

Building Safety Regulator TPI Member Q&A Session – Occupied Buildings

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Webinar Overview

- Latest updates
- Recap of the basics
- Key messages
- Q&A

This webinar is about occupied residential buildings that meet the definition in Part 4 of the Act. If attendees have questions on other aspects of the Act, we will provide appropriate contact details.

First , some polls....

Latest updates

- Remaining set of Regulations for Part 4 went through Parliament before Christmas and have been signed
- This brings the duties under Part 4 into force
 - Most duties qualified with “as soon as reasonably practicable”
- BSR will starting directing PAPs to apply for a Building Assessment Certificate from April
 - More information on what buildings will be assessed when due soon
- Planning more engagement with RMC / RTM APs / PAPs

Recap of the basics

- Part 4 of the Act covers buildings 18m+ / 7 storeys or more + at least 2 residential units
- Risks covered: spread of fire and structural failure
- APs – own or have a repairing obligation for (part of) the common parts of the building
- PAPs – if only one AP in a building, they are also the PAP. If more than one AP then it's the one with responsibility for structure and exterior of the building

Overview of duties

All APs

- Assess building safety risks (s.83)
- Manage building safety risks (s.84)
- Keep information about the building – the golden thread (s.88)
- Provide information (s.89)

PAPs -

AP duties plus:

- Register the building (s.77)
- Provide Key Building Information (s.89 / regulations)
- Apply for a building assessment certificate (BAC) when invited to by BSR (s.79)
- Display the most recent BAC in a prominent position (s.82)
- Prepare safety case report (s.85)
- Notify BSR if the report is revised (s.86)
- Establish a mandatory occurrence reporting system (s.87(5))
- Prepare residents' engagement strategy (s.91)
- Establish a complaints system (s.93)

More detail on the duties in the 2 sets of Regulations relating to Part 4

Key messages

- Although Act imposes new duties (such as registration and safety case report), in practical terms:
 - **If you are managing these risks effectively in your building(s) you will likely already be doing most of what you need to do to satisfy the Act's requirements**
- Overarching duty in the Act requires APs to:
 - **Take all reasonable steps to prevent building safety risks and reduce the severity of an incident should it occur**
- Proportionality is important:
 - **The measures in place, and the demonstration to BSR, should be proportionate to the risks in that particular building**

Key Messages – Resident Engagement

- Residents' engagement strategy needs to be specific to each building – it needs to take account of the resident profile, including those who may have additional needs
- Building trust with residents takes time and effort – but the result is worth it
- BSR recognises that it can be a challenge knowing exactly who is living in a building
 - You need to take reasonable steps to identify residents, their needs and to distribute the strategy, but the Act acknowledges this will not always be possible
 - For example – if a flat is used for short-term rental, you may not know the occupier, but you are likely to know who the owner is
- There is lots of good work going on engaging with residents and building their trust – examples and case studies can be found on the BSR campaign website

Q1: Resident Engagement Strategies – how are other PAPs/MA's approaching these? What is an effective and compliant strategy?

Q&A

Q2: Safety Cases - can we have some clarification on the expectations of the safety Case and Safety Case Report?

Q&A

Q3: Is there a relationship between the BSR and FRS, in relation to PAPs/RPs and enforcement?

Q&A

Q4: We understand the safety case report will be assessed by 3 different elements:

- **The Residents engagement strategy**
- **Fire safety of the building assessment**
- **Structural safety of the building assessment**

Will the fire safety and structural safety elements be assessed by in-house fire and structural engineers or externally? We are trying to understand the process and level of qualification for such reviews.

Q5: Are all HRB's required to have a type 3 risk assessment as standard?

Q6: Could you advise what powers fire officers have at present. Is it lawful for them to ignore S20 requirements?

Q&A

**Q7: How critical is base-build information. (Reg 38 and O & M manuals)
as many of our UK-wide buildings are circa 1930s -1950s**

Further Technical Enquiries?

Please use the [Contact The Building Safety Regulator](https://www.contact-building-safety-regulator.service.gov.uk/) service in the first instance:

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