



# Resident safety for board members January 2024

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# Welcome and introductions

## Introductions

- Who you are:
  - Your name
  - Role on board/ job role?
  - What you want to get out of today?



HELLO  
·A·N·D·  
Welcome

## Outline of the session

- Welcome and introductions
- The role of the board in managing risk
- Their health and safety responsibilities
- Putting residents at the heart of the safety agenda
- Overview of the Building Safety Act 2022
- The new building safety regime
  - The Building Safety Regulator
  - The accountable person
  - The golden thread
  - The Safety Case (and Report)
  - Resident engagement next step



# The role of the board

## Role of the board – risk management

- Effectively identify and understand risks including financial, operational and reputational risks
- Oversee and assess emerging threats and changing circumstances that may impact on risk
- Understand the associations risk appetite
- Regularly and proactively challenge and review risk appetite
- Challenge executive team on risk management and mitigation strategy
- Seek active assurance that risk is being effectively managed
- Understand the levels of accountability – who, what and when.



## NHF Code of Governance

- The board actively manages the risks faced by the organisation and obtains robust assurance that controls are effective, that plans and compliance obligations are being delivered, and that the organisation is financially viable
- The board has formal and transparent arrangements ensuring that the organisation is financially viable and maintains both a sound system of internal audit and controls and an appropriate relationship with its external auditors'
- The board can have confidence in the information it receives and there are robust internal controls
- There is a committee primarily responsible for audit, and there are arrangements for effective internal control assurance and audit functions - external audit



## Questions to ask...risk management

- Do you understand your legal and regulatory requirements and obligations around risk?
- Are you confident in the data that is held – does it provide you with the assurance that risk is being identified?
- Are you using stress testing to show how risks might impact on the business and therefore inform controls?
- Do you have a well-articulated assessment of strategic risks and associated controls?
- How do you know that risk controls are operating as intended?
- Are you able to evidence good levels of assurance on the design and operation of key internal processes?
- Are you confident that the reports you receive are satisfactory to support you manage risks?
- Does your organisation have processes in place to review risk management and assurance arrangements?





## Review of consumer regulation 2022/23

- **Governance and leadership** – Good governance and leadership are vital to providing good quality services. Non-compliance decisions included failures in establishing appropriate oversight to ensure tenants received quality homes and services.
- **Engagement with tenants** – Failures to treat tenants with fairness and respect, respond to tenants' concerns and communicate with them in a way that takes into account diverse needs.
- **Quality accommodation** – Systematic failings in repairs and maintenance services resulting in tenants living in properties severely affected by damp or mould. Providers breached the Home Standard due to not meeting legal requirements on fire, electrical, water, asbestos or lift safety. Landlords must have a complete understanding of the condition of their stock.
- **Data and compliance** – Self-referrals from providers due to uncertainties over completing required health and safety checks as a result of unreliable data. In some cases, mergers presented practical challenges as providers did not have clear oversight of legacy data management systems.

## Lessons learnt

Boards must have the assurance that the organisation has:

- good quality data in order to manage and monitor compliance with statutory health and safety requirements, and where necessary, put in place steps to mitigate risks to their tenants
- an accurate and up to date understanding of the quality of the homes they manage, underpinned by reliable stock condition survey data
- effective processes in place to quickly identify and deal with damp and mould
- comprehensive systems in place which encompass all of the aspects that contribute to maintaining homes in a safe condition

# Health and safety responsibilities – sector risk profile 2023

Ensuring that tenants are safe in their homes is a fundamental responsibility of all social landlords and their boards:

- Boards must have assurance that providers' stock meets **all relevant statutory health and safety obligations**, irrespective of whether providers are carrying out these checks directly
- Boards must be confident that there are effective data reporting and monitoring systems in place to ensure that providers meet statutory health and safety requirements, such as gas safety checks, and **that risks are appropriately identified and managed**
- Boards must ensure that they adequately understand all legislative and regulatory requirements relating to **health and safety compliance**, including their duties and responsibilities with regard to **fire and building safety under the new regulatory regime**
- Boards must ensure that they have comprehensive and **effective building safety systems** and programmes in place to provide assurance that tenants remain safe
- Boards will need assurance that their organisations hold **good quality data** to enable the accurate assessment and management of risks.
- Boards must **understand the costs** associated with remediation works and any implications for other planned major repairs, particularly for large and complex buildings and properties with vulnerable tenants
- Boards must drive **a safety-first culture** cross the organisation
- Overall, boards must **hold senior leaders to account** for health and safety performance across the organisation – staff and residents

## Expectations boards, elected members and leaders on health and safety

- Providers must ensure that they are prepared to report building safety tenant satisfaction measures for 2023/24
- Compliance with statutory requirements should be regarded a minimum
- Identify, manage, monitor and report on risks in a way that ensures that there can be effective oversight
- Demonstrate an understanding of your statutory responsibilities, specifically on gas safety, fire safety, electrical safety, asbestos, legionella and lift safety, as well as employee safety
- Maintain good quality data and control systems on health and safety issues, for example on gas safety certificates
- Understand impact of new regulations/ legislation on your business
- Ensure robust strategies, policies and risk assessment in place
- Understand what compliance actually means

## Quality and safety: Are you confident that....

- The compliance information you receive tells the whole picture and considers buildings as a whole system?
- You understand all legislative and regulatory requirements relating to health and safety compliance?
- You are at the forefront of driving a safety-first culture across your organisation?
- Your organisation has the required competencies to effectively manage safety across your homes?
- You have accurate, complete and reliable data to ensure you are meeting all relevant legal health and safety requirements?



How confident are you in answering these questions?







# Putting the residents at the heart of the safety agenda



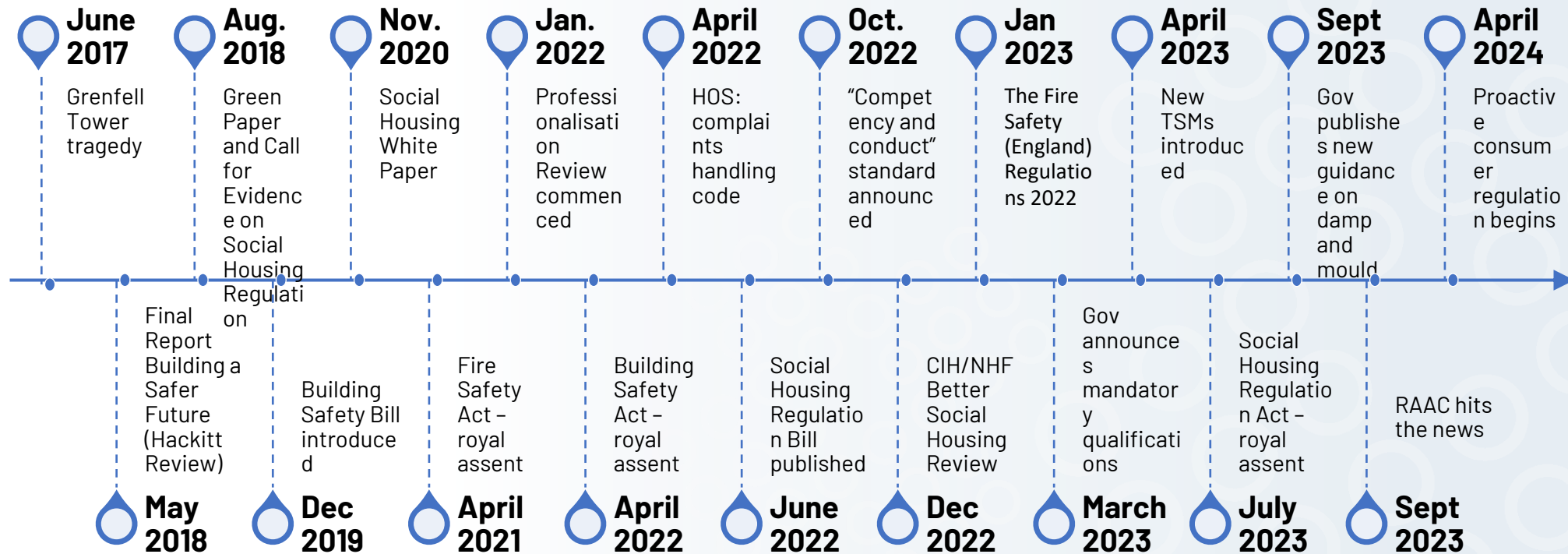


## What residents highlighted...

- Lack of trust in the relationship between landlords and tenants
- Residents not having a voice or being listened to
- Lack of accountability and transparency about performance and decision making
- Slow and ineffective resolution of complaints
- General attitudes and behaviour of staff towards residents
- Concerns over safety and quality of homes



## From then to now.....



"A cultural change is required to rebuild trust and ensure residents feel safe in their homes again. Providing reassurance, recourse and responsibility to residents is one part of a systemic overhaul designed to deliver buildings that are safe now and will be in the future" *Building a Safer Future: Final report*

"Where change is needed, it requires a culture change within the relevant registered providers. The quality and safety of the homes you provide, your ability to maintain them, and the quality of your services to tenants are vitally important".  
*Fiona MacGregor, RSH*

"A lack of respect, tenants not listened to, no transparency and institutional indifference" *Grenfell Tower Inquiry*

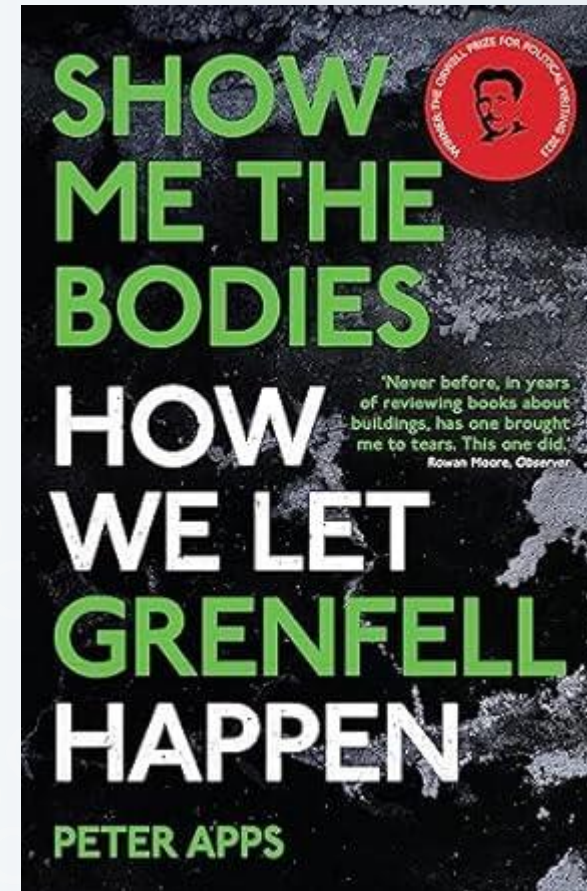
"When residents interact with landlords they should expect and receive a professional service from "competent and empathetic staff"; "all landlord staff must act professionally, listen to their residents and, at all times, treat them with courtesy and respect" *Social Housing White Paper*

"Our investigation found reoccurring instances of residents being treated in dismissive, inappropriate or unsympathetic ways. In some instances, the language used was derogatory". *Rick Blakeway, HOS*

## Residents NOT at the heart results in...

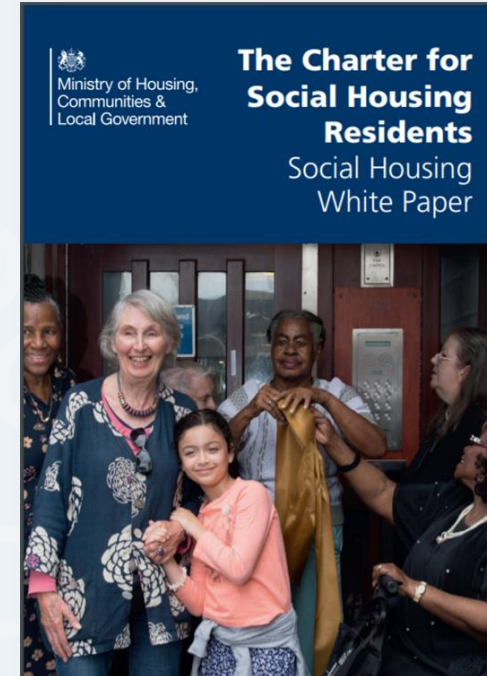
- Complaints consistently ignored – seen as a “nuisance”
- Views not listened to – not seen as valid or informed
- Not consulted on key decisions – views are not seen as relevant or important
- Assumptions informed by perceived potential “behaviour” of residents
- Money-saving/ cost cutting measures – poor quality products and materials
- Design reflects attitudes – “us and them”

<https://www.youtube.com/watch?v=LFOVARqu9u0>



# The Social Housing White Paper

- Legislate to strengthen the Regulator of Social Housing's consumer regulation objectives to explicitly include safety
- Legislate to require social landlords to identify a nominated person responsible for complying with their health and safety requirements
- Require Regulator of Social Housing to prepare a Memorandum of Understanding with the Health and Safety Executive to ensure effective sharing of information with the Building Safety Regulator (BSR)
- Launch a consultation on requiring smoke alarms in social housing and introducing new expectations for carbon monoxide alarms
- Consult on measures to ensure that social housing residents are protected from harm caused by poor electrical safety.





# Social Housing (Regulation) Act 2023

## Aims:

- to deliver the reforms outlined in the Social Housing White Paper
- address the concerns raised following the tragic fire at Grenfell Tower in 2017
- bring forward a stronger and more proactive regulatory regime to drive up standards in the sector and hold landlords to account for the service they provide to their tenants
- strengthen the RSH in enforcing both the consumer and economic standards



## The Social Housing Regulation Act (2023) – new powers for the RSH

Large part of Act is to refocus how social housing is regulated and strengthen the powers of the RSH in England from April 2024

- (Re)introduced a proactive approach to consumer regulation (removes serious detriment test)
- Enable the RSH to intervene with landlords who are performing poorly on consumer issues, such as complaints handling and decency of homes, and to act in the interest of tenants to make sure issues are rectified.
- Enable the RSH to inspect landlords to make sure they are providing tenants with the quality of accommodation and services that they deserve.
- Enable RSH to publish inspection plans
- Guarantee timely action where the RSH has concerns about the decency of a home by only requiring 48 hours notice to a landlord before a survey is carried out.
- Provide powers for the RSH to arrange emergency repairs of tenants' homes (following a survey and where there is evidence of systemic failure by the landlord), ensuring that serious issues are resolved rapidly where a landlord is unable or unwilling to act.
- Remove the cap on the fines that the RSH can issue to a landlord who fails to meet required standards

## The Social Housing Regulation Act (2023) – cont'd

- Introduction of Awaab's Law which will require landlords to investigate and fix reported hazards in their homes within a specified time frame or rehouse tenants
- Enables the regulator to set standards for registered providers regarding the competence and conduct of individuals involved in the provision of services in connection with the management of social housing
- Provides new powers for the Housing Ombudsman to help social landlords improve performance by instructing them to self-assess against guidance during a complaint investigation.
- Enables the Social Housing Regulator to set a standard relating to information and transparency requiring social landlords to provide residents with information on how they can make a complaint against them.
- Created new Tenant Satisfaction Measures which will allow tenants to see how their landlord is performing compared to other landlords and help the RSH decide where to focus its attention.
- Requires all social housing managers to have a professional qualification to protect residents and raise standards, ensuring residents receive a high level of service and are treated with respect at all times



## A new approach to consumer regulation....

- Landlords maintain tenants' homes so that they are safe and of a decent standard and that landlords provide a quality service
- Where things go wrong, complaints are handled effectively, and things are put right.
- The relationship between tenants and landlords is underpinned by shared expectations of fairness and respect and a shared understanding of their respective rights and responsibilities.
- Landlords demonstrate that they understand the diverse needs of the communities that they serve and their services reflect that.
- Tenants understand, use and have confidence in the recourse that they have to get problems resolved.
- Stakeholders have confidence that landlords' commitment to their tenants is underpinned by effective consumer regulation, whether that landlord is a housing association, council or for-profit provider

## Consumer regulation – safety and quality

- The Act expands the regulator's existing **objectives** to explicitly include safety - landlords must understand their health and safety obligations and identify and act on associated risks and issues so that residents remain safe in their homes.
- Introduces a new **consumer standard** on **safety and quality**
- There are new **explicit requirements** related to the stock quality and health and safety....

# Proposed: Stock Quality

## **Required outcome:**

- Registered providers must have an accurate, up-to-date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and **safe homes** for tenants.

## **Requirements:**

- The proposed standard requires landlords to do physical assessments of their homes, keep accurate records of the results for each individual home, and use the results (along with other information) to keep homes in a good condition.

## **Specific expectations:**

- Registered providers must have an accurate record at an individual property level of the condition of their stock, based on a physical assessment of all homes and keep this up to date
- Registered providers must use data from across their records on stock condition to inform their provision of good quality, well-maintained and safe homes for tenants including compliance with health and safety legal requirements.

## Stock quality – things to think about

1. Make sure you meet the current Decent Homes Standard – and gear up for compliance with the new DHS with its enhanced focus on safety and energy efficiency
2. Seek assurance that the data that you have on your housing stock and the performance of your repairs service is comprehensive, accurate and up to date
3. Measure resident satisfaction with your repairs service and act where residents identify failings in the service
4. Involve your residents in the design delivery and scrutiny of your services
5. Learn from the complaints that residents make about the repairs service. Remember that complaints can identify systemic problems in service delivery that you need to address
6. Make sure you are on top of any damp and mould problems that you have in your housing stock. Keep your policies and processes on damp and mould issues under regular review. Monitor the implementation of these policies and processes to ensure your residents' homes are damp and mould free
7. Ensure your board/governing body understands their responsibilities in designing and implementing an asset management strategy for your housing stock. Keep them informed too about the performance of your repairs service

## Proposed: Health and safety

### **Required outcome:**

- When acting as landlords, registered providers must take all reasonable steps to ensure the safety of tenants in their homes and associated communal areas.

### **Requirements:**

- This requirement makes landlords' health and safety responsibilities clearer – for example, by saying they should act on the results of health and safety checks in a reasonable amount of time and consider tenants' safety when designing and delivering their service.

### **Specific expectations:**

- Registered providers must identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.
- Registered providers must ensure that the safety of tenants is considered in the design and delivery of landlord services, for example how they manage complaints relating to health and safety and take reasonable steps to mitigate any identified risks to tenants.
- Registered providers must ensure that all required actions arising from legally required health and safety assessments are carried out within appropriate timescales.

## Health and safety – things to think about...

1. Comply with the law on those critical items – the ‘big five’: gas, electricity, fire, asbestos and water. And do not forget lift safety if your housing stock has flats with lifts
2. Make sure your data on the safety of your housing stock is comprehensive, accurate and up to date. Carry out regular audits to give you assurance that your data provides an accurate picture of the safety of your housing as experienced by your residents
3. Find out from your residents what they think about the safety of their homes. Make sure you act on what they tell you
4. Involve your residents in the design delivery and scrutiny of issues that relate to the safety of their home
5. Learn from the complaints that residents have about the safety of their homes. The complaints could tell you that problems might not be ‘one-off’ incidents but reveal more widespread issues about how you are handling safety issues as a landlord
6. Make sure your board/governing body understands their responsibilities leading your organisation in delivering safe housing services to all residents and under the Building Safety Act 2022

## Social Housing (Regulation) 2023 – Health and Safety Lead

- The Act requires housing providers to designate a person to act as lead on certain functions relating to the RP's compliance with its health and safety obligations towards tenants.
- This is in response to one of the Hackitt report recommendations.
- The Act requires that this must be an employee or officer so the role cannot be outsourced although there are slightly different arrangements for local authorities in relation to elected members
- The health and safety lead's functions are to monitor compliance with health and safety requirements, to assess risks of failure to comply, to notify the provider's responsible body of any material risks to or failures of this compliance, and to advise on steps to ensure the RP addresses these.



## Social Housing (Regulation) 2023 – Health and Safety Lead

- The health and safety lead must have the authority, capacity and resources needed to carry out their role
- Housing providers are required to notify the Regulator of the contact details of the health and safety lead and publish this information so that tenants know who it is and can contact them.
- Importantly for those taking on the role, the Act clarifies that the health and safety lead is not liable for breaches and legal responsibility for ensuring compliance with health and safety requirements remains with the landlord
- Amendments are also made to other parts of the HRA2008 to effectively provide that the Regulator may utilise its enforcement powers (such as to serve an enforcement notice, impose a penalty or appoint a manager) for failure to comply with the requirements in relation to the health and safety lead.



## Tenant Satisfaction Measure – building safety

- BS01 **Gas safety checks**: This measure will be based on the percentage of homes that have had all the necessary gas safety checks
- BS02 **Fire safety checks**: This measure will be based on the percentage of homes in buildings that have had all the necessary fire risk assessments
- BS03 **Asbestos safety checks**: This measure will be based on the percentage of homes in buildings that have had all the necessary asbestos management surveys or re-inspections
- BS04 **Water safety checks**: This measure will be based on the percentage of homes that have had all the necessary legionella risk assessments (legionella is a bacterium that can make people ill if it enters water supplies)
- BS05 **Lift safety checks**: This measure will be based on the percentage of homes in buildings where the communal passenger lifts have had all the necessary safety checks
- TP05 **Satisfaction that the home is safe**: Thinking about the condition of the property or building you live in, how satisfied or dissatisfied are you that your landlord provides a home that is safe?
- \*although electrical safety checks are not currently included in the TSM, it is likely they will be once government has concluded its current [consultation](#).



# A New Building Safety Regime

## A challenge from the regulator

*"We are now aspiring to put into place a **building safety regime** that is world leading and **puts residents at the heart** but it's not for the government or the regulator to tell you how to best manage the risks in your projects and buildings.*

*Only you can decide how to do this, **you must take ownership of the risks**, you must take ownership of the risks in the built environment."*

*"2024 will be a defining year for the built environment in England. With the government's building safety legislative reforms, this is the most significant change to the regulation of building safety for a generation"*



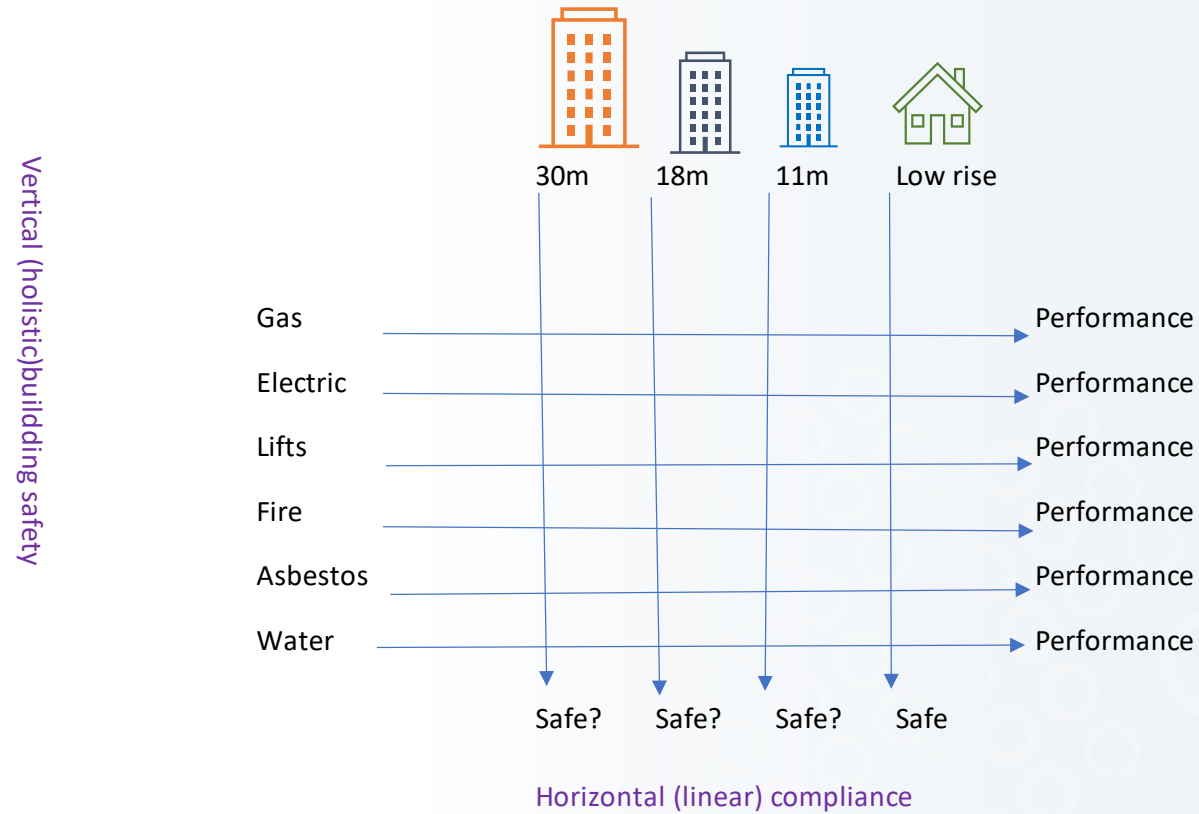
Phillip White – Director of Building Safety, BSR

## A new building safety regime – some principles

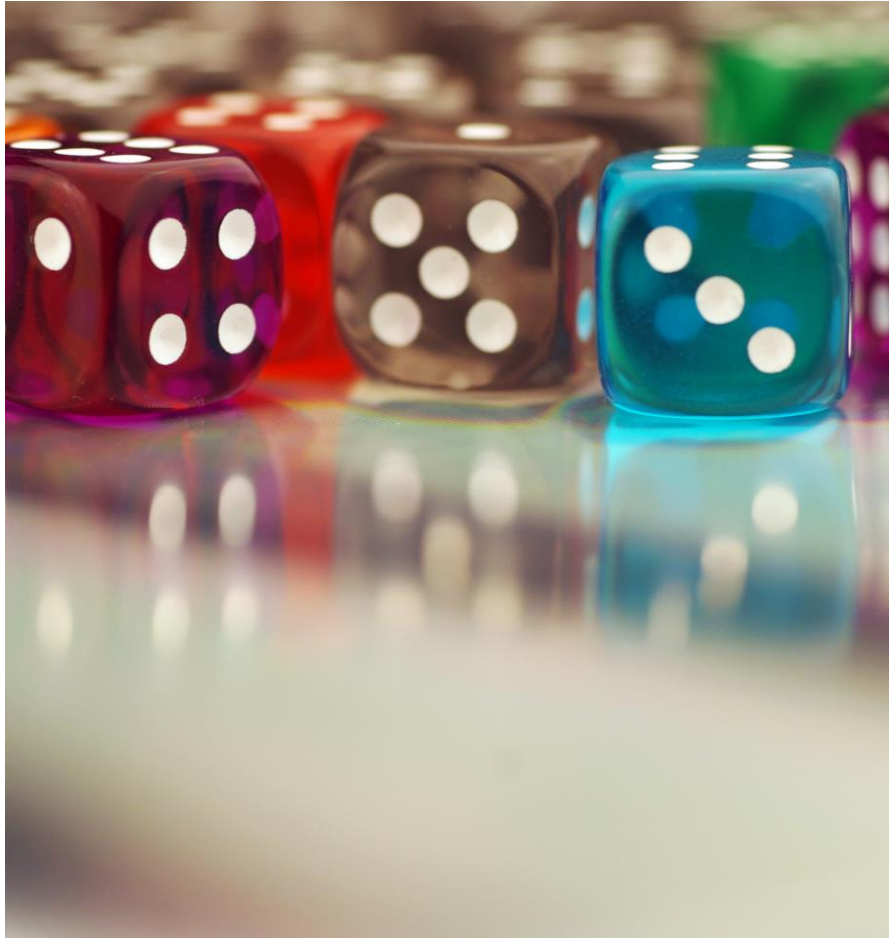
- The new focus around safety requires landlords to think about compliance differently.
- The approach taken by both the RSH and the BSR requires landlords to demonstrate what they are doing to keep residents safe AND to ensure that residents **feel safe** in their buildings and homes.
- This will require a new approach to assurance over and above the traditional performance/ KPI reporting currently adopted.
- While it will still be important for boards to understand performance around gas safety checks, landlords should also think about to how they provide assurance that building (as a whole system) are safe
- Compliance data alone will not provide the assurance required by boards, members and residents that buildings are safe. For example, data that states that there is 95% compliance with gas safety inspections provides an incomplete picture

# Thinking differently about compliance

## Holistic building safety versus compliance



## Taking ownership?



The regulator expects your organisation to have robust **systems** and processes, **governance**, **resources**, and right level of **expertise** to be able to ensure that risks are well managed and resident safety is at the forefront of all decision making from initial concept throughout the life of building through design, construction and occupation stages.



## Competence

- The right mix of skills, knowledge, experience, and behaviours to ensure a positive culture is established and delivers the effective management of buildings throughout their lifecycle
- This requires having the relevant systems in place to manage competencies and employ staff who can demonstrate the right behaviours.
- Individual competence needs to be established and monitored on a regular basis to ensure your workforce remain competent in its function to deliver safety and manage risks effectively.
- You have a role in ensuring that your organisation has robust systems, processes and a competent workforce aligned with a positive culture that puts residents at the centre of all decision making.
- This will be essential to provide assurance to residents, members of the public, and the regulator



# Competency frameworks

## [PAS 8673 - Competence requirements for the management of safety in residential buildings - Specification](#)

- Framework for competence requirements for managing safety in residential buildings and other developments incorporating residential accommodation. covers :
  - Building structures and building systems, including building services
  - Interaction of systems and components
  - Operational practices necessary to maintain buildings safe for occupants
  - Risk management
  - Managing the golden thread of information, including other digital information
  - Managing change, including the consequences of human behaviour
- Its scope also includes leadership, communication and planning skills, and personal commitment to ethical behaviour and professional standards

## [BSI Flex 8670 v2.0:2020-12 Built environment - Overarching framework for building safety competence of individuals - Specification](#)

- sets core requirements for behavioural and building safety competence for all persons working in the built environment in order to improve industry culture and safety outcomes throughout the building life cycle.
- drives adoption of consistent good practice in the development and use of competence assessment frameworks across the built environment.
- enables consistent and objective evaluation of different sector-specific competence frameworks against common criteria by regulators, clients and employers
- supports development of suitable mechanisms to provide robust assessment of individual competence



## Resident safety is everyone's responsibility



# The Building Safety Regulator

## Aims:

- Improve the safety and standards of ALL buildings
- make sure residents of higher-risk buildings are safe and feel safe where they live
- help restore trust in the built environment sector

Published first strategic plan (November)

- <https://www.hse.gov.uk/building-safety/strategic-plan.htm>



## They will do this by.....

- delivering consistent standards within the building control profession
- overseeing and driving improvements across the built environment
- regulating the planning, design and construction of new higher-risk buildings
- ensuring those who are responsible for higher-risk buildings manage risk so that residents are safe
- working in partnership with RSH, Housing Ombudsman, Local Authorities and Fire and Rescue Authorities



## Building Safety Regulator – role

- The Building Safety Regulator is the Building Control Authority for higher-risk buildings,
- During design and construction, they are responsible for overseeing compliance with building regulation requirements
- During occupation we will be regulating those who are responsible for the management of building safety risks, related to the spread of fire and structural failure
  - Assess the validity of the Safety Case
  - Provide certification following sign-off of the safety case
- Impose formal enforcement and sanctions where necessary





## BSR – Enforcement Policy Statement

- providing written information regarding breaches of law
- verbal warnings
- requiring improvements in the way risks are controlled and managed
- requiring action to be taken to remedy non-compliance
- stopping certain activities where they create serious risks or where they do not comply with relevant requirements
- recommending and bringing prosecutions where there has been a serious breach of law
- seeking appointment of special measures managers when an appointed person for a higher-risk building fails to carry out building safety functions

<https://www.hse.gov.uk/building-safety/assets/docs/enforcement-policy.pdf>

# The Building Safety Act



# Overview of Building Safety Act 2022

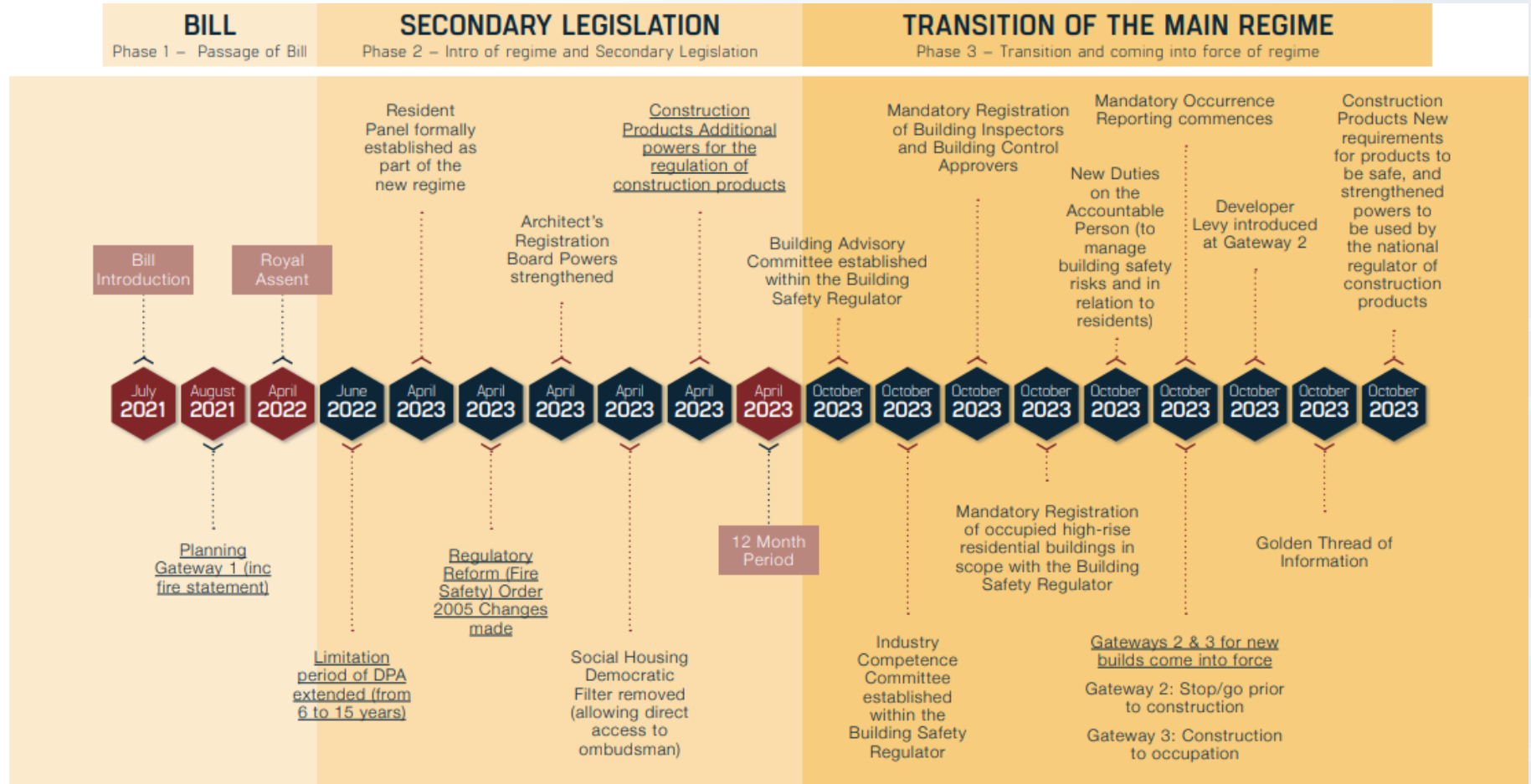
- **Part 1:** Overview of Bill
- **Part 2:** Establishes a new Building Safety Regulator within the Health and Safety Executive
- **Part 3:** Amendments to the Building Act 1984; new regulatory regime during the design and construction phase; registration of building inspectors and building control approvers
- **Part 4:** In occupation phase – defines and places duties on the accountable person
- **Part 5:** Other provisions about safety standards – provisions to require a new homes ombudsman scheme to be established; removes the ‘democratic filter’. Plus remediation of certain defects
- **Part 6:** General
- 262 pages and over 400 pages of explanatory notes....



## Building Safety Act 2022

- Place specific duties on organisations which own and manage high rise residential buildings to take a range of specific and prescribed actions to identify fire and structural safety risks, put the required measures in place to keep the building and its' **residents safe**, and to evidence how they are doing this
- Create a universal change in **responsibility and culture** across the built environment
- Ensure that **residents are at the heart** of a new system of Building Safety
- Clarify who has responsibility for Fire and Building Safety throughout the life cycle of a higher risk building
- Create a new regulator responsible for building safety ([Building Safety Regulator](#)) to **drive culture change**, improve standards and improve the competence of everyone involved in the planning, design, build and management of buildings

# Timelines



## The Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023

- Deadline for registration and submitting 'Key Building Information' for existing occupied higher-risk buildings
- Registration of building inspectors (RBIs) and building control approvers (RBCAs) commences
- The Accountable Persons will need to manage the building safety risks for their Higher-Risk Building
- The Building Safety Regulator becomes the Building Control Authority for higher-risk buildings (HRBs) in England
- Plus, requirement under section 156 Building Safety Act 2022 – recording and sharing FRAs



## Early 2024

All other duties applying to Accountable Persons and Principal Accountable Persons in higher-risk buildings will come into force. These include

- Devising and be operating a Mandatory Occurrence reporting framework
- Creating and maintaining a golden thread of information
- Safety case(s) and safety case report
- Providing information to residents and a resident engagement strategy in place
- Developing and be operating a complaints procedure specifically related to concerns over building safety
- In addition the BSR will:
  - Start to take action on un-remediated higher-risk buildings
  - Create a national register (searchable portal) of higher-risk buildings
  - Start to call in occupied higher-risk buildings for assessment of their compliance with the new duties to assess and manage building safety risks- if satisfied of compliance with duties, the Building Safety Regulator will issue a 'building assessment certificate

# New requirements under the Building Safety Act 2022



## The accountable person

The Act defines an accountable person as someone who:

- Holds a legal estate in possession of any part of the common parts (generally the freeholder/ building owner)
- Does not hold a legal estate in any part of the building, but who is under a relevant repairing obligation in relation to any part of those common parts (for example, landlord, managing agent, leaseholders)
- The AP will usually be an organisation or business (the body corporate) but could also be an individual



## Multiple accountable persons

- If a building has more than one AP, the AP responsible for the structure and exterior of the building will be the **principal accountable person** (PAP).
- When buildings have a single AP, that entity or person is the PAP
- The PAP has overall responsibility for ensuring that building safety risks are being managed appropriately and that the various duties and obligations are being complied with



## The golden thread - the Higher-Risk Buildings (Keeping and Provision of Information etc.)(England) Regulations 2023)

Accountable Persons must maintain a Golden Thread of information throughout the lifecycle of the building to enable all stakeholders to have ready access to a "single source of truth" as regards all relevant safety aspects of the building. It must:

- show that the building was compliant with applicable building regulations during its construction and provide evidence of meeting the requirements of the new building control route throughout the design and construction and refurbishment of a building
- identify, understand, manage and mitigate building safety risks in order to prevent or reduce the severity of the consequences of fire spread or structural collapse throughout the life cycle of a building

The information stored in the golden thread will need to be reviewed and managed so that the information retained, at all times, achieves these purposes.

It must be kept in an electronic format which is accurate, transferrable, accessible, intelligible, secure and only changed in accordance with procedures which record the person who made the change and the date of that change

# The safety case

## The safety case

- The new law proposes that people who manage or are responsible for high-rise residential buildings will have to take **all reasonable steps** to make sure their buildings are safe. There are 2 elements to this
  1. **a safety case** (in place for the entire life of the building and will be dynamic; ie. If any changes are made to the building, the safety case must be updated to reflect how the building remains safe for occupation).
  2. **a safety case report** (a document for the BSR proving your buildings are safe to occupy) .
- The safety case approach will help duty holders to identify and implement measures that are proportionate and effective and ensure that people in and around high-rise residential building are safe
- The safety case is the information you use to manage the **risk of fire spread** and the **structural safety** of your building
- The safety case report will be used by the BSR as the basis for issuing a Building Assessment Certificate(BAC)

# Safety case principles

You will need to:

- demonstrate how you are keeping your building safe
- demonstrate 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
- demonstrate 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** and to think of it as a system.

Holistic building safety versus compliance





**Do your residents feel safe?????**



# The residents voice



## Residents voice – overall expectations

- **Providing residents with building safety information** - All residents will be kept informed about the safety of their building and will receive building safety information. They will also be able to request further information from the accountable person who is responsible for the part of the building which they live in
- **The residents' engagement strategy** - The principal accountable person must establish a residents' engagement strategy, which promotes the participation of all residents in decisions about their building's safety and sets out how and when residents will be consulted
- **Complaints** - The principal accountable person must establish and operate a system for the investigation of relevant complaints. Where a complainant believes their safety concerns have not been adequately resolved, they will have the right to escalate their complaint to the Building Safety Regulator, who will establish and operate a complaints procedure to handle residents' concerns.

## Resident engagement strategy

- The purpose is to ensure all residents can have a say when it comes to the safety of their home.
- This strategy must set out:
  - what information you will be provided with about building safety decisions
  - how the information will be provided
  - what decisions they will ask for your opinions on (and what they might not)
  - what aspects of a decision residents you will have a say in
  - how they will collect and use your opinions (process, feedback, timeframes)
  - how they will measure and review the impact of your engagement
  - how they will consult on the strategy
  - how they will review the strategy

Think about what format the residents' engagement strategy should be provided in that allows residents to clearly understand the content and aims of the strategy and promotes resident involvement in building safety decisions, for example via email, posting hard copies

## Information to residents

- **Measures to reduce the risk of fire and ensure the structural integrity of the building** – this will include, for example, a summary of the most recent fire risk assessment, a summary of the measures in place to mitigate the potential spread of fire and any building structural safety risks, information on how residents can reduce the risk of fire, report a safety issue and help the accountable person manage building safety risks<sup>L</sup>
- **Contact information for building safety matters and a short explanation of their role** – this will include, for example, the accountable person providing the information for the principal accountable person and any accountable person and the Responsible Person under the Fire Safety Order
- **Information about residents' rights** – for example a copy of the residents' engagement strategy, the principal accountable person's complaints policy, and a list of the further information residents can request

## Some questions on your approach resident engagement....

- Do you have arrangements in place to engage with residents about the safety of their homes?
- Have you produced a resident engagement strategy in conjunction with your residents that ensures they are involved in the management and decision making relating to the building where they live?
- Have you provided residents with prescribed building safety information?
- Do you provide clear and culturally appropriate signage, instructions, and communication in multiple languages to ensure that information about building safety is accessible to all residents?
- Have you provided contact information to residents relating to staff engaged in building safety matters (including a short explanation of their role?)





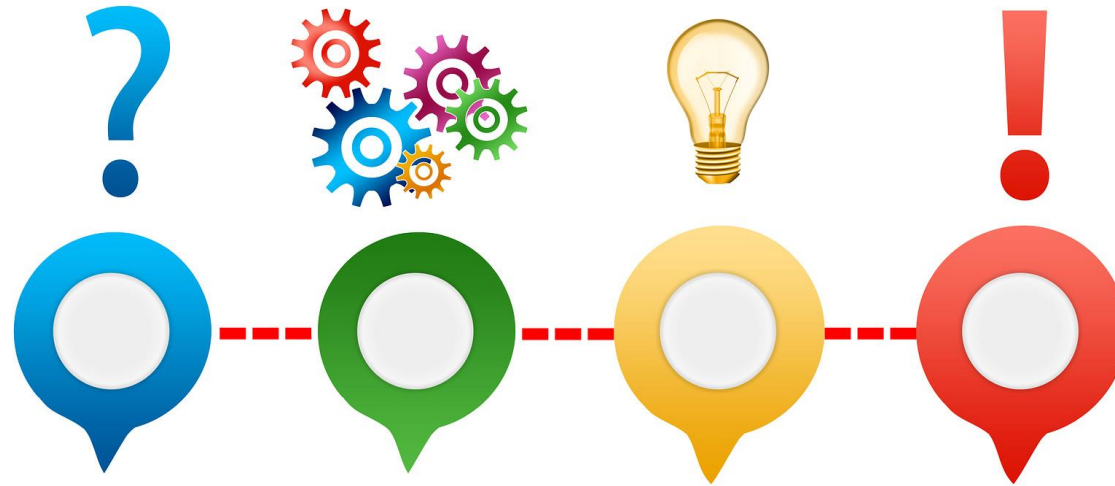
**And finally....**



## Are you confident that....

- You have the assurance you need to be confident that that safety risks are effectively managed across the organisation?
- You have a robust approach to risk management, assessment and stress setting?
- The compliance information you receive tells the whole picture and considers buildings as a whole system?
- You understand all legislative and regulatory requirements relating to health and safety compliance?
- You are at the forefront of driving a safety-first culture across your organisation?
- Your organisation has the required competencies to effectively manage safety across your homes?
- You have accurate, complete and reliable data to ensure you are meeting all relevant legal health and safety requirements?

Thoughts, comments, observations, questions?



## My details

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