design decisions e.g. what materials to use for balconies, will be led by CDM Design review, but in compliance with BSR
 - Must retain focus on preventing fire in construction / demolition phases by design
- Building safety regime reinforces CDM drive towards early definition of what risks can be prevented or reduced through design
- CDM says that designers must eliminate foreseeable risk in relation to maintenance as a workplace. These 16 risk phases fill in the gaps that designers should consider as a source of risk. Building safety regime brings these into sharper focus, including planning for emergencies

Table 2. Life-cycle phases considered by the framework

1	Preliminary investigation, tests and prototypes
2	Material sourcing
3	Component manufacture
4	Storage, transport, logistics
5	Installation, construction
6	Commission, site tests
7	Use
8	Operation
9	Maintenance
10	High-impact events
11	Modification
12	Ageing
13	Life extension
14	Demolition, removal
15	Post-processing
16	Material disposal, reuse

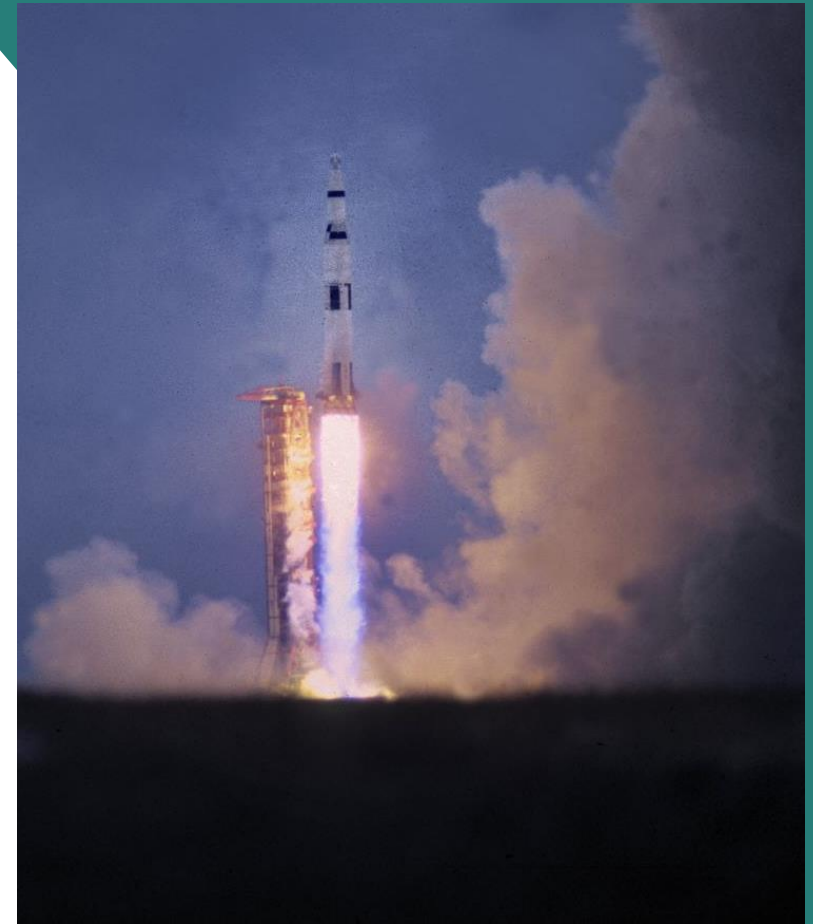
‘Skills knowledge experience training’ underpins ‘Competence and behaviours’ ?

- CDM 2015 emphasised the need for skills, knowledge experience and training (SKET)
- SKET is the foundation for Competence and behaviours in the Building safety regime
- Behaviours come to the forefront when the industry recognises rightly that there is a cultural problem to fix
- SKET provides realistic specific enforcement targets for Regulators
- **Competence & Behaviours: assessment needs to be deeper than a checklist**



Conclusions: positives

- The Building safety regime **boosts the principles already found in CDM 2015** – information sharing, risk management through design - this will strengthen CDM – e.g. Planning Gateway One (PGO) - decision to accept a justified design solution, definition of risks to transfer on to construction phase – **Interface between PD and PC**
- **Goal setting approach embedded in both CDM and the Building safety regime creates a culture of being focused on outcomes rather than ticking boxes**
- **Challenges of CDM and the Building safety regime are similar – demonstrating competence, getting PDs at the heart of risk management, moving to increased digital sharing, enhancing the role of the client**



But...

Conclusions: challenges?

- A safely designed building can still be unsafely built – regulatory or standards compliance for one will not mean compliance for the other
- **Duplication of effort is a risk** – similar documents being produced for different regulatory purposes
- Making it work in design & build context regarding the baton-pass of risk management in contracts
- Competence: **new standards being generated for Building safety regime purposes build on the foundations of CDM** – what will this new environment look like?
- **New regime highlights an existing problem persuading clients to front load time and resources into the pre-construction phase**



Conclusions: so what do we do?

- The fact is that secondary legislation is still being finalised - details are coming into focus
- Goals are being set out – how these goals can be achieved is the next phase
 - Leadership by industry
 - Industry solutions and authoritative guidance
- Don't wait – continue to engage
 - Industry bodies – CLC, CONIAC, Building Advisory Committee, Industry Competence Committee
 - Consultation exercises



Thank You

Thanks to Gordon Crick, HSE and Dr Mike Webster, MPW R&R Ltd
who kindly provided content for this presentation