

# Joint Regulators' Group Webinar

## Impact of the New Building Safety Regulatory Regime

14.30 - 14.35	<b>Welcome</b> Peter Baker, HSE
14.35 - 14.45	<b>Keynote speech</b> <ul style="list-style-type: none"><li>• Damien Dacey- Deputy Director, Building Safety Programme, MHCLG</li></ul>
14.45 - 14.55	<b>Keynote speech</b> <ul style="list-style-type: none"><li>• Sarah Albon - Chief Executive, HSE</li></ul>
14.55 - 16.00	<b>Joint Regulators' Group Presentation and Q&amp;A</b> <ul style="list-style-type: none"><li>• Lorna Stimpson, LABC</li><li>• Nick Coombe, NFCC</li><li>• Charles Loft, LGA</li><li>• Peter Baker, HSE</li></ul>

# Peter Baker

Health & Safety Executive  
Director - Building Safety and Construction

# Damien Dacey

Deputy Director, Building Safety Programme,  
MHCLG

# Sarah Albon

Chief Executive of HSE

# Joint Regulators' Group

Peter Baker, HSE Director - Building Safety and Construction

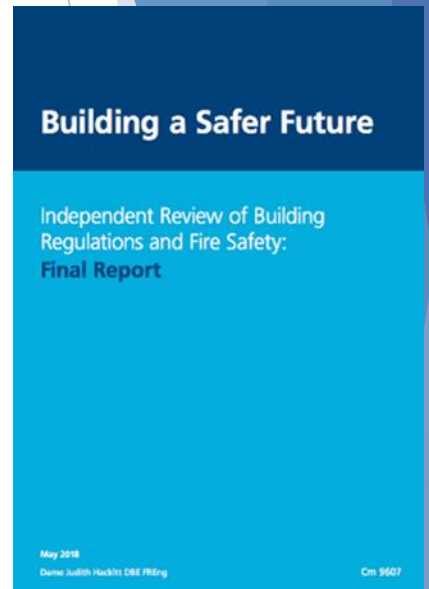
Lorna Stimpson, LABC Chief Executive

Nick Coombe, NFCC Building Safety Programme Lead

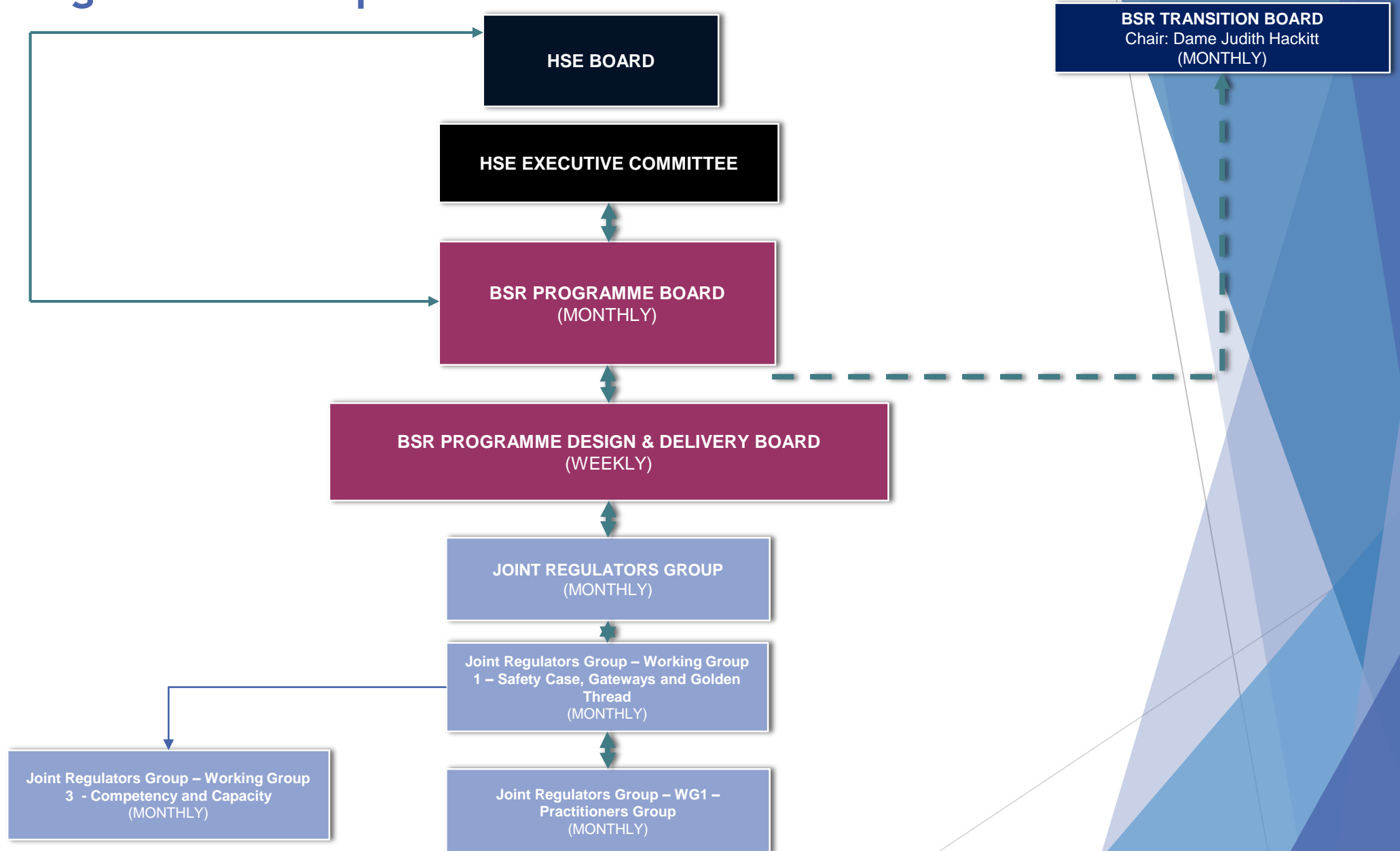
Charles Loft, LGA Senior Adviser

# The Joint Regulators Group

- ▶ Formed in December 2018 as part of the governments implementation of Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety
- ▶ Representatives from
  - ▶ Health & Safety Executive
  - ▶ Local Government Association
  - ▶ National Fire Chiefs Council
  - ▶ LABC

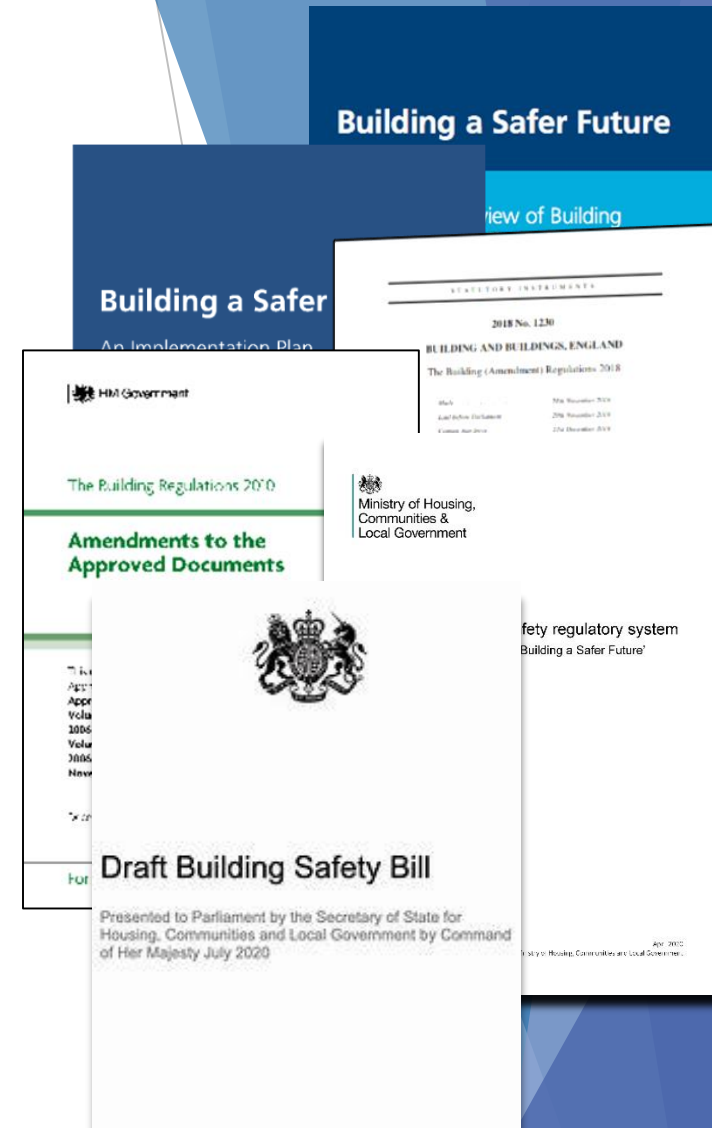


# The Joint Regulators Group



# Building Safety Bill

- 20<sup>th</sup> July draft Building Safety Bill published  
<https://www.gov.uk/government/publications/draft-building-safety-bill>
- Pre-legislative scrutiny of the draft Building Safety Bill ongoing.  
<https://committees.parliament.uk/work/361/prelegislative-scrutiny-of-the-building-safety-bill/>





# The draft Building Safety Bill

- ▶ The draft Bill sets up a Building Safety Regulator, three of its main functions will be:
  - ▶ 1. to oversee the safety and standards of all buildings
  - ▶ 2. to directly regulate the safety of higher-risk buildings
  - ▶ 3. to improve the competence of those involved in the construction and management of higher-risk buildings



## Draft Building Safety Bill

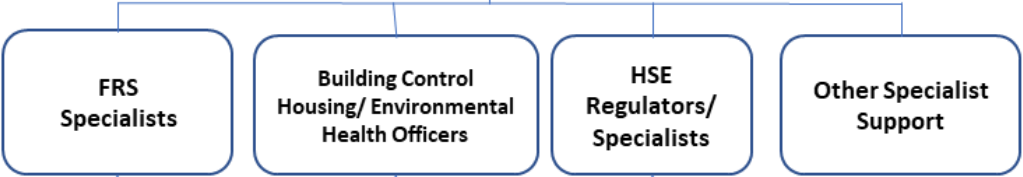
Presented to Parliament by the Secretary of State for Housing, Communities and Local Government by Command of Her Majesty July 2020

# Proposed Model for HRBs

National Regulator



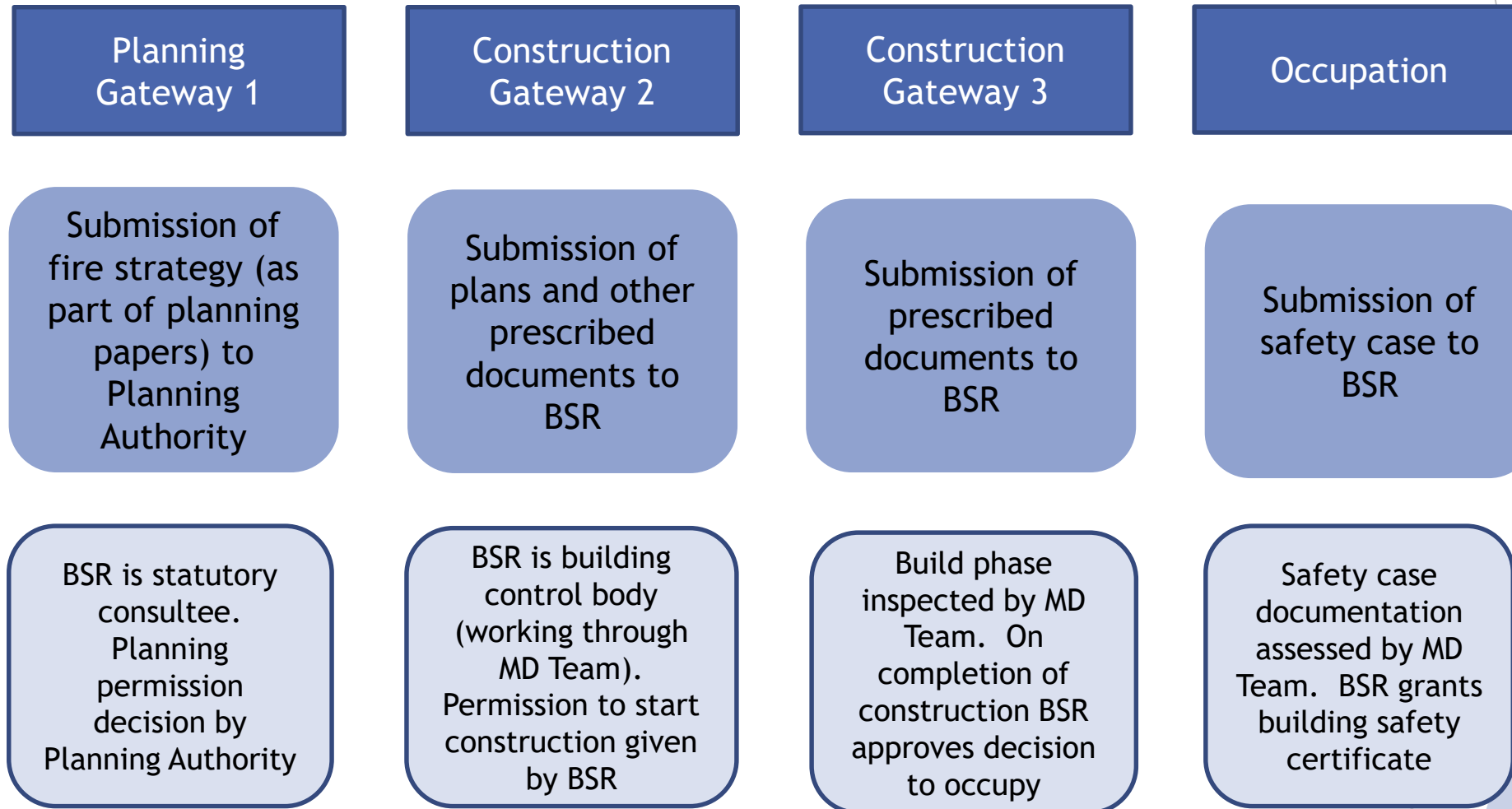
Gateway and safety case assessment and intervention team



Existing Regulators



## Golden Thread - shared through lifecycle of building



# Scope of the HRB Regime

## ▶ Higher Risk Building to be defined in secondary legislation

### Currently:

- ▶ Contains 2 or more dwellings, 2 or more rooms for residential purposes (e.g. supported accommodation) or student accommodation
- ▶ Top storey is 18m or more above ground or more than six stories (whichever reached first)
- ▶ The Building Safety Regulator via Secretary of State can vary the scope as required

# Lorna Stimpson

LABC Chief Executive

# LABC - supporting public service building control

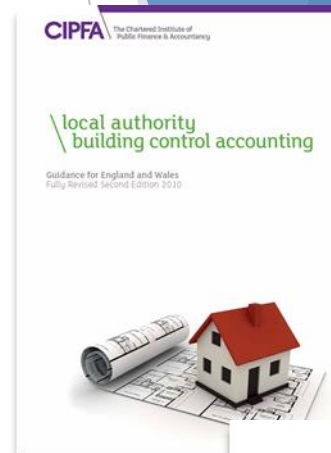
- ▶ A not for profit membership organisation representing public service building control.
- ▶ Bringing together 320 LA teams (England & Wales), every Local Authority is a member of LABC
- ▶ 3,800 Building Control Surveyors
- ▶ Providing national guidance and consistency, technical training & policy guidance
- ▶ The industry voice for Public Service Building Control

# The new legislation will impact ALL local authorities

- ▶ The draft Bill and proposed secondary legislation isn't just about tall residential buildings or HRBs
- ▶ The BSR has a wider role in providing stronger oversight of safety and the performance of all buildings.
- ▶ Proposed significant and overdue amendments to the Building Act 1984

# The new legislation will impact ALL local authorities

- ▶ Clause 13. Local authorities and fire and rescue authorities: provision of assistance etc to regulator, *in extremis* the regulator may **direct** a relevant authority to do so.
- ▶ Local authorities will be reimbursed for the costs of this support.
- ▶ Stronger sanctions including Stop Notices and Compliance Notices for all work under proposed revisions to the Building Act
- ▶ Clause 58. Relevant Authority may charge fees and recover charges.





# Higher Risk Buildings

- ▶ Local authority involvement in new build and refurbishment projects on HRBs - around 800 projects a year.
- ▶ Perhaps the biggest impact will be the support needed to transition 12,500 existing buildings into the new regime.

# Competence & Registration of Building Control

- ▶ Clause 14. The relevant authority must ensure that any of its staff involved in providing assistance to the regulator have the appropriate skills, knowledge, experience and behaviours.
- ▶ Registered Building Inspector
- ▶ Building Control operational performance set & monitored by the Building Safety Regulator
- ▶ Code of conduct, financial penalties, suspension & ‘special measures’ type sanctions.

# Preparing LABC Surveyors and Teams

- ▶ Radical and systemic change
- ▶ Suite of OFQUAL/CIOB/CABE & RICS accredited level 3 - level 6 BSc qualifications
- ▶ Externally audited ISO:9001 Quality Management System - only 39 teams still to integrate in England and Wales.

# Preparing LABC Surveyors and Teams

- ▶ LABC Certification ISO:17024 competence assessment of persons
- ▶ 550 LABC surveyors already validated for Building Regulation Fire Safety on Higher Risk Buildings
  - ▶ Next assessment centre 16 November
  - ▶ Assessments currently being created for:
    - ▶ Domestic building control
    - ▶ Commercial building control
    - ▶ Regulatory enforcement
    - ▶ Safety at Sports Grounds

# Resourcing Building Control Teams

- ▶ In normal times, introducing such a major change to local authority operations would be challenging. Especially challenging now given the financial impact of COVID-19
- ▶ Building safety is non-negotiable
- ▶ Building Control needs investment so that we can prepare to support the Regulator upon implementation.

# LABC Updates & Resources

<https://www.labc.co.uk/building-safety>

The image shows two overlapping browser windows. The top window displays the LABC website's 'Draft Building Safety Bill resource page'. The page features a navigation menu with options like 'HOME', 'SEARCH', 'CONTACT', 'SCOTLAND', 'WARRANTIES', 'LOGOUT', and 'DASHBOARD'. A search bar is present with the text 'Find council by postcode'. The main content area is titled 'Draft Building Safety Bill resource page' and includes sections for 'Approved Inspector insurances', 'Government Consultations', 'Performance & Standards', 'Managers' toolkit', and 'Resources'. A sidebar on the left lists various resources, including 'Building Regulations and Fire Safety Procedural Guidance July 2020 Edition' and 'Grenfell Tower Fire'. The bottom window shows a 'Local Authority Building Safety Briefing document' page. This page features a city skyline graphic and a prominent heading: 'Local Authority Building Safety Briefing document'. Below the heading, it states: 'With only 18 months to prepare for the implementation of the Building Safety Bill, LABC have issued this document to highlight the coming changes and urge authorities to start thinking about implementation plans.' At the bottom of this page, there are two call-to-action buttons: 'Download the Local Authority Building Safety Briefing' and 'Contact us at buildingsafety@labc.co.uk'.

# Nick Coombe MBE

National Fire Chiefs Council Building Safety Programme Lead

# About NFCC

- The National Fire Chiefs Council (NFCC) came into effect on April 1, 2017 to provide fire services across the UK a prime opportunity to deliver and develop the Fire Reform agenda.
- The NFCC drives improvement and development throughout the UK FRS, while supporting strong leadership of the UK FRS - including the devolved administrations.
- The NFCC enables locally accountable Chief Fire Officers or their representatives to coordinate the work of the UK FRS to protect the public and improve community safety.
- The NFCC aims to strengthen the professional / operational leadership of the Fire and Rescue Service, improve national co-ordination, reduce duplication and increase efficiency, support local service delivery, and provide increased influence for Fire and Rescue Authorities and their Services.



# About NFCC

Following funding secured from Home Office and MHCLG the NFCC have established the Protection Policy and Reform Unit (PPRU) to provide the link between FRSs and Government by representing the collective views and expert technical advice of FRSs. The PPRU now incorporates the wider Building Safety Programme Team.

The overarching objectives and purpose of the unit is to:

- Promote a consistent and co-ordinated approach to fire safety regulation
- Support and promote the swift remediation of buildings
- Support the Government reform agenda
- Provide NFCC capacity to deal with new and emerging demands

# BS Bill Key issues for FRS



## Draft Building Safety Bill

Presented to Parliament by the Secretary of State for  
Housing, Communities and Local Government by Command  
of Her Majesty July 2020

CP 264

- ▶ FRS part of the new regime
- ▶ Impact on RBIP
- ▶ SoS powers to direct
- ▶ Competency of Officers
- ▶ Narrow Scope
- ▶ Overlap of existing regime.

# New Build

## New Build

1. FRS will assist the regulator in Gateway 1 to ensure access and water supplies for firefighting is considered. However PDR need to be looked at.
2. The gateway hard stops will ensure that buildings will not move through the stages without a significant scrutiny.
3. No building will be occupied until it has been signed off as safe to occupy

# Occupied Buildings

## In Occupation

1. A multi-disciplined team with all the right skills can take a holistic view of the risk in existing in scope buildings and be assured that the risks will be addressed.
2. Building safety managers will allow residents and enforcing authorities a clear first port of call when issues are identified

# Charles Loft

Local Government Association Senior Adviser

# Local Authorities as Stock-Owners

- ▶ Making our buildings safe in councils' capacity as stock-owners will be expensive and we need to anticipate how to meet these costs alongside house-building, net zero carbon, and decent homes programmes.
- ▶ Lots of detail, including funding, yet to be established - but need to be prepared.

# Dutyholders

- ▶ Greater responsibilities and risks and key individuals will be deemed dutyholders personally culpable under criminal law, risking fines or imprisonment.
  - ▶ Principal Designers
  - ▶ Principal Contractors
  - ▶ Accountable persons
  - ▶ Building Safety Managers

*Body Corporate “...any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity... that person as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.”*

# Responsibilities

- ▶ Establishing a “golden thread” for existing buildings
  - ▶ Expensive investigations in the short-term
  - ▶ Proactive and across a large range of buildings: Structure as well as fire
- ▶ Building Safety Manager
- ▶ Safety Case - confidence in management
- ▶ Leaseholders
- ▶ Resident’s voice/Residents responsibilities



# Enforcement

- ▶ Building Control will be a vital part of the new regime
  - ▶ Staff retention
  - ▶ Staff and Team competence
- ▶ Impact on EH services?
  - ▶ Nearly 3,000 buildings have applied for non-ACM funding
- ▶ Liaison with HSE (BSR) and FRS?
- ▶ Organisational lead?
- ▶ Governance?

# LGA

- ▶ What can we do?
- ▶ [Charles.loft@local.gov.uk](mailto:Charles.loft@local.gov.uk)

# Peter Baker

Health & Safety Executive  
Director - Building Safety and Construction

# A step change in attitude

- ▶ We need a real step change in attitude, behaviour, culture and performance across the whole process of designing, constructing, maintaining, managing safety of and living in higher risk buildings.

# Building Confidence

- ▶ The new, more stringent, regulatory regime will build people's confidence in the building safety system.
- ▶ Residents

# Competence

- ▶ We will promote competence among industry professionals and regulators to raise standards in design, construction and the management of buildings. Local authorities are both regulators, clients and duty holders.
- ▶ Fire and Rescue Service and Local Authority Building Control team and practitioner competence

# What can Local Authorities and Fire Authorities do now?

- ▶ We will make sure the building regulations system works now and in the future but there are actions you can take now -
  - ✓ Understanding and reviewing your current HRRB Stock, what state is it in?
  - ✓ Looking at your current systems of management? What are your weaknesses? This is the type of information we ask for in the safety case.
  - ✓ Are residents given the right opportunities to raise issues?

# Q&A Session