

Understanding Building Safety Regulations

Duties and Processes Applicable to All Buildings and Enhanced Duties and Processes Specifically for Higher-Risk Buildings (HRBs)

S3 - Suitable for Comments

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Acknowledgments

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Document Control

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P03.01	31/07/2024	JW	Updated Reviewers
P02	23/07/2024	DAS	Updated following comments from Dieter B-G
P02.02	20/02/2024	JW,	Acknowledgments page added
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P01	18/02/2024	JW	Process completed & shared for comments
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Building a Safer Future

On June 14, 2017, the Grenfell Tower fire tragically took 72 lives and injured over 70 residents. This event has fundamentally influenced our approach to fire safety in buildings. In May 2018, Dame Judith Hackitt's report, "Building a Safer Future," led to the Building Safety Act 2022 and over 32 new regulations.

This new regulatory regime is vast and rapidly implemented, transforming how building safety is managed throughout a building's lifecycle. BIM4Housing members support these changes and has established working groups to review and develop guidance, contributing to the government's efforts and the Building Safety Regulator (BSR).

We are proud to be involved in 'Building a Safer Future', together.

Dame Judith Hackitt emphasized the importance of driving cultural change for the right reasons. The new framework impacts the entire industry, especially for higher-risk buildings, which are crucial to our business.

This guidance document outlines the key aspects of the new regulations, provides valuable [links to reliable guidance](#) (gov.uk / HSE) and provide a [process maps](#) allowing you to navigate the requirements.

Understanding these requirements and our responsibilities is essential.

Please read this document and direct any questions to:
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Please feel free to add your comments directly to the MIRO board via this link:
https://miro.com/app/board/ukjVkuGu-0s?/?share_link_id=753200462040

Password: Building54fety!

Building Safety Act 2022

Introduction:

The Building Safety Act 2022 is structured into six parts to ensure the safety of people in buildings and improve building standards.

Higher-Risk Building (HRBs):

Defines HRBs and outlines the requirements for them when occupied, including the duties of the accountable person and resident obligations.

Regulator and Its Functions:

Establishes the Building Safety Regulator (BSR) within the HSE, overseeing all building control functions.

Other Provisions:

Mandates developers to join a New Homes Ombudsman scheme and grants powers to regulate construction products. Enhances the Architect Registration Board's ability to monitor architect competence and removes the 'democratic filter' for social housing complaints.

Building Act 1984 Amendments:

Amends the Building Act 1984 to specify buildings in scope and the new regulatory regime during commissioning, design, and construction. Introduces requirements for registering building control inspector to become Building Control Approver (RBCAs) to improve competence.

General Provisions:

Includes general provisions on the Act's commencement, application to the Crown Estate, and regulations. The Act contains 171 clauses and 11 schedules divided into six parts.

Golden Thread of Information:

Information must be kept digitally, securely, and be the single source of truth for the building. Information should be available to those who need it, when they need it, and in a usable format.

Building Safety Regulator (BSR)

The Building Safety Act establishes the BSR within the Health and Safety Executive, reporting to the Secretary of State. The BSR oversees building regulations, approved documents, and building control, and develops the regulatory regime. It consults with advisory committees on building, industry competence, and resident representation.

For higher-risk buildings (HRBs), the BSR forms a multidisciplinary team with registered building inspectors and Fire and Rescue authorities to ensure effective regulation. This is in addition to statutory consultations.

The BSR's responsibilities include:

- Overseeing all buildings, not just tall ones.
- Acting as the building control authority for HRBs.
- Inspecting HRBs during design and construction via the Gateway process.
- Registering HRBs and assessing safety cases during occupation.

The BSR manage the safety and performance system for all buildings, advise ministers on building regulation changes, address emerging risks, and oversee building control bodies and inspectors. It aims to improve competence in the built environment industry and enforce the new regulatory regime for HRBs. This includes ordering remedial works, halting non-compliant projects, and replacing key dutyholders when necessary.

Scope of Changes to the New Regulatory Framework

All Buildings

New duties and processes that apply to ALL buildings:

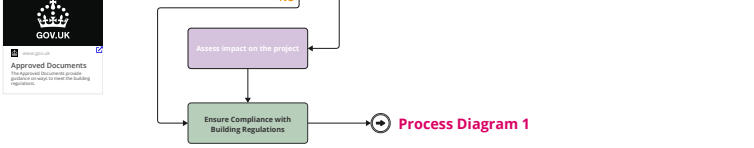
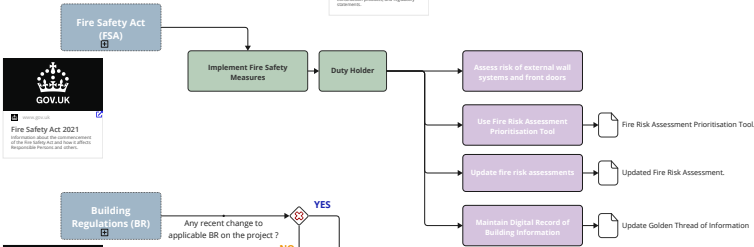
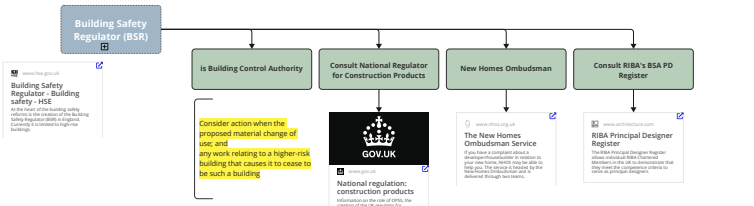
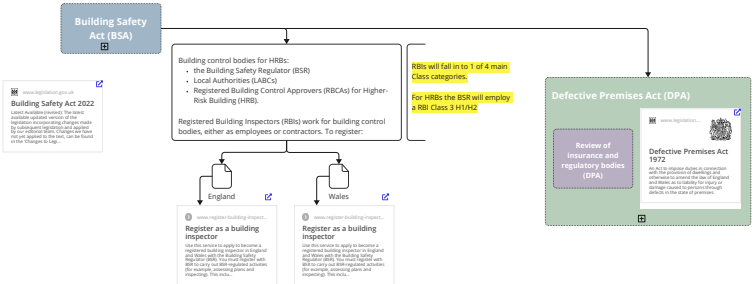
- BSR governance & new enforcement powers
- New dutyholder roles
- New Building Inspector registration and competency
- New competency requirements
- Wider changes to building regulations to align the existing system with the new system
- New Building Safety Levy

HRBs

Enhanced new duties and processes that apply to HRBs only:

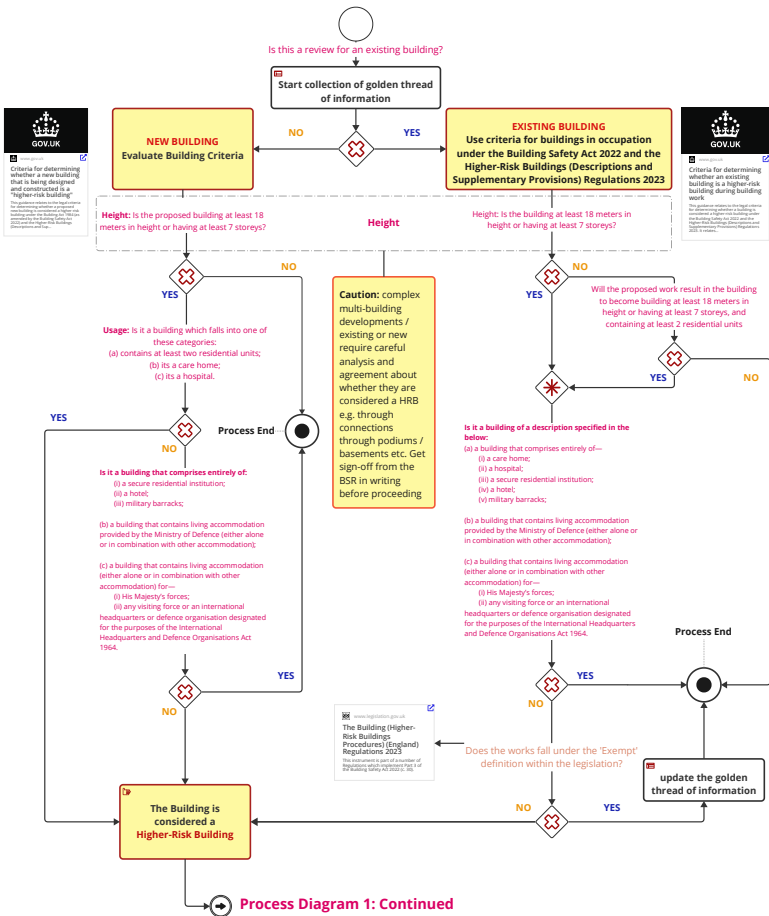
- 2 new 'hard stop' Gateways i.e. 2 & 3
 - Note: Gateway 1 is not a 'hard stop'
- BSR to directly oversee Building Control
- Change control process
- Golden thread
- Mandatory occurrence reporting
- New Principal and Accountable Persons (PAP / AP) roles relevant to the occupation phase
- Register of HRBs prior to occupation
- Transitional arrangements (**Complete Registration by 06/04/2024**)

Key Legislation



Process Diagram 1

Process Diagram 1: Determine If New Building or Existing Building Work Must Undergo the Gateway Process.



From Diagram 1

Building Safety Act 2022
 Latest legislation. The Building Safety Act 2022 introduces significant changes to the regulatory framework for high-rise buildings. It is essential to understand the new requirements and how they will be applied to the site. See the full text of the Act on the GOV.UK website.

Building Safety Regulator - Building Safety - HSE
 The Building Safety Regulator (BSR) is the new regulatory body for high-rise buildings in England. It will be responsible for ensuring that buildings are safe and that the Building Safety Act 2022 is properly implemented. See the BSR website for more information.

Fire Safety Act 2021
 The Fire Safety Act 2021 introduces significant changes to the Fire Safety Act 2012 and the Regulatory Reform (Fire Safety) Order 2005. It is essential to understand the new requirements and how they will be applied to the site. See the full text of the Act on the GOV.UK website.

Approved Documents
 The Approved Documents provide detailed guidance on how to meet the Building Regulations. They are essential for ensuring that buildings are safe and that the Building Regulations are properly implemented. See the GOV.UK website for more information.

Building Safety Act (BSA)

Building Safety Regulator (BSR)

Fire Safety Act (FSA)

Building Regulations

Notify Client
 The Building is considered a 'Relevant Building' under the BSA i.e. a Higher-Risk Building (HRB)

Client: ensure they understand their duties and competence requirements for building regulations that they, designers and contractors MUST meet

Progress collection of golden thread of information

Client/Appointing Party

- Update Organizational Requirements (OIR)
- Develop Asset Information Requirements (AIR)
- Capture Project Information Requirements (PIR)
- Establish Exchange Information Requirements (EIR)

NOTE: the ISO19650 guidance is NOT a statutory requirement for HRBs, however, can provide a structured framework to establish and maintain the 'golden thread'

Design Team Response ↔ Appointing Party Response

HSE's Planning Advice Web App - Login
 Use planning advice web app via link

Send Email Query: Planninggatewayone@hse.gov.uk

Wait 21 Days
 HSE/BSR responds to the query

Note: The BSR & Fire Rescue Service are statutory consultees during the Planning determination stage

Client / Appointing Party

- Planning Application MUST include a Fire Statement
- Fire Statement Form

Lead Appointed Party - Tender Response

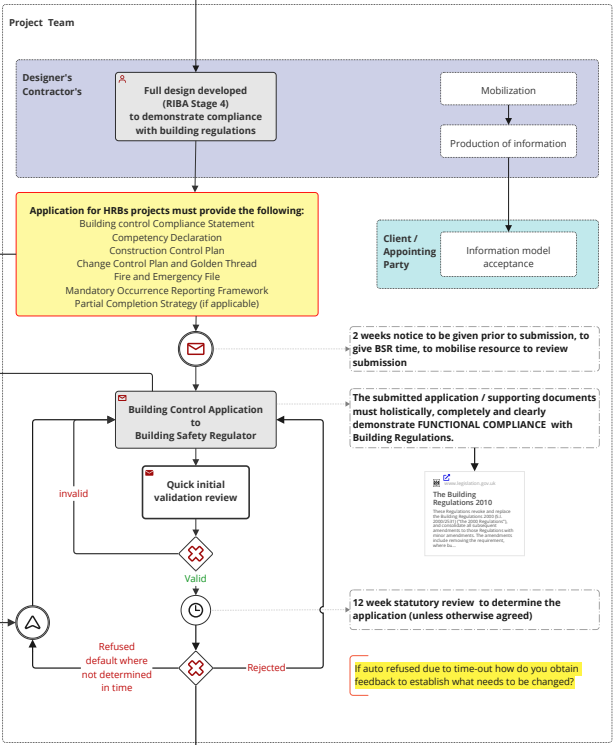
- Design Team Response Information Delivery Plan (IDP)
 - Create or Update BIM Execution Plan (BEP)
 - Create Master Information Delivery Plan (MIDP)
 - Create Task Information Delivery Plans (TIDPs)
- Submit Change Control Requirements and Process

GATEWAY 1
 Planning

Approval

Process Diagram 2

From Diagram 1: Continued

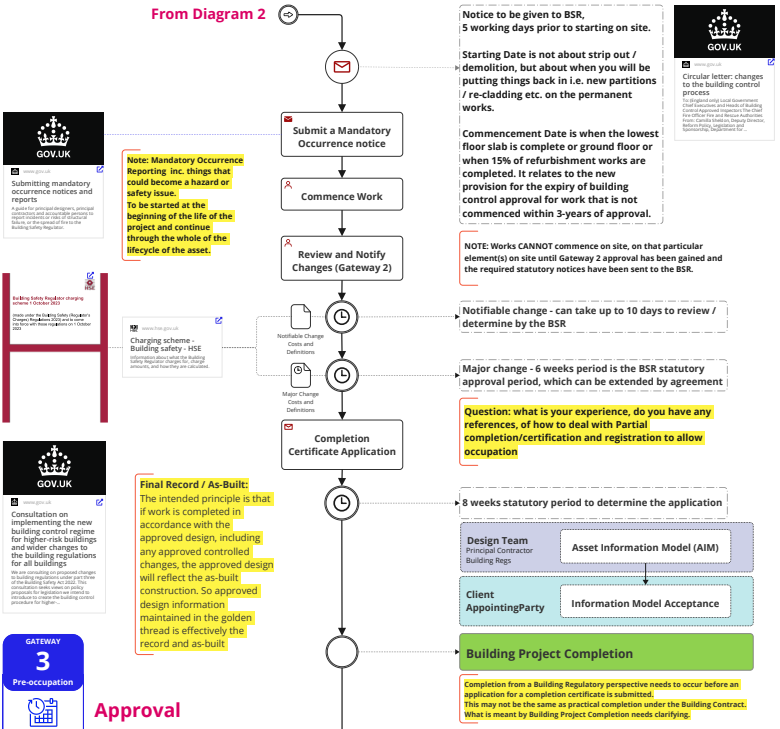


GATEWAY
2
Pre-construction

Approval

Process Diagram 3

From Diagram 2



Approval

Post Gateway 3 Process - RIBA Stages 6, 7 and beyond

