

LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE: The Hackitt Review and Camden 2025 Resident Safety Programme (SC/2019/01)	
REPORT OF: Cabinet Member for Better Homes	
FOR SUBMISSION TO: Housing Scrutiny Committee Cabinet	DATE: 28 th March 2019 3 rd April 2019
<p>SUMMARY OF REPORT</p> <p>This report is about the importance that Camden attaches to the safety of residents of Council homes, the occupiers of Council buildings and users of Council services. Camden 2025 commits the Council to achieving the highest standard of safety in all Council homes. The report sets out the Council's work to date to deliver this commitment and the on-going work required to embed resident safety in the way we do things; the Council is also planning its response to the Government's Hackitt Review and the prospect of a new statutory safety framework.</p> <p>This report recommends that the Council should co-produce a Camden resident safety charter through a community conversation with residents and considers the implications for the Council of the final Hackitt Review report on building safety.</p> <p>Local Government Act 1972 – Access to Information No documents were used in the preparation of this report that are required to be listed.</p> <p>Contact Officer: Melissa Dillon, Head of Resident Safety Division, Supporting Communities, 5 Pancras Square, London N1C 4AG. Tel: 020 7974 3100. E-mail melissa.dillon@camden.gov.uk</p> <p>RECOMMENDATIONS</p> <p>The Housing Scrutiny Committee is asked to consider the report and make any recommendations to Cabinet.</p> <p>The Cabinet is asked to:</p> <ol style="list-style-type: none"> 1. Approve the proposal to establish a resident safety charter and a resident safety programme detailed in section 4 and the resident safety work streams attached as Appendix 4. 2. Note that a further a progress/next steps report will be submitted following publication of a government White Paper and completion of a resident safety community conversation programme as proposed in section 6 of the report. 	

Signed: 

Date: 19th March 2019

1.0 CONTEXT AND BACKGROUND

- 1.1 This report is about the importance that Camden attaches to the safety of residents and the Camden 2025 commitment to achieving the highest standard of safety in all Council homes.

Residents and Safety in Camden

- 1.3 Immediately following the tragic fire at Grenfell Tower, and the evacuation of the Chalcots estate in 2017, the Council appointed the first local authority Director of Resident Safety in the country, supported by a small Resident Safety Team - Heads of Engagement & Strategy, Compliance and Governance, and Safer Homes.

1.4 The Chalcots Estate

The Council also began a programme of independent cladding testing for its high-rise residential blocks. Testing at the Chalcots estate identified ACM cladding panels that did not have a fire retardant filler (the same type of panels used at Grenfell tower) fitted to the five towers. The cladding was removed between December 2017 and January 2018 and an independent review of the Chalcots evacuation was commissioned. Since publication of the Review report in June 2018, officers have been working through the report recommendations and the lessons learned from the evacuation process. Extensive resident engagement has been a fundamental part of the selection of a solid aluminium panel system for the replacement cladding at Chalcots. The aim of the process was to ensure that resident feedback informed selection alongside technical engineering advice from specialist consultants. This engagement and selection process has also been followed regarding the replacement of the curtain wall and windows on the estate.

Fire Safety Advisory Panel

- 1.5 Early work with residents in shaping safety processes included setting up the Fire Safety Advisory Panel (FSAP), which met for the first time in January 2018. The purpose of the Panel is to support the Council to manage the risk of fire by making recommendations and carrying out reviews to facilitate effective fire prevention and response and recovery strategies. The Panel meets in public with its papers published on the Council's website; meetings are co-chaired by the Cabinet Member for Better Homes and a resident panel member. There are five full and five reserve resident members recruited through an interview process, with participation by the London Fire Brigade (LFB) who are also members of the Panel. The Panel supports the Director of Resident Safety in ensuring that tenant and leaseholder voices are central to the Council's developing approach to resident and property safety and residents are members of the stakeholder panel for the recruitment of Directors of Resident Safety. The LFB has a monthly 'partnership' meeting with the Camden Fire/Resident Safety team, to discuss trends, provide advice and work alongside the Council in community outreach engagement.

1.6 London Borough of Camden Building Control Resources

The Council has regulatory, safety responsibilities for both its own and private sector property delivered through Environmental Health and Building Control Teams. As a result, of under investment in construction industry training there is a shortage of professionally qualified staff. Post Grenfell demand for building control and safety professionals has increased steadily, Camden has

responded by developing in-house service capacity, training existing staff and recruiting graduate building control officers to build our own talent, skills and available resources.

Fire Safety

1.7 Part of the Camden 2025 Safe Homes commitment is a programme of periodic fire risk assessment (FRA) for Council homes and the wider property portfolio. To help deliver the fire safety programme, the Council has invested to increase the in-house resources dedicated to safety and recruited a dedicated Fire Safety Team based in the Property Management Division. The Team has an establishment increased from 5 to 14 staff reporting to a new post of Head of Fire Safety and Health & Safety Delivery, and includes in-house Fire Safety Advisers. External Fire Risk Assessors undertake FRAs in line with the Regulatory Reform (Fire Safety) Order 2005, and Camden property managers develop programmes of works to individual homes based on these fire risk assessments.

1.8 In September 2018 Camden began to carry out new Type 4 FRAs. These Type 4 assessments include intrusive checks in communal areas and a sample of homes. Tenant & Resident Association representatives are invited to participate in the fire risk assessment of their homes and receive copies of the FRA reports that are checked by in-house Fire Safety Advisers and made available on the Council's website. The resulting FRA work varies from property to property but where a fire risk assessment has identified something as necessary, fire safety actions include:

- Installing new signage
- Installing emergency lighting
- Redecorating communal areas using Class 0 fire retardant paint
- Replacing or upgrading fire doors & installing door closers
- Installing smoke detectors and alarms
- Ensuring fire stopping (to prevent the spread of smoke & fire) is in place.

1.9 Resourcing Fire Safety Works

Fire safety work is commissioned for Council homes across the borough, with some carried out as part of Better Homes projects but mainly through five on-going district work programmes due to be completed in 2019. In the 2018/19 Medium Term Financial Strategy the Council increased capital resources allocated to fire non-Chalcots related fire safety works across the borough by £61m.

1.10 In parallel with this initial fire safety focus the Council has also wanted to develop a wider, holistic approach to the safety of its residents and to work with residents to engage them in getting to a working definition of resident safety and the establishment of a resident safety programme. We have begun this conversation with residents by asking them what resident safety means to them.

2.0 CONSULTATION & ENGAGEMENT

2.1 In November 2017, we asked 17,000 tenants and leaseholders (who had given us permission to contact them via their personal e-mail account) for their views about, and priorities for, safety in and around their homes. We asked three questions:

1. *What does Resident Safety mean to you?*
2. *What do you think should be done to improve building safety?'*
3. *What do you think should be done to improve Fire Safety?*

2.2 The online survey was followed up in 2018 with face-to-face questions to 1,000+ residents asking what resident safety meant to them. Residents said in both 2017 and 2018 that whilst they are concerned about fire safety, their concept of resident safety is far wider encompassing individual homes and the environment on their estates and on the streets. Residents said that they want a high quality repairs and maintenance system, to be reassured that safety systems for the management of gas, water, electricity, asbestos and fire are in place and to know that their homes meet safety standards. They want to know refuse collection and storage arrangements are safe.

2.3 Residents also want to know how to live safely in their homes and to know what their responsibilities are and what to do if they see that contractors, neighbours or visitors to their blocks are not behaving in a safe way. Residents want the Council to take prompt action to deal with anti-social behaviour and failure to behave safely. Residents said they want to feel safe in their homes in terms of security and protection from anti-social and criminal behaviour; they want enhanced measures to prevent unauthorised access to their blocks and estates, and to deal with such behaviour on the estate. Residents want to feel safe on the streets and on their way to and from their homes. They want to see measures such as CCTV and improved street and estate lighting to deter drug dealing and criminal behaviour. The Council's response to these messages from residents will also have to incorporate the regulatory changes Government will introduce following the publication of the 2018 Hackitt Review of Building Safety.

3.0 THE HACKITT REVIEW & MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT - BUILDING SAFETY IMPLEMENTATION PLAN

3.1 Following the Grenfell fire, the Government commissioned Dame Judith Hackitt to review building regulations and building safety to establish a new statutory framework for the regulation of the design and construction of new buildings, their maintenance and management. The final Hackitt report recommended a new statutory system with an initial focus on multi-occupancy high-rise residential buildings 10+ storeys in height. The review made 52 recommendations covering the following areas:

- Higher Risk Residential Buildings & Individual Digital Records for high rise buildings
- A new Joint Competent Authority to regulate high rise building safety
- Change Control, Building Control & Enforcement Powers
- Management & Maintenance - improving the post-occupation focus on building safety
- Competence, Building Standards, Technical Guidance
- Construction Procurement Regime
- Resident's Rights and Obligations

3.2 The main thrust of the Hackitt review is that a new safety regulatory regime should treat building safety as an integrated system rather a series of competing or isolated objectives. The new system to be regulated by a new statutory body – the Joint Competent Authority - and to combine greater

transparency of information on building safety with better involvement for residents in decision-making, involving residents associations and tenant panels. Government has accepted all the Hackitt recommendations and in December 2018 published its response - the Building Safety Implementation Plan. The individual recommendations and Ministry of Housing/Communities & Local Government responses are attached as Appendix 1 to the report.

4.0 PROPOSALS & REASONS

Establishing a Camden 2025 Resident Safety Programme

4.1 It will be some time before we know the detail of the proposed new safety regime and the timescale for implementation. In the meantime, the Council should continue with the development of its own resident safety approach and undertake a programme of internal system review against the Hackitt recommendations.

4.2 A Camden Resident Safety Charter

To respond to what tenants and leaseholders have already told us the Council should engage residents to co-produce a Camden Resident Safety Charter to make clear what the Council's safety commitments mean in practice – a Resident Safety programme. The Charter should be established through a Camden 2025 community conversation process launched in summer 2019. The conversation should be with existing participation and consultation bodies (Fire Safety Advisory Panel, Tenants & Residents Associations, District Management Committees, Youth Parliament, Citizens Assembly etc.) and with all tenants and leaseholders through open access events in community locations, on-line and through social media.

4.3 Hackitt's view is that building owners have an obligation to involve residents and users of their buildings in managing risk and ensure they have a voice in the safety system reflecting their obligations to maintain the fire safety of their homes and rights to work in partnership with their landlord. Hackitt also recommends that landlords take a systemic approach to building safety and develop safety systems to encompass the management and maintenance of their property portfolios. Adopting a Camden 2025 Resident Safety Charter and work programme will enable the Council to ensure the appropriate resources and services are in place to deliver best practice safety management standards. The workflows involved in developing a Resident Safety programme are detailed in Appendix 2 of the report.

4.4 The Council has separate statutory duties as the Local Planning Authority for the Borough and for private sector housing standards through Environmental Health and Building Control functions. Under a new statutory framework, the Council will have commitments at Borough level, to the functions of the new Joint Competent Authority by virtue of its building control responsibilities, and service reviews in these areas will be particularly important.

4.5 London Local Authorities have not only to respond to a prospective new regulatory safety framework but possibly new Greater London Authority (GLA) London Plan requirements. The current draft GLA London Plan includes new Equal Access & Evacuation and Fire Safety policies (D3 and D11). Should these policies survive Examination in Public by planning inspectors, fire safety measures will have to be included in new build or refurbishment projects from the outset. Developments will have to achieve the "highest standards" of fire

safety, requiring features including robust fire safety plans, evacuation lifts and sprinklers.

- 4.6 The Council owns and manages 33,000 homes covering a wide range of property types and uses, with 45 existing high-rise residential buildings (10 floors and above) with further tall buildings to be developed through the Community Investment Programme. The Council also has other complex, multi-user buildings combining residential, specialist residential, commercial, community and schools uses. In addition to its housing stock, the Council's property portfolio has:
- 1,000 commercial buildings & 150 corporate buildings
 - 65 schools of which 35 are directly managed by the Council
 - 70 community buildings & 72 TRA halls

Phase 1 – Resident Safety Work Streams

- 4.7 In order to plan for implementation of Hackitt's recommendations we should deliver a phase 1 Resident Safety programme by the end of the Government's transitional period. Phase 1 would be preparation for new legislation and independent certification of the Council's safety systems by 2025 through the ISO 45001 process. This would require each directorate of the Council to review service and 'safety flows' considering what they do and how they do it. The purpose of a safety flow is to describe how safety related information and work is assessed and identify links to other services and complementary or overlapping responsibilities.

Safety Flows and Service Planning

- 4.8 The safety flow/service planning process will look at everything associated with keeping people safe in their homes and the non-residential spaces associated with them, corporate, commercial and community buildings. Each directorate and individual service will consider relevant Hackitt recommendations and prepare their service responses. Service plans will also reflect the proposed resident safety community conversations. Key resident safety work streams are:
- The review of design, contract and maintenance standards for compliance with statutory guidance (and perhaps GLA London Plan policies) including consideration of provision of fire rated lifts, emergency lighting, smoke detectors and sprinklers
 - Preparation by Planning and Building Control services for their Joint Competent Authority responsibilities
 - IT System audit and Asset data and information storage.
- Further details of proposed resident safety work streams are attached at Appendix 4.

5. OPTIONS APPRAISAL

- 5.1 White Paper consultation is planned for May 2019 with legislation to be considered by Parliament in January 2020. MHCLG has indicated that it does not intend to wait for legislation to make changes to the building safety regimes. It will trial initiatives through a shadow Joint Competent Authority (Joint Regulatory Body) and issue of regulations by the Secretary of State. New regulations for fire doors, external cladding, insulation, curtain wall structures and associated windows have already been introduced in this way.

5.2 The full statutory safety regime will become law in 2020, initially covering high-rise buildings, with an unspecified transitional period compliance. The Building Safety Implementation Plan suggests that eventually 'other' building types will be subject to the new statutory regime and that owners will wish to follow best practice in safety standards for all their buildings. The Council's property portfolio has multiple systems of management, maintenance and record keeping hence options for the Council's approach to responding to the Hackitt review are limited:

5.3 **Option 1 - Do Nothing**

The Council could do nothing, pending either the publication of the White Paper or enactment of legislation. This would fail to satisfy the Camden 2025 commitments and the Council's general statutory duties as a local authority, existing statutory duties under health and safety legislation and expose the Council to legal challenge.

Not recommended

5.4 **Option 2 - Undertake a High-Rise Only Pilot**

The Council could undertake a limited consultation pilot and internal service reviews, focussed only on high rise buildings (10+ floors) and short-term compliance with immediate legislative requirements. This would fail to satisfy the Camden 2025 commitment to safety in all council homes. It is not clear that it would discharge existing health and safety duties, and would require the Council run two separate management, maintenance systems and different safety standards. This would create different levels of service for high-rise and non-high rise residents; it would be onerous and expose the Council to legal challenge.

Not recommended

5.5 **Option 3 - Undertake Internal Reviews and work streams & the Camden 2025 community conversation process described in section 4,**

This would deliver the Camden 2025 commitment to safety in all Council homes. It would demonstrate intent and provide a clear path to compliance with new safety regulations and a forward plan to keep the residents, occupants, users and service providers in its buildings safe and engaged.

Recommended

6.0 **WHAT ARE THE KEY IMPACTS/RISKS? - HOW WILL THEY BE ADDRESSED?**

6.1 The proposal to undertake the internal reviews and works streams and to initiate a community conversation will position the Council to respond effectively to the incremental changes to the statutory framework detailed in sections 3 and 4 of the report. The Council has applied to be part of an MHCLG Best Practice Group for Resident Engagement and has proposed that if successful residents form part of the team working with Government to pilot measures to involve residents in the safety management of their homes.

6.2 The co-production of a resident safety programme with tenants and leaseholders should be part of the on-going Camden 2025 process and not a separate change programme. A phase 1 Resident Safety programme should focus on enabling work and services most immediately affected by the Hackitt Review. These are housing and property management, building control, environmental health, construction and procurement teams, but all services

may be involved in some way. Teams with commissioning and safeguarding responsibilities will need to assure themselves that they are fulfilling the 'safe place/safe people' duties defined by the forth-coming White Paper.

- 6.3 The proposed reviews will enable Council services to assess the resources required to implement changes as part of the on-going Medium Term Financial Strategy. This enable the Council to respond in a structured way to initiatives and regulations emerging from MHCLG. Cabinet should consider a further Resident Safety Programme report after publication of the government White Paper, taking into account proposals in the paper, and feedback from community conversations about the proposed resident safety charter. This will further define the Council's Phase 1 resident safety work programme.

7.0 LINKS TO OUR CAMDEN PLAN

- 7.1 The 2017 Resident Safety Survey responses are acknowledged in the Camden 2025 and Our Camden Plan as the Council's commitment to resident safety:
Camden 2025 - Call to Action 2 – *We know local people value a sense of community – residents want to know their neighbours and feel safe and secure in their homes and on their streets. They want to be able to identify meaningful ways to contribute to their community, and they want to feel a sense of belonging to a place whose values align with their own*
Our Camden Plan – *We will deliver the highest level of safety in our housing stock. Our focus on safety improvement will be taken forward together with tenants and leaseholders.*

8.0 LEGAL IMPLICATIONS

- 8.1 The comments of the Borough Solicitor are embodied within the report. In future there will be an obligation to meet legal requirements to consult with tenants on proposals that affect elements such as the management of Camden's homes, the provision of services and any policy changes occasioned by proposed changes in council policy. Leaseholders will also have to be consulted in relation to works and for service charges purposes under their lease and under the relevant statutory requirements. New legislation, regulations and guidance will represent a significant challenge in terms of compliance.

9.0 RESOURCE IMPLICATIONS

- 9.1 This report highlights the intention to co-produce a resident safety charter and a resident safety programme as detailed in section 4. Appendix 4 of the report lists all the practical work streams required in order to achieve management and maintenance of residential housing stock and corporate buildings to achieve this. Following the emergency evacuation of the Chalcots estate, the Council has put significant additional resource into fire safety aspects of the revenue and capital programmes. The current budget for Chalcots costs (associated with evacuation, revenue repairs and estimated capital works) is £128m although this may change depending on the final value of the contract for the replacement cladding solution. The government has awarded a grant for just over £80m and this will significantly reduce the impact on council's resources. In the short-term, the shortfall will be met from a combination of Housing Revenue Account (HRA) revenue reserves, borrowing, capital receipts, and re-profiling the capital programme by pushing back other works

into later years. The Council is exploring it can recoup elements of expenditure. In the 2018/19 capital review, the Council increased capital resources allocated to non-Chalcots related fire safety works across the borough by £61m. To support the delivery of the increased resident safety programme, additional revenue resources totalling £2.725m have been added to the HRA from 2019/20 for the fire safety team and any associated works as referenced in Section 1 of the report.

- 9.2 The report notes that we await the introduction of new safety legislation by MHCLG and the outcome from the post Hackitt consultation White Paper, due in spring 2019. Simultaneously, the council will seek feedback from community conversations. It may be the case that the outcome of these, which will underpin the new 'phase 1 resident safety programme', is that further investment is required, and details regarding this will be set out in a further Cabinet report in due course.

10.0 TIMETABLE FOR IMPLEMENTATION

- 10.1 Government White Paper consultation is planned for spring 2019 to develop policy in more detail and to prepare the way for Parliament to consider a new safety bill in January 2020. New law will be in force by the end of the year and will prioritise a new safety framework for high-rise buildings and is likely to expand to cover all property types and uses during the Camden 2025 period. The Council will need to be ready to implement revised safety policies, procedures and standards for effective resident safety delivery; this is a long-term process and is an integral part of the Camden 2025. Subject to Cabinet approval, it is proposed that work should start immediately on the internal reviews and work streams detailed in section 4 of the report,

11.0 APPENDICES

- 11.1 Appendix 1 to the report details all 52 recommendations contained in the May 2018 Final Hackitt report, annotated to show the MHCLG action on each recommendation taken from the December 2018 Building Safety Implementation Plan. Appendix 2 provides an outline of Hackitt Proposals for a new Safety System and Appendix 3 a summary of resident responses to the 2017 Resident Safety Survey. Appendix 4 sets out proposed resident safety work streams.

REPORT ENDS

APPENDIX 1

HACKITT REVIEW RECOMMENDATIONS & MHCLG BUILDING SAFETY IMPLEMENTATION PLAN RESPONSE

Chapter 1 - Parameters and principles of a new regulatory framework

1	Recommendations	Response
1.1	<p>Higher Risk Residential Buildings – HRRBs</p> <p>A new regulatory framework to apply to residential properties which are 10 or more storeys high in the first instance. New HRRBs should be identified by the Local Planning Authority and notified to the regulator.</p> <p>Existing buildings in scope should be identified through other means, learning from the MHCLG Building Safety Programme experience.</p> <ul style="list-style-type: none"> • Recommendation references the Ministry of Housing/Communities & Local Government (MHCLG) Building Safety Programme. This covers <u>existing buildings</u>, to date the programme focus to date has been on cladding systems and fire doors • MHCLG Building Safety Programme covers high-rise residential buildings over 18 metres, including hotels, to make sure that residents of high rise buildings are safe - and feel safe - now, and in the future • With the support of local fire and rescue services and a panel of independent expert advisers, MHCLG is supporting building owners in taking immediate steps to ensure their residents' safety and in making decisions on any remedial work that is necessary to do .The programme is working with building owners, housing providers, schools, hospitals and the construction industry, including an Industry Response Group • Expert Panel - Expert panel providing advice to the Secretary of State for Communities and Local Government, on immediate building safety measures following the Grenfell Tower fire. • Independent Review of Building Regulations & Fire Safety - The government announced an <u>independent review of building regulations and fire safety</u> on 28 July 2017. This review is examining the regulatory 	<p>The Government recognises the need to ensure that multi-occupied residential buildings of 10 storeys or more form the core of the new regulatory framework, from the outset.</p> <p>The Government will consult in spring 2019, on proposals for the range of buildings that should be in scope of the new regulatory framework.</p> <p>The Government will also be consulting on how the 'gateways' proposed by the Review could be implemented in practice, including engagement with the Local Planning Authority</p>

	<p>system around the design, construction and on-going management of buildings in relation to fire safety as well as related compliance and enforcement issues</p>	
1.2	<p>Set up New Joint Competent Authority (JCA) for HRRBs</p> <p>The government should set up a 'Joint Competent Authority'. This should comprise Local Authority Building Standards, fire and rescue authorities and the Health and Safety Executive, working together to maximise the focus on building safety within HRRBs across their entire life cycle.</p> <p>The optimum model for ensuring effective joint working should be discussed with all relevant parties, but should draw on the model set out above. The JCA should design and operate a full cost recovery model.</p>	<p>The Government agrees that the new regulatory framework should draw on the expertise of these three bodies. We have been working with existing regulators to develop various options for more effective regulation including the option of establishing a statutory Joint Competent Authority (JCA) which would sit at the centre of a stronger regulatory framework, as recommended in the Review.</p> <p>The Government is establishing a new Joint Regulators Group to develop and test this recommendation.</p> <p>The Government will consult in spring 2019, on options for an effective regulatory framework, including the option of establishing a statutory JCA</p>
1.3	<p>Single Entity Buildings</p> <p>The regulatory framework should treat the building as a single entity - a system encompassing sub-systems.</p> <p>A new over-arching Approved Document should be published describing the system and the holistic analyses that must be completed when undertaking building work. This should define the requirement to understand the interactions of the system and its comprising subsystems in both normal operation and outside normal conditions.</p>	<p>The Government agrees with this recommendation in principle and the need for building work to be assessed in a holistic manner.</p> <p>The Government will consult in spring 2019 on how we intend to take this recommendation forward</p>
1.4	<p>Mandatory Occurrence Reporting</p> <p>a. Hackitt recommends a system of mandatory occurrence reporting to the JCA similar to that employed by the Civil Aviation Authority should be set up for HRRBs. The requirement to report should be for key identified duty holders on a no-blame basis. The outputs of these reports (and statistical analysis of this data) should be publicly available. Non-reporting should be regarded as non-compliance and sanctions applied appropriately.</p>	<p>The Government agrees with this recommendation in principle and the need for reporting and whistleblowing structures to form part of the regulatory framework.</p> <p>The Government will consult on further detail in spring 2019.</p>

	<p>b. It would be appropriate for the JCA to be a prescribed person under PIDA.</p> <p>c. For all other buildings the current CROSS scheme should be extended and strengthened to cover all engineering safety concerns and should be subject to formal review and reporting at least annually</p>	

Chapter 2 - Design, Construction and Refurbishment

2	Recommendations	Response
2.1	<p>Procurement, Design & Construction – Roles & Responsibilities</p> <p>Government should specify the key roles that will ensure that the procurement, design and construction process results in HRRBs that are safe. These should be, as a minimumroles reflecting those in the CDM Regulations to avoid unnecessary confusion</p>	<p>The Government accepts in principle the Review's recommendation to create dutyholders who will hold responsibility for building safety at each stage of the life cycle of buildings in scope.</p>
2.2	<p>Client, Design & Contractor responsibilities</p> <p>Government should allocate broad responsibilities to Clients, Principal Designers and Principal Contractors responsible for HRRBs.</p>	<p>The Government will consult in spring 2019, on a detailed proposal for creating dutyholder responsibilities that will set in law who is responsible and accountable for building safety risks at different stages of the building life cycle.</p>
2.3	<p>Record Keeping & Information Products</p> <p>Government should make the creation, maintenance and handover of relevant information an integral part of the legal responsibilities on Clients, Principal Designers and Principal Contractors undertaking building work on HRRBs.</p> <p>The four information products (the digital record, the Fire and Emergency File, Full Plans and Construction Control Plan) represent a minimum requirement.</p>	<p>The Government will consult in spring 2019, on the scope of the new regime.</p>
2.4	<p>Roles & Responsibilities</p> <p>Government should consider applying the key roles and responsibilities and information product recommendations to other multi occupancy residential buildings and to institutional residential buildings whilst bearing in mind necessary adjustments to keep the requirements proportionate.</p>	
2.5	<p>Local Planning Authority responsibility to consult JCA on HRRBs</p> <p>The LPA (Local Planning Authority) should be required in law to undertake a consultation with the JCA where it identifies that a building is a HRRB. This process should also apply where planning permission for another building in the near vicinity is sought (where such a building might impact on fire service access to a HRRB).</p>	<p>The Government will, consult in spring 2019 on how the 'gateways' proposed by the Review could be implemented in practice.</p> <p>The Government will also consult on making fire and rescue authorities statutory consultees in the planning process for multi-occupied residential buildings of 30 metres in height plus (10</p>

<p>2.6</p> <p>2.7</p>	<p>Government should ensure that there is thorough assessment by the JCA of detailed design plans for HRRBs and sufficient assurance that duty holders are in place and relevant responsibilities are being met in order to give permission for building work to legally commence</p> <p>Government should ensure that:</p> <p>a. The JCA undertakes a thorough test of the duty holders' as-built construction of HRRBs, supported by clear documentary evidence from the Principal Contractor that the design intent has been delivered as proposed (and any changes are documented and justifiable) and that handover of key golden thread information has occurred.</p> <p>b. the building owner must have completed a pre-occupation Fire Risk Assessment and resident engagement strategy. All of this must be signed off by the JCA (and a safety case review cycle established) to enable occupation to commence</p>	<p>storeys or more).</p>
<p>2.8</p>	<p>Application of Gateway Point to non-HRRBs Government should consider also applying Gateway Points 2 and 3 to other multi-occupancy residential buildings and to institutional residential buildings</p>	<p>The Government will consult in spring 2019, on proposals for the range of buildings that should be in scope of the new regulatory framework.</p>
<p>2.9</p>	<p>a. There should be a clearer, statutory change control process that places requirements on the relevant duty holder to notify the regulators of significant changes post-Full Plans sign-off.</p> <p>Within that context, two types of changes should be defined – ‘major’ and ‘minor’.</p> <p>Major’ changes would be a limited list of significant changes for example</p> <ul style="list-style-type: none"> • changes in use, changes in number of storeys, changes in number of units • changes which could impact on previously signed-off building safety plans. <p>Major changes would require an update from the duty holder to the JCA (for reconsideration) <u>before</u> such work is commenced.</p>	<p>The Government will consult in spring 2019, on how change control should be managed and implemented in practice as part of the ‘gateways’ proposed by the Review.</p>

	<p>'Minor' changes (i.e. all other changes) would need to be recorded and identifiable at the completion of the work for duty holders to demonstrate that Building Regulations are still satisfied.</p> <p>b. Government should consider also applying this change control process to other multi-occupancy residential buildings and to institutional residential buildings.</p>	
2.10	<p>HRRBs and 'Competent Persons' In HRRBs, building work that is carried out by 'persons in a competent person's scheme' should be subject to full oversight by the JCA to enable it to fully discharge its duties.</p>	The Government will consult in spring 2019 on how change control should be managed under the new regime
2.11	<p>Building Control & HRRBs</p> <p>a. It should not be possible for a client to choose their own regulator or for a regulator to be unable to apply sanctions against a duty holder where such action is warranted.</p> <p>b. As part of the JCA oversight of HRRBs there should be a single, streamlined, regulatory route for the provision of building control as set out in paragraphs 2.43 2.45 above with oversight solely provided through Local Authority Building Control</p> <p>c. The Approved Inspector regime should be utilised such that it can: provide accredited verification and consultancy services to dutyholders; and also expand LABCs' expertise/capacity (whilst always operating under LABCs rules and standards)</p> <p>d. But no AI can be used to provide both functions in respect of the same building work (i.e. where regulatory oversight is provided the AI must be completely independent of dutyholders).</p> <p>e. This avoidance of conflict of interest should apply to all actors in the regulatory system – so no fire and rescue authority should be able to support the JCA in its oversight of a particular building if it (i.e. the individual or the company) has provided professional design services in respect of that building through its commercial arm.</p>	The Government will consult on proposals for removing dutyholder choice in the spring. We will continue to make use of the valued expertise amongst both local authority and private sector building control inspectors and are minded to ensure that Approved Inspectors can be contracted to provide building control services through the new regulatory framework

	<p>f. Recommendations a.,b. and c. should also apply to all other multi-occupancy residential buildings and to institutional residential buildings. Recommendation d. and e. should apply to all building work.</p> <p>g. Local Authority Building Control should be re-named the Local Authority Building Standards given their new role.</p>	
2.12	<p>JCA and Fire & Rescue Authorities</p> <p>a. As part of the establishment of the JCA, the fire and rescue authorities need to be engaged in a more consistent manner with a robust dispute resolution mechanism established for use by the organisations within it.</p> <p>b. Comparable processes should also be adopted for other multi-occupancy residential buildings and to institutional residential buildings where Local Authority Building Standards and fire and rescue authority will also need to interact to ensure Building Regulation requirements are met.</p>	<p>The Government will consult in spring 2019, on options for an effective regulatory framework, including the option of establishing a statutory Joint Competent Authority as recommended in the Review. This recommendation will be picked up as part of this consultation.</p>
2.13	<p>The sanctions and enforcement regime should be reinforced so that penalties are an effective deterrent against non-compliance. These stronger enforcement tools should generally look to replicate and align with the approach in the Health and Safety at Work Act. More specifically:</p> <p>a. The JCA/Local Authority Building Standards should have additional powers to issue formal Improvement and Prohibition (or 'Stop') Notices to duty holders where there is a sufficient concern about, for example, the degree of oversight of the work; accurate record-keeping; or the likelihood of meeting Building Regulations requirements;</p> <p>b. The JCA/Local Authority Building Standards should have the clear power to require changes to work that fail to meet the Building Regulations requirements alongside any broader penalties sought;</p> <p>c. Time limits for bringing prosecutions against duty holders should be increased to five or six years for 'major' deficiencies in building requirements identified at a later date;</p> <p>d. The JCA cost recovery model should be weighed appropriately to create a fund for enforcement action to be taken where needed; and</p>	<p>The Government accepts this recommendation in principle and will consult on further detail in spring 2019, specifically on proposals for enforcement and sanctions that will accompany the new regime.</p>

	<p>e. The new powers should be available, wherever appropriate, to support either the JCA or Local Authority Building Standards in respect of all non-compliant building work.</p>	
<p>2.14</p>	<p>HHRB – Refurbishment & Safety Case Review</p> <p>Where a HRRB has not yet had its first safety case review and seeks to carry out refurbishment work then this should trigger a full safety case review</p> <p>Once the safety case review cycle is established then further major refurbishments may also bring forward the next safety case review.</p>	<p>The Government accepts this recommendation in principle and will consult on further detail in spring 2019, specifically on proposals for a safety case regime and how it will provide assurance that safety risks are being managed appropriately</p>

Chapter 3 - Occupation and maintenance

3	Recommendation	
3.1	<p>Clear Identification of Senior Duty holders and requirement for named Building Safety Managers. Requirement to notify JCA</p> <ul style="list-style-type: none"> a. Government should specify that responsibility for the safety of all parts of a HRRB must be held by a clear, senior duty holder which should be the building owner or superior landlord. b. The JCA and residents must be kept notified of the name and UK-based contact information of the duty holder (whether that is an entity or a named person). c. The duty holder must nominate a named 'building safety manager' with relevant skills, knowledge and expertise to be responsible for the day-to-day management of the building and act as a point of contact for residents. The building safety manager's name and contact information must be notified to the JCA and to residents and should be displayed in the building. 	<p>The Government accepts this recommendation in principle and will consult in spring 2019, on a detailed proposal for creating dutyholder responsibilities that will set in law who is responsible and accountable for managing building safety risks across the building life cycle.</p>
3.2	<p>Responsibilities of Duty holders & Requirement for Resident Engagement</p> <p>Government should allocate clear responsibilities to duty holders of HRRBs to:</p> <ul style="list-style-type: none"> a. take such safety precautions as may reasonably be required to ensure building safety risk is reduced so far as is reasonably practicable; b. ensure that information management systems are in place in order to maintain relevant documentation and compile and maintain a safety case file c. ensure that there is a resident engagement strategy and that residents receive information on fire safety in an accessible manner; and d. handover all of the relevant information to a new duty holder when a building changes hands. 	

3.3	<p>HRRB Duty holders and building safety cases</p> <p>The duty holder for a HRRB should proactively demonstrate to the JCA through a safety case at regular intervals (as determined by level of risk) that they are discharging their responsibilities. The safety case must identify the hazards and risks, describe how risks are controlled, and describe the safety management system in place.</p>	<p>The Government accepts this recommendation in principle and will consult on further detail in spring 2019, on proposals for a safety case regime and how it will provide assurance that safety risks are being managed appropriately</p>
3.4	<p>HRRB Duty holders and Fire Risk Assessment</p> <p>a. The duty holder for a HRRB should demonstrate that the fire risk assessment for the whole building has been undertaken by someone with relevant skills, knowledge and experience and reviewed regularly (dependent on risk and as agreed with the regulator) so as to keep it up to date and particularly if there is a reason to suspect it is no longer valid; they have received a notice from a regulator; or there has been a significant change to the premises.</p> <p>b. The duty holder should ensure that any recommendations/requirements outlined in the fire risk assessment are undertaken and completed in a timely manner. Fire risk assessments should be reviewed at least annually until a first safety case review has been completed, where this applies.</p> <p>c. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>The Government has launched a call for evidence alongside this implementation plan, to understand the best practice and issues experienced when landlords, building owners and residents work together to ensure their building is safe.</p>
3.5	<p>HRRBs and two-way responsibility for Safety Maintenance – Duty Holders/Building Safety Manager and Residents</p> <p>a. For HRRBs, residents should have clearer obligations in relation to maintaining safety of flats and should cooperate with the duty holder (or building safety manager) to the extent necessary to enable them to fulfil their duty to keep the building safe for all those living there.</p> <p>b. The duty holder should educate, influence and inspect to ensure residents meet these obligations and the JCA should be able to intervene where there is any immediate risks to persons.</p>	<p>The Government accepts this recommendation in principle and has launched a call for evidence alongside this implementation plan, to understand the good practice and issues experienced when landlords, building owners and residents work together to ensure their building is safe.</p>

	<p>c. The government should consider applying this good practice on rights and responsibilities to other multi-occupancy residential buildings.</p>	
3.6	<p>JCA powers to regulate HRRBs, role in their occupation and maintenance and right to deal with immediate risk</p> <p>The JCA should be empowered to regulate across all parts of a HRRB, be clearly identifiable to duty holders and residents, and should have the following roles in the occupation and maintenance phase:</p> <p>a. hold a register of duty holders;</p> <p>b. ensure that duty holders meet their responsibilities through effective inspection, assessment and enforcement; and</p> <p>c. deal with immediate risk – the JCA should have powers of access to inspect the whole building and take action where necessary.</p>	<p>The Government will consult in spring 2019, on options for a more effective regulatory framework, including the option of establishing a statutory Joint Competent Authority that would sit at the centre of a stronger regulatory framework, as recommended in the Review</p>
3.7	<p>JCA Environmental Health Officers & HRRBs</p> <p>a. For HRRBs, Environmental Health Officers should raise any fire and structural safety concerns to the JCA.</p> <p>Multi-Occupancy Residential Buildings – LA’s and Fire brigade</p> <p>b. For other multi-occupancy residential buildings, local authorities and fire and rescue authorities should work more closely to ensure that the fire safety of the whole building is assessed and regulated effectively.</p>	<p>The Government will consult in spring 2019, on options for a more effective regulatory framework, including the option of establishing a statutory Joint Competent Authority that would sit at the centre of a stronger regulatory framework, as recommended in the Review. This recommendation will be picked up as part of this consultation.</p>
3.8	<p>HRRBs Incentive and Sanctions</p> <p>For HRRBs there should be robust sanctions and strong incentives in place to drive compliance by duty holders during occupation. The JCA should use a staged approach comprising education, statutory notices, fines and ultimately criminal sanctions.</p>	<p>The Government accepts this recommendation in principle and will consult in spring 2019 on proposals for enforcement and sanctions that will accompany the new regime.</p>

Chapter 4 - Residents' Voice

4	Recommendation	
4.1	<p>HHRBs and duty holder responsibility to provide residents with safe building information</p> <p>a. The duty holder for a HRRB should have a statutory duty to proactively provide residents with a set of information that supports residents to understand the layers of protection in place to keep their building safe.</p> <p>Potential Application to other buildings</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>The Government accepts this recommendation in principle and will consult in spring 2019 on requirements for dutyholders to provide residents with critical safety information about their building.</p>
4.2	<p>a. The duty holder for a HRRB should have a resident engagement strategy in place to support the principles of transparency of information and partnership with residents. The strategy should outline how the duty holder will share information with residents, how they inform them of their rights and responsibilities, and how they involve residents in decision-making on changes to the building that could impact on safety.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>The Government accepts this recommendation in principle and will consult in spring 2019 on requirements for dutyholders to make available to residents detailed information related to the structural and fire safety of their homes. Unless there is a good reason not to, this is based on a presumption of openness.</p>
4.3	<p>a. The duty holder for a HRRB should have a resident engagement strategy in place to support the principles of transparency of information and partnership with residents. The strategy should outline how the duty holder will share information with residents, how they inform them of their rights and responsibilities, and how they involve residents in decision-making on changes to the building that could impact on safety.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>The Government accepts this recommendation in principle and will consult in spring 2019 on requirements for dutyholders to put in place a resident engagement strategy to support effective communication with residents and involvement in decisions about their building.</p>
4.4	<p>a. Government should provide funding for organisations working at both local and national level to provide advice, guidance and support to residents, landlords and building owners on effective resident involvement and engagement in order to develop a national culture of engagement for residents of all tenures.</p>	<p>The Government accepts this recommendation in principle and is committed to ensuring that residents of all tenures are empowered to engage effectively with landlords and building owners. As announced in the Social Housing Green Paper, the Government will develop a programme to deliver support and</p>

	<p>b. This recommendation should not be limited to the residents of HRRBs – culture change for the residents of these buildings will only happen as part of a wider process of change across the sector.</p>	<p>advice to residents in the social housing sector, with the aim of giving them the ability and confidence to engage with their landlord effectively on a range of building and fire safety issues. The effectiveness of the support will be evaluated following its delivery and the Government will explore the scope for the provision of additional support, including extending it to cover leaseholders and private sector tenants.</p> <p>The Government is also establishing the Social Sector (Building Safety) Engagement Best Practice Group to develop best practice in the fields of engagement and communication on building and fire safety issues. This group of landlords, working closely with residents, will pilot innovative ways of communicating and engaging with residents on safety issues. The Government will seek to share this best practice across the housing sector.</p>
4.5	<p>a. After internal processes have been exhausted, if residents still have safety concerns about their homes, there should be a clear and quick escalation and redress route available for residents of all tenures to an independent body with access to appropriate knowledge, resources and enforcement powers.</p> <p>b. This route of redress should be open to all residents of all tenures, and not limited to those living in HRRBs.</p>	<p>The Government accepts this recommendation in principle and will consult in spring 2019 on options for a clear and quick escalation route for residents' building safety concerns, including the relationship between the new regulatory framework for building safety and the interactions with existing regulators and redress schemes.</p>
4.6	<p>a. The duty holder for a HRRB should provide residents with clear information about their obligations in relation to building and fire safety, and residents should meet their obligations to ensure their own safety and that of their neighbours.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>The Government accepts this recommendation in principle and has launched a call for evidence alongside this implementation plan, to understand the good practice and issues experienced when landlords, building owners and residents work together to ensure their building is safe.</p>

Chapter 5 - Competence

5	Recommendation	
5.1	<p>The construction sector and fire safety sector should:</p> <ul style="list-style-type: none"> • Demonstrate more effective leadership in relation to developing a responsible approach to delivering building safety and integrity • Work with other sectors to learn and translate good practice and implement it within the sector • Develop continuous improvement approaches to competence levels 	<p>The Government accepts this recommendation and is taking forward work with Early Adopters to share good practice. Industry is taking forward the continuous improvement approaches to competence as part of the Competence Steering Group.</p>
5.2	<p>Professional Bodies</p> <p>a. The professional and accreditation bodies working within the construction and fire safety sectors should continue the work started in response to the interim report and present a coherent proposal to government within one year. As a minimum, this proposal should cover the role and remit of an overarching body to provide oversight of competence requirements and support the delivery of competent people working on HRRBs, including:</p> <ul style="list-style-type: none"> • the professional bodies, professions and disciplines in scope • its membership and governance • its role in receiving, agreeing and monitoring the individual competence frameworks for those bodies, professions and disciplines in scope for individuals within their membership or on their register, and/or whether a single competence framework for professional bodies in scope should be established; • its role in agreeing and monitoring accreditation and reaccreditation, and the period within which the competence of individuals should be reassessed and reaccredited; • its role in establishing a method for demonstrating or proving competence; • how the correct balance between construction sector skills and fire safety skills should be balanced; and • whether the competence requirements for those working on HRRBs should also be extended to cover other multi-occupancy residential buildings and to institutional residential buildings. 	<p>Industry has formed a Competence Steering Group to develop proposals for an overarching competence body and competence framework for all trades and professions working on high rise residential buildings. Final proposals from the Group are expected by April 2019. Government will review industry's proposals and consider whether legislation is necessary to underpin a new system to assure competence.</p>

	<p>b. Progress should be monitored by government, with the professional and accreditation bodies providing government with quarterly progress reports.</p> <p>c. If government does not consider that the proposed approach provides the necessary assurance to the JCA, or there is evidence that the fragmented approach to the oversight of competence will continue, then government should mandate a body to establish the competence levels required and oversee its implementation.</p>	
5.3	<p>Relevant parties, along with the relevant professional bodies, should:</p> <p>a. Continue to work together to develop a new common approach and competence framework which meets the requirements of the new regulatory framework and the new skills required of Building Standards Inspectors when working on HRRBs, and those offering consultancy and verification services to duty holders.</p> <p>b. This framework should apply to all Building Standards Inspectors whether they are LABS Inspectors and part of the JCA or AIs offering their services to Building Standards or to duty holders.</p> <p>c. Consider whether these competence requirements for Building Standards Inspectors working on HRRBs, and should also be extended to cover those working on other multi-occupancy residential buildings and institutional residential buildings.</p>	<p>Industry has formed a Competence Steering Group to develop proposals for an overarching competence body and competence framework for all trades and professions working on high rise residential buildings. Final proposals from the Group are expected by April 2019. Government will review industry's proposals and consider whether legislation is necessary to underpin a new system to assure competence</p>
5.4	<p>Relevant parties should work together, along with the relevant professional bodies, to develop and define a robust, comprehensive and coherent system for:</p> <p>a. the competence requirements for the role of building safety manager of HRRBs; and</p> <p>b. the remit of this role in introducing and overseeing the process by which residents in HRRBs would be able to access fire safety awareness training</p>	<p>The Government accepts this recommendation and an Industry Working Group is developing this work further Final proposals from the Group are expected by April 2019. Government will review industry's proposals and consider whether legislation is necessary to underpin a new system to assure competence.</p>

Chapter 6 - Guidance and monitoring to support building safety

6	Recommendation	
6.1	<p>a. Government should work towards a long term aim that guidance on how to meet the building regulations is to be owned by industry, while government sets out regulatory requirements and provides oversight of the regulatory system.</p> <p>b. Government should reserve the right to create guidance if industry has not proven that it is able or is deemed unable to produce suitable guidance.</p>	The Government accepts this recommendation in principle and will consult on further detail in spring 2019
6.2	<p>a. The government should create a new structure to validate and assure guidance, oversee the performance of the built environment sector and provide expert advice.</p> <p>b. There should be a periodic review (at least every five years) of the effectiveness of the overall system of building regulation including accountabilities, responsibilities, guidance, and the effectiveness of the regulator.</p>	The Government accepts this recommendation in principle and will consult on further detail in spring 2019
6.3	<p>The Government should take forward the recommendations made by the Expert Group. To summarise these are:</p> <ul style="list-style-type: none"> • clear user friendly language and formatting of the guidance (including Approved Document B); • multiple points of entry for different users to the document set, to provide clear advice for different types of building work • facilitating the prioritisation of fire and structural safety while encouraging a holistic approach that considers all building safety objective • a building regulation manual to explain the role of the approved Documents. 	The Government accepts this recommendation in principle and will consult on further detail in spring 2019

Chapter 7 - Products

7	Recommendation	
7.1	<p>a. A clearer, more transparent and more effective specification and testing regime of construction products must be developed. This should include products as they are put together as part of a system.</p> <p>b. Clear statements on what systems products can and cannot be used for should be developed and their use made essential. This should ensure significantly reduced scope for substitution of any products used in a system without further full testing. Until such time, manufacturers should ensure that they adhere to the current limitations set out in classification reports in the current regime.</p> <p>c. The scope of testing, the application of products in systems, and the resulting implications must be more clearly communicated in plain, consistent, non-technical language.</p>	<p>The Government accepts this recommendation and will work with industry to improve the testing regime.</p>
7.2	<p>Manufacturers must re-test products that are critical to the safety of HRRBs at least every three years. Manufacturers should consider the need to test more frequently, focusing especially on the testing of products as they operate in systems rather than individual elements.</p> <ul style="list-style-type: none"> • The testing of products that are critical to the safety of HRRBs should be subject to independent third party certification. • The introduction of the JCA should drive the introduction of reactive testing when particular issues of arise regarding products installed that are critical to the safety of HRRBs. • Additional test houses should be established and certified. Assets • All test houses should produce an annual report providing summary details of tests carried out and the number of passes and failures reported. 	<p>The Government accepts (a) and will work with manufacturers to develop minimum standards for third party schemes for critical safety products. We will also work with industry to improve the testing regime.</p> <p>The Government accepts (b) and will encourage all buildings in scope to use third-party certified fire safety products essential to building safety, and consult on making it a requirement in the spring.</p> <p>The Government accepts (c) and will develop links with the new regulatory framework for building safety and consider options for national regulatory oversight for construction products to enable testing to be commissioned.</p> <p>The Government accepts (d) and will work with industry to increase market capacity.</p>

		<p>The Government accepts (e) and will work with industry to improve the transparency of the testing regime.</p> <p>The proposals for domestic regulatory change will need to be considered in the context of the UK's exit negotiations and proposals for a future relationship with the EU, including the UK's proposal to commit to ongoing regulatory harmonisation as part of a common rulebook.</p>
7.3	<p>A simpler, more streamlined set of standards relating to the testing of products used in HRRBs, and the health and safety of people in and around those buildings, needs to be developed. This should ensure that where new standards are required, these are identified quickly and in the case of conflicting standards, that these are identified and reviewed.</p>	<p>The Government accepts this recommendation and will work with industry to improve the standards, testing, and accreditation regime.</p>
7.4	<p>Test methods and standards should be maintained under a periodic review process in order to drive continuous improvement and higher performance through the development of new test methods, and encourage innovative product and system design under better quality control.</p>	<p>The Government accepts this recommendation and will work with industry to improve the standards, testing, and accreditation regime.</p>
7.5	<p>a. The construction products industry should work together to develop and agree a consistent labelling and traceability system, making use of the digital technologies that are already available and learning from other sectors.</p> <p>b. The duty holder for any given HRRB should ensure that the documentation that supports the performance claims for products and systems incorporated within the HRRB should be maintained throughout the life cycle of a building through the golden thread of building information (see Chapter 8).</p>	<p>The Government accepts this recommendation and will work with the construction products industry to develop a consistent labelling and traceability system that supports the creation and maintenance of the golden thread of building information.</p>
7.6	<p>a. Government should ensure that there is a more effective enforcement, complaint investigation and market surveillance regime with national oversight to cover construction product safety.</p> <p>b. Government should consider whether this could be achieved by extending the remit of the Office for Product Safety and Standards.</p>	<p>The Government accepts this recommendation and will consider options for national regulatory oversight for construction products.</p> <p>The Government will consult on proposals for consistent powers across all construction products in spring 2019.</p> <p>The proposals for domestic regulatory change will need to be considered in the context of the UK's exit negotiations and</p>

	c. The introduction of national level market surveillance should drive the introduction of risk-based testing of products that are critical to the safety of HRRBs.	proposals for a future relationship with the EU, including the UK's proposal to commit to ongoing regulatory harmonisation as part of a common rulebook.

Chapter 8: Golden thread of building information

8	Recommendation		
8.1	<ul style="list-style-type: none"> a. Government should mandate a digital (by default) standard of record-keeping for the design, construction and during the occupation of new HRRBs. This is to include any subsequent refurbishments within those buildings. b. Digital records are to be in a format which is appropriately open and non-proprietary 	<p>The Government accepts this recommendation and recognises the importance of a 'golden thread' of information to both quality and safety. We are working closely with Early Adopters, digital experts and other stakeholders to understand the digital solutions that are available. We will consult on proposals for the golden thread in spring 2019.</p>	
8.2	<p>Government should work with industry to agree what information must be held in the digital record for new HRRBs.</p>		<p>The Government accepts this recommendation and recognises the importance of a 'golden thread' of information to both quality and safety. We are working closely with Early Adopters, digital experts and other stakeholders to understand the digital solutions that are available. We will consult on proposals for the golden thread in spring 2019.</p>
8.3	<ul style="list-style-type: none"> a. Government should work with industry to agree the type of information to be collected and maintained digitally (by default) to enable the safe building management of existing HRRBs. b. Duty holders must identify and record where gaps in the above information exist and the strategy for updating that relevant information. <p><u>Recommendation 8.4</u></p> <ul style="list-style-type: none"> a. Duty holders must hold, transfer and update information throughout the life cycle of the HRRB. b. Information from this record is to be provided to the JCA in the event that this may be required. 	<p>The Government accepts this recommendation and recognises the importance of a 'golden thread' of information to both quality and safety. We are working closely with Early Adopters, digital experts and other stakeholders to understand the digital solutions that are available. We will consult on proposals for the golden thread in spring 2019.</p> <p>The Government accepts this recommendation and will consult on further detail in spring 2019</p>	

Chapter 9: Procurement and supply

9	Recommendation	
9.1	<p>For higher risk residential buildings (HRRBs), principal contractors and clients should devise contracts that specifically state that safety requirements must not be compromised for cost reduction.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.</p>	<p>The Government accepts this recommendation and will work with procurement professionals across the public and private sectors to develop standards and disseminate procurement best practice that prioritises safety outcomes.</p>
9.2	<p>a. For HRRBs, tenders should set out how the solution that is proposed will produce safe building outcomes, approaching the building as a system. Those procuring should use the tender review process to test whether this is the case.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.</p>	
9.3	<p>For HRRBs the information in the contracting documentation relating to the safety aspects should be included in the digital record set out in Chapter 8.</p>	

Chapter 10: International examples

Recommendation 10.1

The government should re-join the Inter-jurisdictional Regulatory Collaboration Committee (IRCC).

Response

The Government agrees with this recommendation in principle. The Government is committed to learning from best practice, including international comparators and will continue to take forward international engagement.

APPENDIX 2 – Outline of Hackitt Proposals for a new Safety System

The final Hackitt Report published in May 2018 identified the following weaknesses in the existing system:

Fig 1. Hackitt Analysis of Weaknesses in the existing system
The roles and responsibilities of those procuring, designing, constructing and maintaining buildings are unclear
The package of regulations and guidance (in the form of Approved Documents) can be ambiguous and inconsistent
The processes that drive compliance with building safety requirements are weak and complex with poor record keeping and change control in too many cases
Competence across the system is patchy
The product testing, labelling and marketing regime is opaque and insufficient
The voices of residents often goes unheard, even when safety issues are identified

Joint Competent Authority (JCA)

The regulation of all high-rise buildings (10+ floors) will be by a new body - the Joint Competent Authority - made up of representatives from the following organisations:

- Fire & Rescue authorities
- Health and Safety Executive
- Local Authority Building Standards (building control)

The JCA will have new powers to oversee the design, construction and occupation of new and refurbished HRRBs through three new gateway processes (fig 2.) and the creation and maintenance of building safety records for the lifetime of such buildings.

Fig 2. Joint Competent Authority Gateway Processes
Gateway 1 - Councils, as Local Planning Authorities required to consult the JCA where planning applications for HRRBs. This process also to apply where planning permission for another building in the near vicinity is sought (e.g. where such a building might impact on fire service access)
Gateway 2 - JCA Design Plan Approval required for HRRBs to ensure thorough assessment by the JCA of detailed design plans and sufficient assurance that duty holders are in place, and relevant responsibilities are being met, before JCA will give permission for building work to commence
Gateway 3 – JCA to undertake a thorough test of the duty holders' as-built construction of HRRBs, supported by clear documentary evidence from the principal contractor that the design intent has been delivered as proposed (and any changes documented and justifiable) and that handover of key 'golden thread' information has occurred

Building owners will have to complete a pre-occupation Fire Risk Assessment and have a resident engagement strategy signed off by the JCA. All HRRBs will be required to have a building safety case (and a safety case review-cycle established) before the JCA issue a completion certificate to permit occupation of a new or refurbished building.

The Review recommends the re-naming/branding of Local Authority Building Control as '*Local Authority Building Standards*' as part of the JCA, with *Approved Inspectors* available to expand local authority capacity/expertise or

to newly provide accredited verification and consultancy services. It is not clear how the JCA will operate or how it will be funded.

Fig 3. BSIM / Joint Regulators Group Trial Objectives
Increase responsibility for building safety improving the competence of those undertaking building work
Provide assurance to residents of high-rise residential buildings that safety is actively managed. More information on safety measures in their buildings, and a means of recourse if safety concerns are being ignored
Provide building regulators with greater powers to intervene and greater ability to pursue those who do not follow the requirements
Require building developers to be explicit about how safety is incorporated in buildings, a clear set of gateway points to engage with the regulators and a transparent recording and handover of safety information
Require owners of existing buildings to provide active demonstration that the ongoing safety of their building is managed effectively
Ensure suppliers of construction materials are subject greater oversight to ensure that products are safe

Licences to Own, Occupy and Operate Buildings

The new safety regime will initially apply to high-rise buildings 10+ floors in height, and perhaps to complex multi-user buildings. It will apply to new developments and existing buildings where they are under-going major refurbishment. It will introduce a system of building classification and licensing linked to the Joint Competent Authority Gateways – see fig 2. It appears that the system may involve three different licences and will have to be reapplied for/re-validated on a cyclical basis,

Duty Holder Licence

The owner or landlord of a high rise (or other qualifying building) to apply to the JCA for a **Duty Holder Licence** and show that they/the organisation are fit and proper to own the building and comprehend the duty holder responsibilities.

Residential Accommodation Operator

In order to function as a housing property owner any organisation ‘operating’ residential accommodation to apply to the JCA for a **Residential Accommodation Operator’s Licence** and demonstrate that they have the competence and resources in place to deliver building safety in high-rise buildings.

Building Safety Manager or Coordinator Licence

The owners or landlords of high-rise or other qualifying buildings will be required to employ **Building Safety Manager or Coordinators** who will have to hold individual licences demonstrating that they have the knowledge and competence to be responsible for maintaining fire and critical systems safety in individual buildings

MHCLG Building Safety Implementation Plan (BSIP) December 2018

The Ministry of Housing, Communities & Local Government (MHCLG) set up eleven expert working groups to produce an integrated statutory regulatory framework for fire safety with individual groups focussed on a specific construction related professional role.

The working groups submitted their initial advice to MHCLG in October 2018 to enable the drafting process for new safety legislation. In December 2018, government published a Building Safety Implementation Plan (BSIP), covering safety critical building systems, setting out their approach to implementing change ahead of changes to the law.

Government has accepted all Hackitt recommendations, the BSIP details the governments approach to their implementation (see Appendix 1 to this report) and sets out a programme of work to deliver fundamental reform to the system to ensure that residents are safe, and feel safe, in their homes.

The plan has four key objectives

Fig 4. Building Safety Implementation Plan Objectives
Create a stronger and more effective regulatory and accountability framework for buildings in scope, which will have responsibility and accountability for keeping people safe at its core
Prevent people from flouting the system through tougher oversight and stronger and more effective sanctions and enforcement regime
Facilitate better understanding of what is required to ensure buildings are safe through clearer standards and guidance
Improve the rigour of product labelling, testing and marketing process to ensure that people working on buildings use safe products.

MHCLG is also considering options to improve complaints handling and dispute resolution for social housing residents and address concerns about the leaseholder and freeholder system.

Shadow JCA – Joint Regulators Group

Government intends to trial the new regulatory framework ahead of legislation, through a shadow JCA – the Joint Regulators Group - with representatives from:-

- Health & Safety Executive
- Local Authority Building Control
- Fire and Rescue Services through the National Fire Chiefs' Council
- Local Government Association

The Government's objectives for the trial and subsequent legislation (fig 4) are to develop a clear set of responsibilities with accountabilities at the right level and clearer operational guidance for all those involved in designing, building and owning buildings in scope. In practice, this would mean that at JCA Gateway 3 – handover - a building owner will need to satisfy the JCA property information requirements in order to apply for the necessary licence to occupy and operate new and refurbished high-rise buildings – see paragraph 1.8.

Hackitt work groups recommend that building safety management systems should be compatible with the International Organisation for Standardisation (ISO) High Level Structure, in this case ISO 45001 Health and Safety System. ISO4500 will provide an auditable change management process for building safety, following a basic Plan, Check, Do, Act/Adjust format. PDCA is a method used for the control and continuous improvement of processes and products as follows.

Plan - Establish objectives and processes required to deliver the desired results.

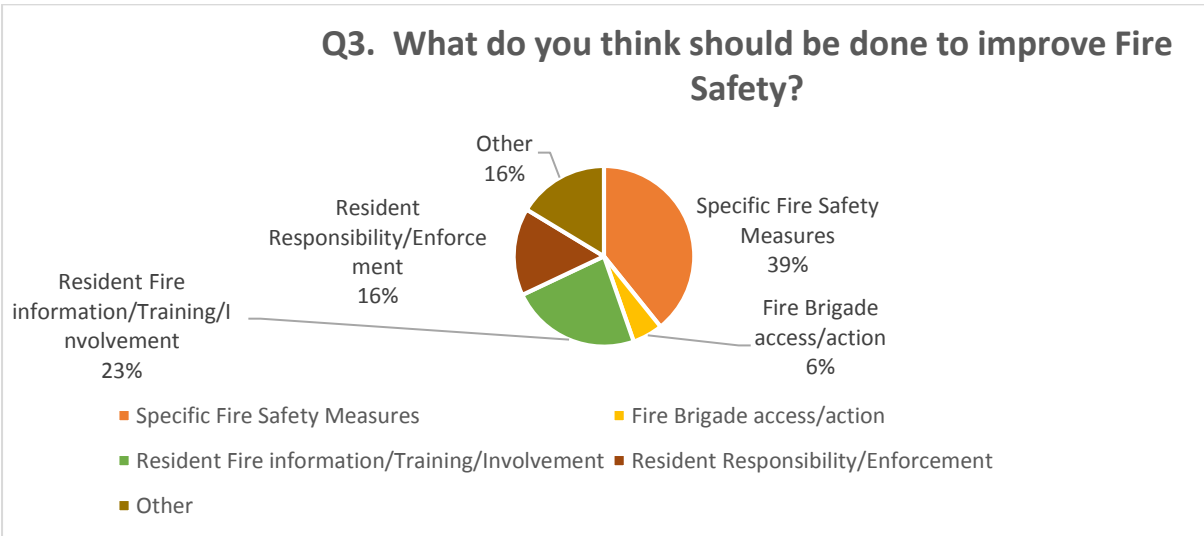
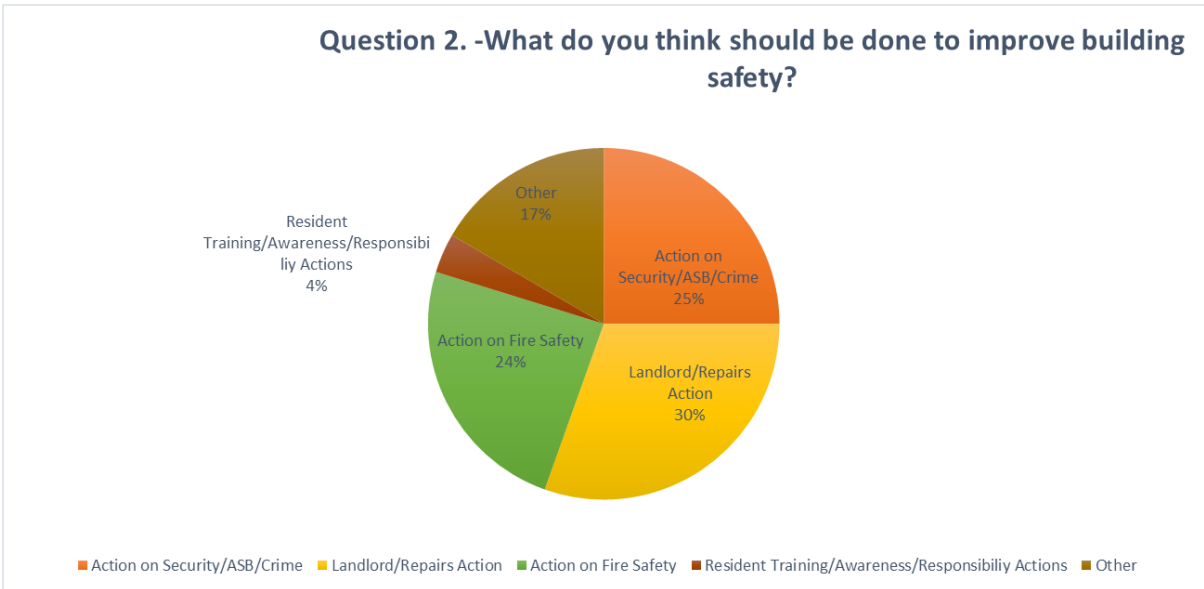
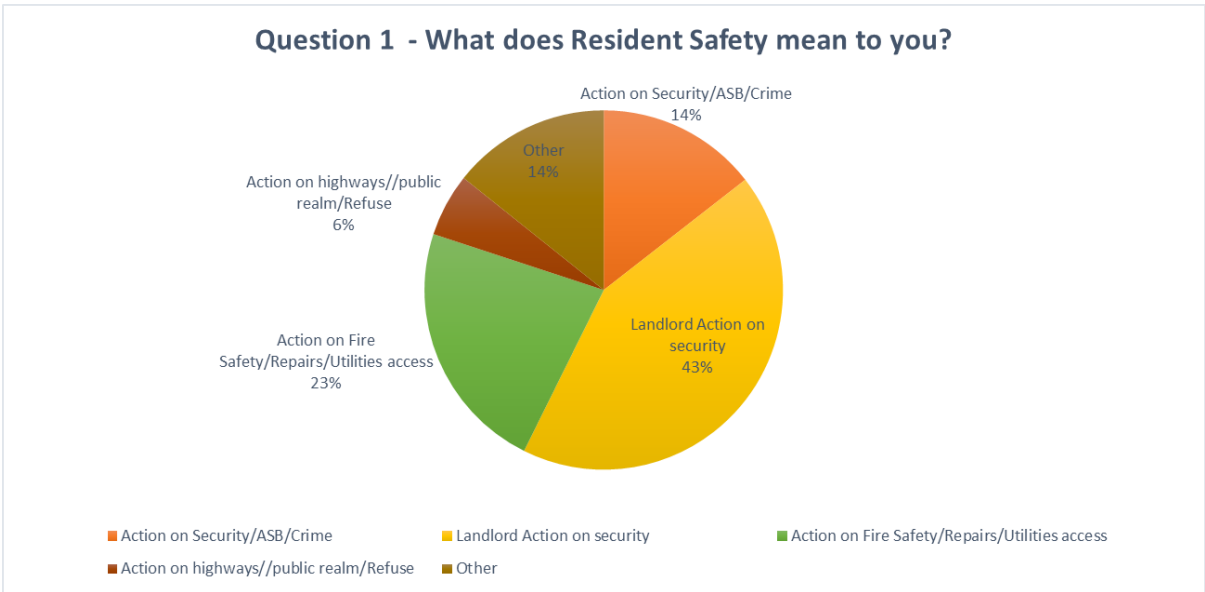
Do - The do phase allows the plan from the previous step to be enacted. Small changes are usually tested, and data is gathered to see how effective the change is.

Check - During the check phase, the data and results gathered from the do phase are evaluated. Data is compared to the expected outcomes to see any similarities and differences. The testing process is also evaluated to see if there were any changes from the original test created during the planning phase.

Act/Adjust

This phase is where a process is improved. Records from the "do" and "check" phases will help identify issues with our systems and planning for the next phase of change management can proceed with a better base-line. .

APPENDIX 3 – RESIDENT SAFETY SURVEY 2017



APPENDIX 4 – RESIDENT SAFETY WORK STREAMS

Work Stream 1 - Safe Place

Focusing on Design, building control, construction, Repairs and planned maintenance

Develop of preventative, risk-focused, competency based services to ensure a safe environment for all residents

Review procurement, planning, construction and building control processes and identify amendments required by proposed Joint Regulator/Joint Competent Authority gateway processes

Work Stream 2 - Safe People

Ensure that staff and residents have the information and training to develop the skills they want and need to help maintain a safe environment to the level of their responsibility.

Ensure that staff are conscious of their role in maintaining safety, developing a Camden corporate safety culture.

Identify safety critical elements within individual functions and services. Review safety critical service elements and break these down into job role content, and competency analysis.

Adopt a competency framework for services and job roles to enable safety awareness to be embedded across the Council.

Work Stream 3 - Engagement

Develop resident engagement policies and processes to be adopted for changing services by talking to residents and listening to what they say

Work with residents to review tenancy agreements and lease terms to understand how residents can adopt a safe living approach and the Council needs to do to support, monitor and if necessary enforce this

Ensure that residents of LB Camden homes are aware of their responsibilities to themselves and their neighbours to live safely, and are facilitated and enabled to do so.

Work Stream 4 - Compliance

Review existing property data collection and identify opportunities to improve understanding of service delivery, set SMART objectives

Procure IT and asset information systems to hold data and report on statutory monitoring responsibilities for Building Safety Cases for the life of high-rise and complex buildings, and facilitate resident engagement

Work Stream 5 - Governance

Review compliance procedures, including measures to ensure that as much information can be made public as possible.

Review accountability practices with residents and stakeholders

Prepare for independent ISO 45001 Certification