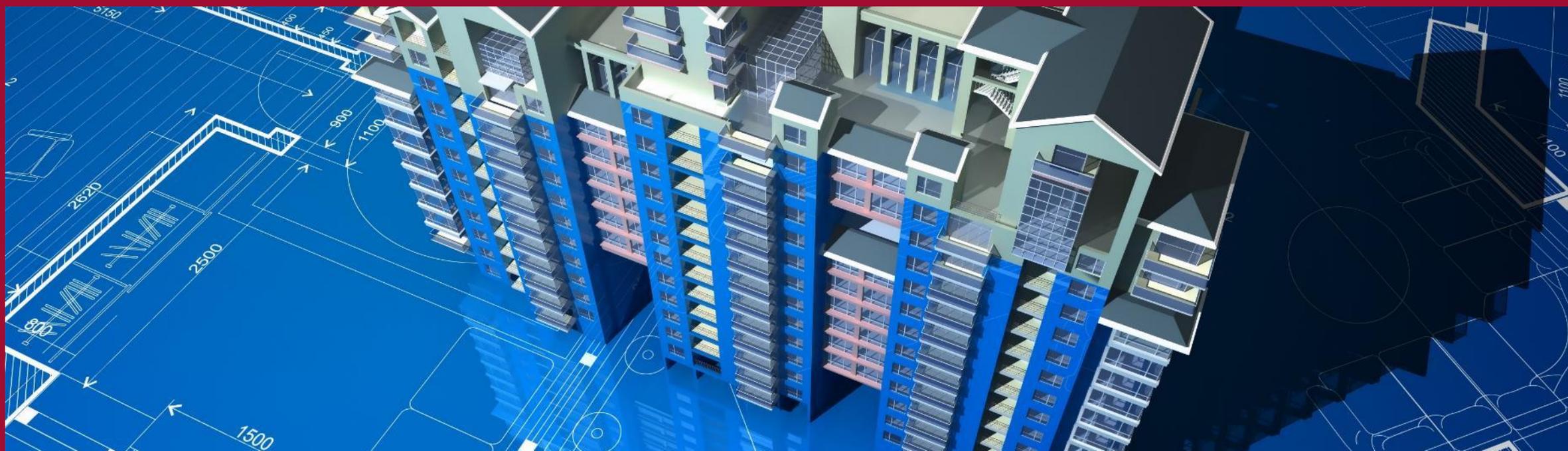


Building Safety Regulator

Laurence Hodgson ('In Occupation' Policy Lead) and Andy McGrory (Residents Engagement Policy Lead)

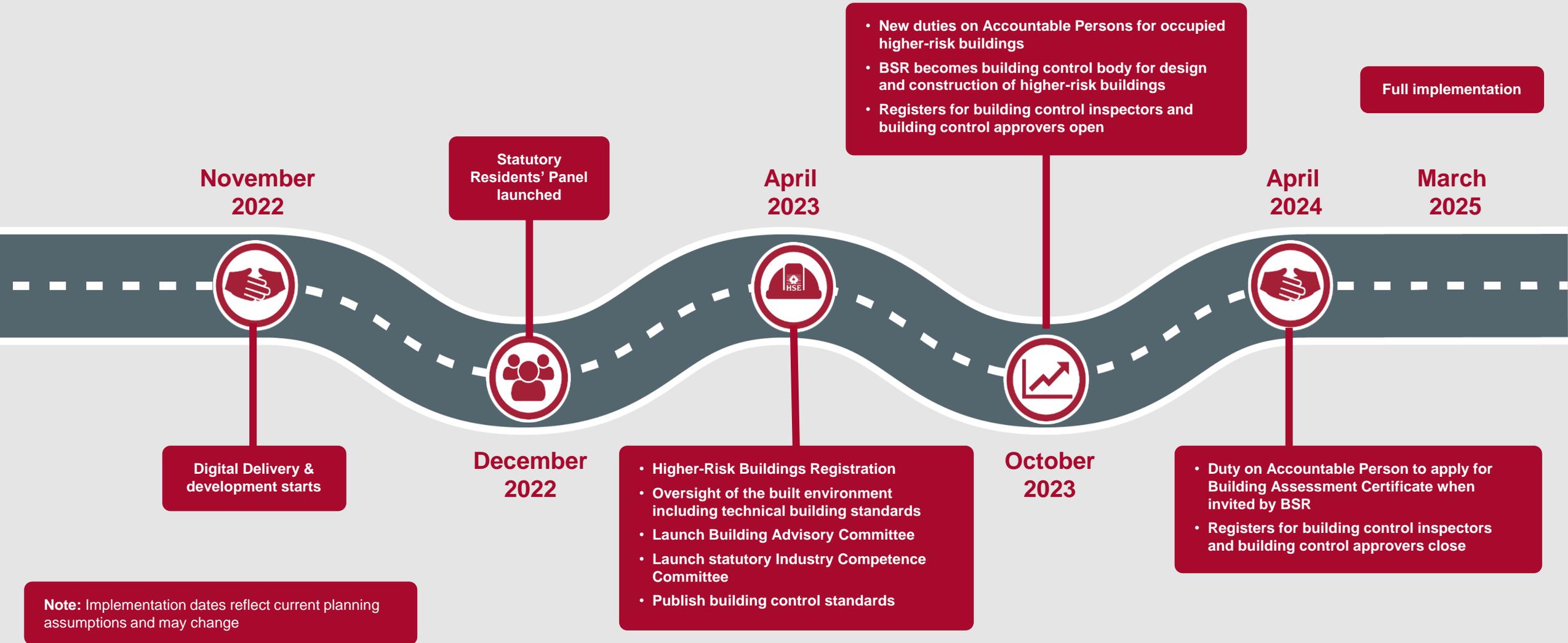


As part of HSE, our mission is **protecting people and places** by:

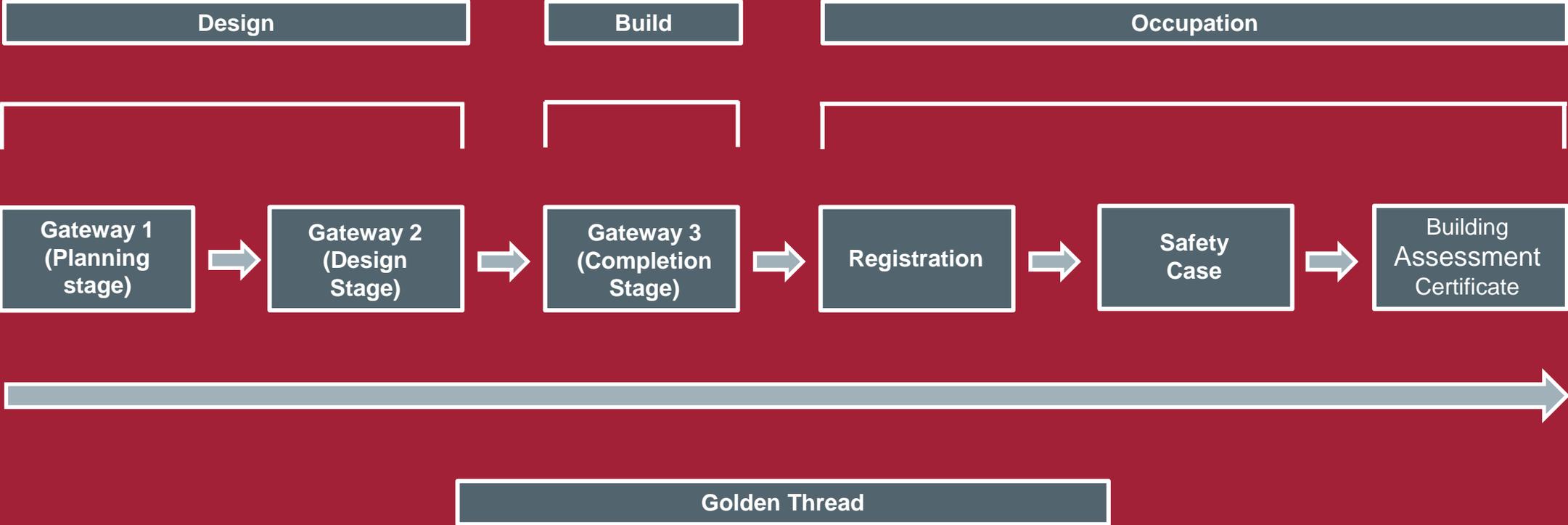
- Improving the safety and standards of the system
- Increasing and assuring the competence of built environment industry and building control professionals
- Delivering the new higher-risk buildings regime



Timeline



New Regulatory Regime – High-rise Buildings



Duties across the built environment

- clients, principal designers, designers, principal contractors and contractors
- plan, manage and monitor
- cooperate with other dutyholders
- ensure they and the people they appoint are competent and carry out work within that competence.



What can Dutyholders do to prepare?

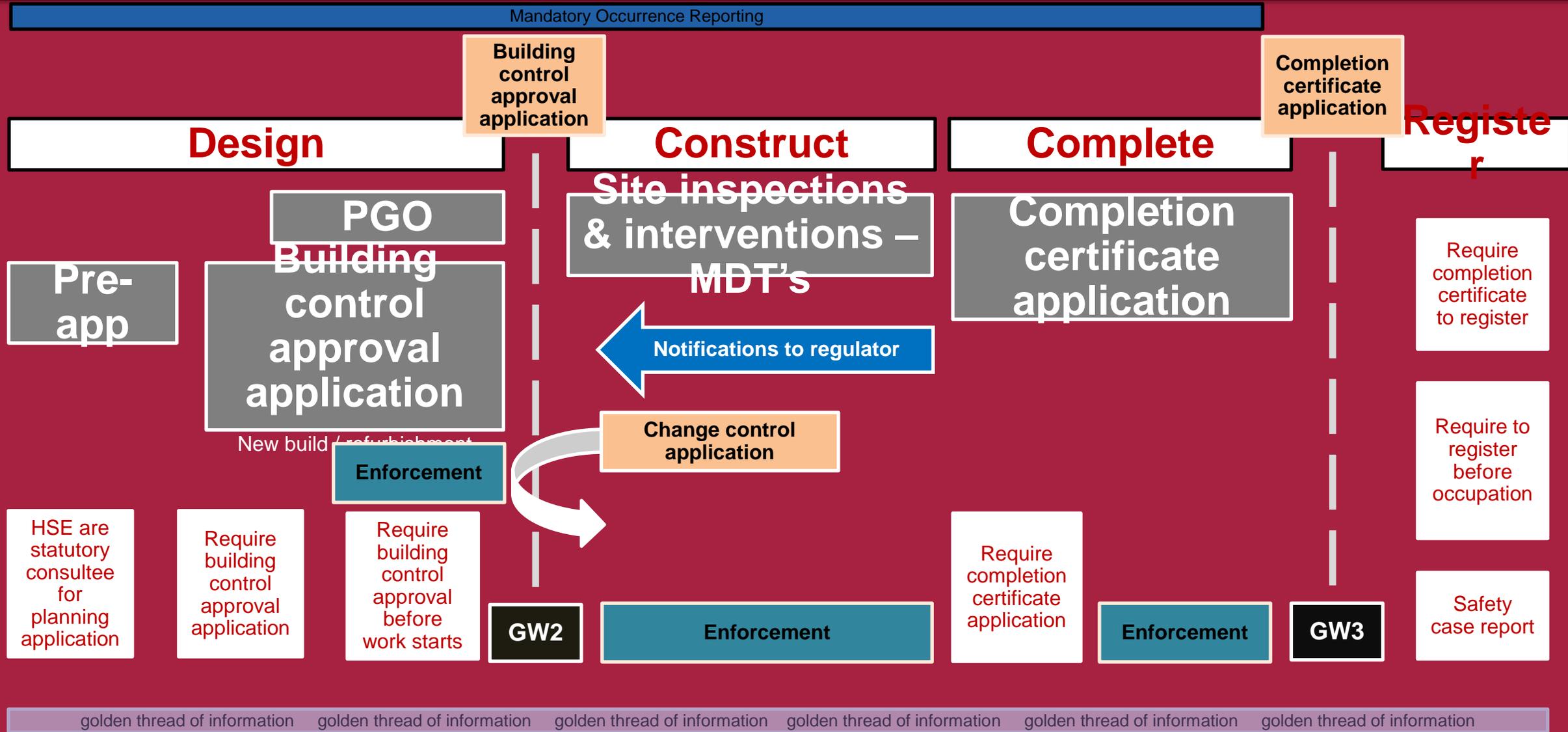
- consider the lifecycle of a building as a system and consider its intended use
- apply CDM principles help ensure a safe building
- understand worker and supply chain competence
- do they have the right behaviour, knowledge, skills and experience?
- look at managing risks holistically – build safe buildings safely

Design and Construction – Gateways Two & Three

- BSR will be the Building Control Authority for the construction of all in scope HRB's, including Hospitals and Care homes from October 2023.
- A period of transition will apply for the new regime
- New HRB's being built to the requirements of the old regime (30 Sept 2023) will have a number of months to meet commencement building requirements
- Developments not meeting commencement requirements will leave the old regime and come under BSR as BCA
- Transition period and commencement requirements TBC.



HRB Building control process



Accountable Person(s)

- In most cases the AP will be the freeholder, head lessee or a management company
- The AP will be legally responsible for assessing and managing fire and structural risks in their buildings
- If more than one AP – a Principal Accountable Person (PAP) will hold responsibility for co-ordinating duties.



Accountable Person(s)

- 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.

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’).

Registration and KBI

- (Principal) Accountable Person must register the building with the BSR
- For new builds, must register before the building is occupied. For existing buildings in first 6 months of new regime (April-September 2023)
- BSR will publish the register of buildings
- ‘Key Building Information’ (KBI) will also need to be provided to the regulator.
- Examples of KBI will be: Change of usage, External Wall System, No. of Staircases

Building Address Details	Building name, street address, postcode, additional postcodes
PAP Details	Name, Company Type, Company Name, Department, Job role, address, postcode, contact number
PAP Type options	Management Company Resident Management Company Right to Manage Company Commonhold Association Local Authority Company operating under s.27 of the Housing Act 1985 or Other
AP Details	Address, postcode, contact number, part of building responsible for
Building Details	Height (in metres), number of storeys (including ground floor), number of dwellings/residential units
Completion Certificate	Date of issue, issuer, for all or part of the building, upload certificate, reference number
Date of Completion Certificate - options	Banded selection Pre 1955, 1955-1964, 1965-1974, 1975-1984, 1985-1994, 1995-2004, 2005-2014, 2014-2022, 2023 - present

Indicative Registration Requirements

Registration and KBI process



Golden Thread of information

- Dutyholders, principal accountable persons and accountable persons will have to demonstrate (not just declare) to the regulator how (not just 'that') their building is designed, built and managed such that all their legal responsibilities are fulfilled.
 - What information do I need?
 - Why do I need that information?
 - How does the information add value?
- The Golden Thread is both the information that allows you to understand a building and the steps needed to keep both the building and people safe, now and in the future.



Golden Thread of information

- Right Information to the right people at the right time, in a form that they can use.
- Dutyholders need to work out for themselves (for their building)
 - who the right people are
 - then talk to those people about when they need the information and how they would like to receive it.
- Golden Thread will need to be secure, transferable, accessible, relevant and proportionate

Safety Case requirements

- APs must demonstrate that the risks of fire spread and structural failure are addressed
 - have to take all reasonable steps to make sure the building is safe
 - put together a safety case
 - produce a safety case report.
- The safety case approach will demonstrate that duty holders identify and implement measures that are proportionate and effective and ensure that people in and around high-rise residential building are safe.



Safety Cases

To meet these new requirements you will need to demonstrate:

- how you are keeping your building safe
- why you believe the measures you have in place to prevent and limit the consequences of a major accident in your building are sufficient and effective, and
- that you have a robust approach to the ongoing management of the building to make sure those measures remain effective.

This requires you to think about your building holistically - to think of it as a system

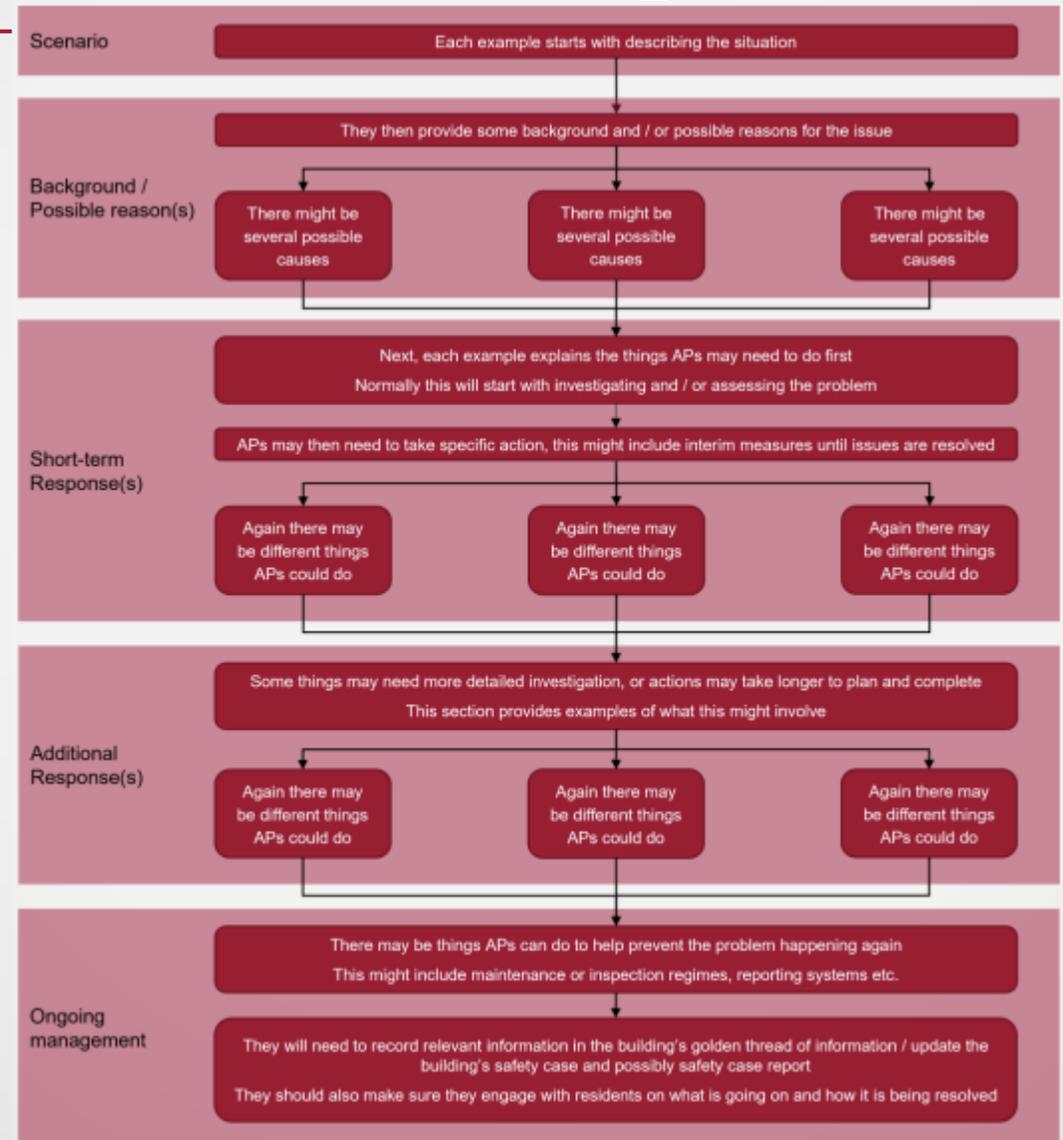


Principles and Benchmarks

- 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, will need to demonstrate that they have taken all reasonable steps to manage buildings safety risks
- Because:
 - Building may have changed since it was built – e.g. because it has been refurbished
 - There may also be other things APs can reasonably do
 - APs also have to act in accordance with “prescribed principles” – hierarchy of control
- BSR is working on “principles and benchmarks” publications
 - Commentary on Prescribed Principles Regulations – explaining what each of the principles means and giving examples
 - Series of examples of common issues from existing buildings giving options for what might be reasonable to do

Principles and Benchmarks

- Each example will include a flowchart and an accompanying text (to make sure it meets accessibility standards)
- Current examples being worked in include fire doors, bin chutes, new cracking and vehicle damage
 - As well as examples specific to resident engagement

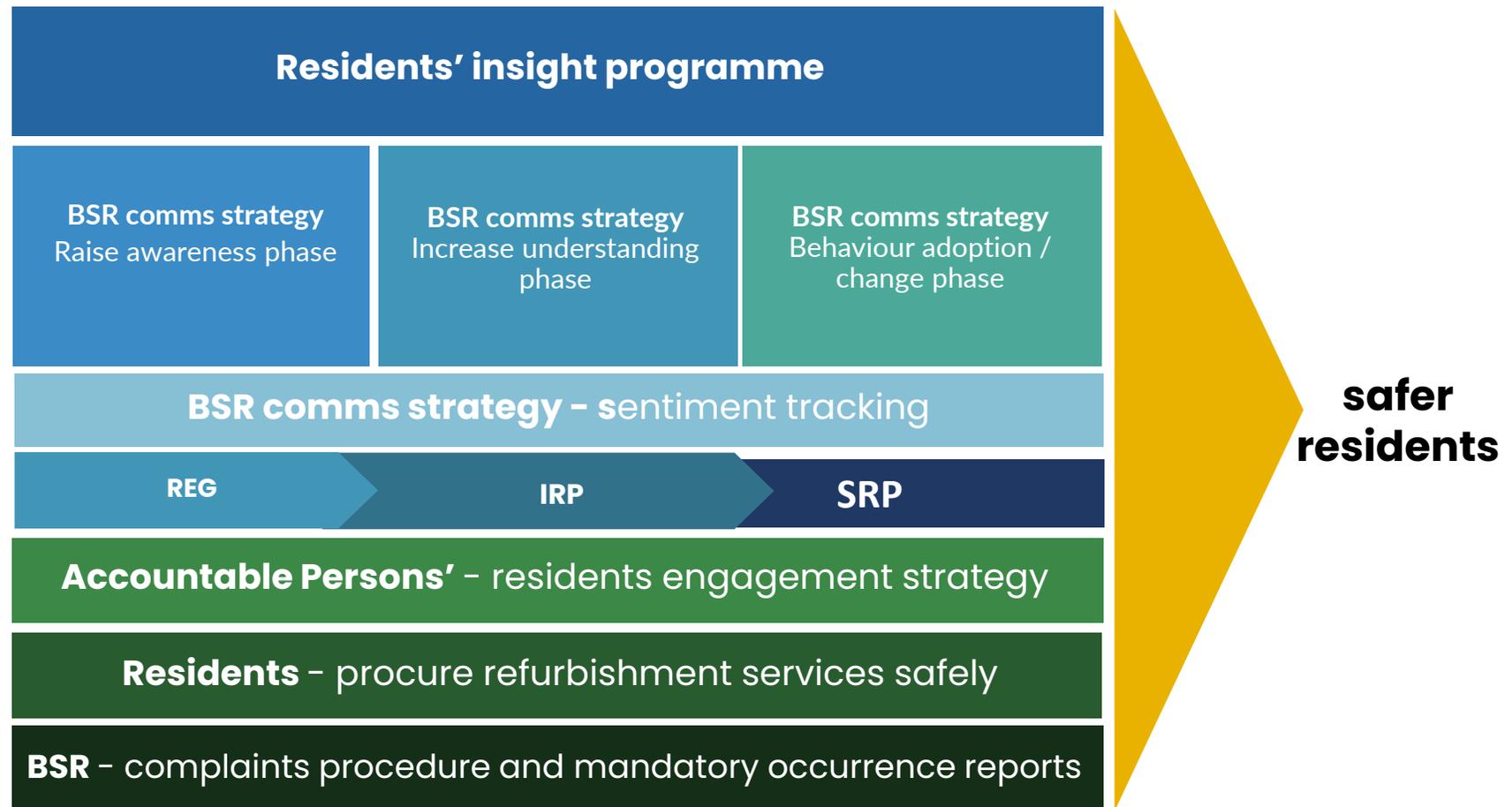


Assessment

- BSR will initially assess all 12,500 buildings over 5 years, beginning April 2024
- BSR will put all buildings into groups, or ‘tranches,’ for their first assessment.
- These will be based on a combination of two factors: the height of the building and the number of residential units.
- Prioritisation criteria are currently being developed.
- Following the initial assessments, BSR will reassess Accountable Persons’ management of building safety risks at least every five years.

		Number of dwellings						
		141+	74-140	54-73	49-53	26-48	11-25	2-10
Height of building (in metres)	50+ m	1	1	1	1	1	1	5
	30-49 m	1	2	2	3	3	3	5
	18-29 m	1	2	3	3	4	5	5

BSR Resident Engagement Approach



Resident engagement

- **Statutory Residents' Panel** – BSR will establish a Residents' Panel to advise on its higher-risk building (HRB) functions; and consult the panel, when issuing or revising any regulations or guidance
- **HRB registration/certification process** - this will include the Accountable Persons' resident's engagement strategy. Further work is underway, but will involve talking to residents about the strategy, what they understand from it and how it works for them

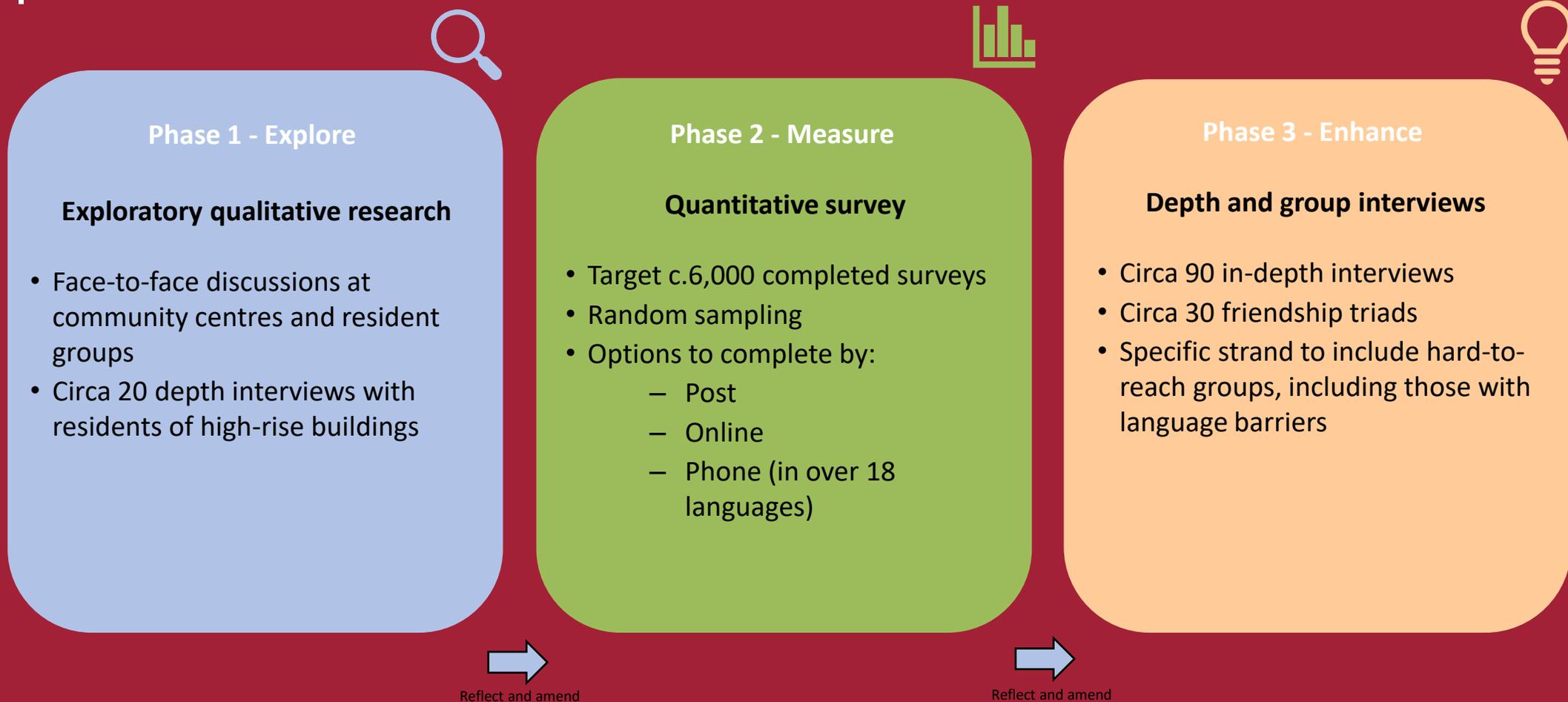


Resident engagement

- **Insight** - BSR has a residents insight programme that is building understanding of demographics, current building issues, safety concerns, barriers to engagement and communication habits
- **Communication** - BSR is delivering residents' communication through a combination of PR and media use, partnerships with resident influencers and direct contact



Insight research



Work of the Interim Residents Panel.

- **Informing the resident voice aspects of DLUHC's part 4 consultation.**
- **Testing the BSR approach to ordering building assessment (tranching)**
- **Informing BSR brand development**
- **Consulting on building assessment process (safety cases)**



Lessons Learned from the Interim Panel.

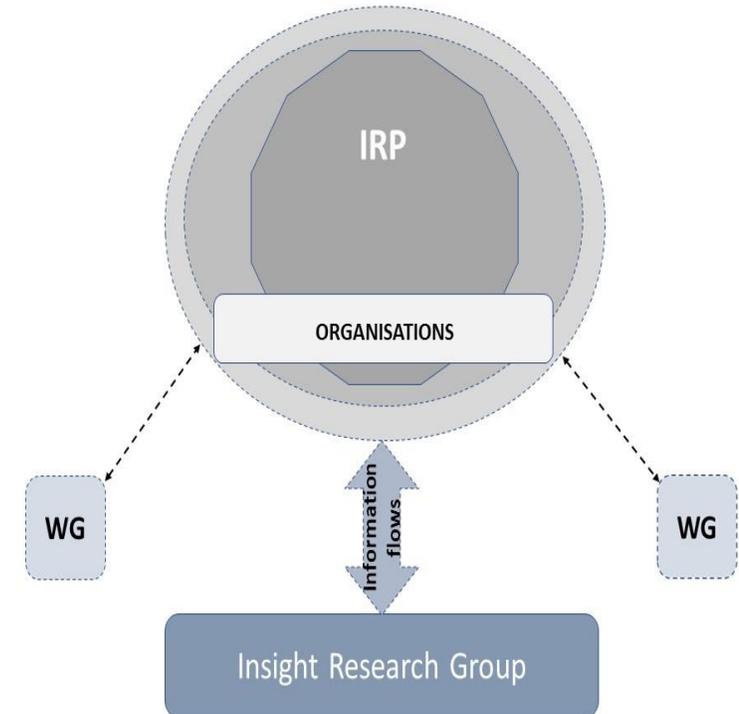
- **The IRP provided a blueprint to adapt and improve moving forwards.**
 - **The IRP is too small**
 - **HSE should retain chair for now**
 - **Small focus groups work well**
 - **The value of organisations.**



LESSONS LEARNED

The work of the panel.

- **Transition period – ‘job of work’**
 - **Consult on areas required by BSA22**
 - **Communications and insight**
- **Effective two-way engagement.**
- **Exploration of relevant and emerging issues**
- **Task and finish working groups**

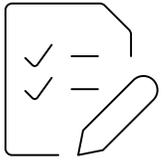


Statutory Residents Panel - Proposal.

- A slightly bigger panel. (c.20)
- Roll forward willing IRP members
 - Continuity
 - Recruited skills
- Simple and 'open' recruitment process
- Targeting the hard-to-reach
- Demographic representation
- Periodic churn and refresh
- Fundamental review October 2024

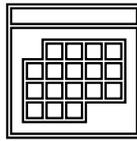


Understanding high-rise building residents



Engaging with just under 10k residents

- **9,682** survey completions
- **169** detailed in-depth interviews
- Subject areas covered:
 - Relationship with home and building
 - Experience of issues and dealing with these
 - Views and experience of building safety
 - Views on Building Safety Regulator



Speaking to residents across England over 6 months

- Engagement between November 2021- April 2022
- Phased approach across multiple stages
- All regions in England in proportion to high-rise population distribution



Dissemination and future work

- Publication report in the new year
- Future work strands

Key findings from the residents research programme

1

A diverse population, requiring consideration of a wide range of circumstances in operationalising the BSR

2

More invested in their flats but less so in their buildings. High-rise residency looks like more of an individualised experience, although there are various factors which affects the level of investment in their buildings

3

Residents' definition of building safety is wider than how it is defined by HSE. Fire and structural safety was not top of the mind concerns for most however they are still considered as important

4

How the issues are handled does affect residents' level of engagement with their building. In the context of maintaining building safety, resident engagement is likely to be driven by how their issues are handled by the building management organisation

5

Plans for the BSR were received positively in theory, although the fact that management companies will be the primary point of contact led many to concerns that BSR may not deliver the level of service required to ensure resident rights as promised and there was general dissatisfaction about the potential for increases in service charges

What's next?

- Secondary Legislation providing further detail
- Guidance
- Registration goes live in April 2023, other duties apply from October 2023
- Stand up MDTs as required
- BSR assesses all 12,500 buildings beginning April 2024 over 5 years



Keep up to date

HSE are producing an e-Bulletin which contains regular updates on all things BSR please visit HSE's webpages and search for building safety.

[Sign up to get the latest news and alerts on the building safety reforms](#)

