

## Appendix 2

### Summary of; Building a Safer Future Independent Review of Building Regulations and Fire Safety: Final Report

The final report was published on the 17<sup>th</sup> May 2018. The full report can be viewed at; [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/707798/Building\\_a\\_Safer\\_Future\\_-\\_print.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707798/Building_a_Safer_Future_-_print.pdf)

Within the foreword Dame Judith Hackitt identifies four key failings;

1. Ignorance through regulations and guidance not being read by those who need to, or these being misinterpreted
2. Indifference – motivations of speed and cost taking priority over quality and safety. When concerns are raised by residents these are often ignored.
3. Lack of clarity on roles and responsibilities resulting in a lack of ownership
4. Inadequate regulatory oversight and enforcement tools, with penalties being too small to be an effective deterrent.

The following themes run through the report;

- Risk ownership and clear responsibilities being assigned to individuals
- A new regulatory framework which is outcome based rather than the use of “prescriptive rules”
- Audit trail of information – from the building construction stage all the way through to the current day
- Changes to the way the industry operates (references back The Egan report – rethinking construction)
- Greater powers for residents and engaging residents in proposed works.

The initial focus is on a new regulatory framework for “**Multi-occupancy higher risk residential buildings that are 10 storeys or more in height**” (HRRB’s) – but the report is clear this could be extended to other lower rise blocks or to other buildings which may not be high rise, but pose other risks (such as hospitals and care homes).

#### Regulation and enforcement

A Joint competent authority (JCA) is proposed to be established consisting of representative from Local Authority Building Standards (a rebrand of building control), the HSE and the fire and rescue authority. This is to be achieved by the having a framework enabling the parties to work together rather than them being merged. The works would be undertaken on a “full cost recovery basis” so that engagements between duty holders and the JCA would be chargeable.

It is proposed that there should be a clear and identifiable duty holder with responsibility for building safety of the whole being. This person should maintain the fire and structural safety of the whole building, identify and make improvements where reasonable and practicable.

The duty holder would be required to present a safety case to the JCA at regular intervals. The JCA will hold duty holders to account with robust sanctions where necessary. It is proposed that the safety case be presented annually or when other events occur (such as a significant refurbishment). The duty holder “is also likely to consider the measures that others in the sector are introducing to compare and contrast their alignment with industry practice”.

When there are multiple owners all would retain their responsibilities and accountability of the duty holder (and not able to obstruct these) – however the multiple owners may choose to nominate one owner to the JCA as the main point of contact.

Planning permissions for HRRB's should consider fire safety with the full plans approval becoming the second gateway point.

#### Technical standards and product traceability

It is proposed that there is a move towards a system whereby ownership of technical guidance rests with the industry and that regulations would be based more on outcomes rather than prescriptive specifications.

Clearer testing regime with clearer labelling and product traceability – including ensuring such labels are still present once packaging etc is removed.

#### Residents

It is proposed that residents should have a greater ability to access information and also should be provided with block specific information. Residents should be informed as to how they can report matters of concern about fire safety and a route for escalating such matters.

As part of the design stage of a building it is proposed there should be a pre-completion stage fire risk assessment undertaken together with resident engagement strategy which needs to be signed off by the JCA prior to building occupation.