

# Building a Safer Future

An Implementation Plan







# **Building a Safer Future**

## **An Implementation Plan**

Presented to Parliament  
by the Secretary of State for  
Housing, Communities and Local Government  
by Command of Her Majesty

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## **Foreword by the Rt Hon James Brokenshire MP, Secretary of State for Housing, Communities and Local Government**

What makes a place feel like home? Above all, regardless of who you are or how much you have, it is somewhere where you feel safe.

As we know, that sense of security and sanctuary was shattered in the most shocking way for the people of North Kensington by the tragedy at Grenfell Tower last June.

Our priority has rightly been to support them and ensure that nothing like this can ever happen again. To that end, the Government took immediate action together with fire and rescue services, local authorities and landlords to make other high-rise buildings safe.

As a result, remediation work has been undertaken on over 70 per cent of buildings with unsafe ACM cladding in the social housing sector and – following pressure from Government – work has been undertaken or is planned for almost two thirds of such buildings in the private sector. Where necessary, the Government has also taken action to have unsafe products removed from the market.

But it was clear that, as well as protecting people now, we needed to take immediate action to establish a radically-new system for the future.

With this in mind, we commissioned Dame Judith Hackitt to undertake an Independent Review of Building Regulations and Fire Safety, which concluded that the current system is not fit for purpose and that a radical systemic overhaul is required. I am thankful for her efforts and have committed to bringing forward legislation at the earliest opportunity to carry out the necessary reforms.

This will take time, but the Government has not hesitated to act where we can make a difference now, for example, by going further than the Review recommendations and banning combustible cladding. Regulations were laid last month to give effect to the ban, ensuring that cladding of this nature is no longer allowed on the external walls of new buildings over 18 metres containing flats, as well as new hospitals, residential care premises, dormitories in boarding schools and student accommodation over that height. We are also testing and trialling elements of the new system to make sure that they are effective before implementing them at scale, including through a new Joint Regulators Group, that will help us to develop and pilot new approaches to regulation and, in due course, assist with the transition to a new regulatory framework; and our Early Adopters who have come forward to help drive culture change and demonstrate that industry can put building safety first. All of this work will drive the necessary fundamental change amongst the regulators, the construction sector and building owners.

But there is much more to do, and this implementation plan sets out what the far-reaching overhaul of the system will involve over the coming years.

This work spans four areas:

First, a stronger, more effective regulatory and accountability framework, focused on keeping people safe, and a tougher oversight regime with stronger and better-enforced sanctions to prevent and punish wrongdoing. We will begin trialling elements of the new system soon through a new Joint Regulators Group, which will assist with the transition to a new regulatory framework.

Second, clearer standards and guidance to support better understanding by those carrying out building work of what is required to make buildings safe, as well as improving the way in which construction products are tested, labelled and marketed. This is an area where we have already taken action by consulting on a clarified Approved Document B (fire safety); and we are launching a Call for Evidence today as the first stage of a full technical review which will gather expert advice to enable the guidance to be revised.

We have also completed a consultation on restricting the use of desktop studies and will be publishing amended guidance today. Following the implementation of a clear ban on the use of combustible materials for certain high-rise buildings over 18 metres (blocks of flats, hospitals, residential care homes, dormitories in boarding schools and student accommodation), assessments in lieu of tests (also known as desktop studies) for external wall systems for all buildings in scope of the ban will not be allowed under any circumstances.

The amended guidance further restricts the use of assessments in lieu of tests in other areas, including how they are undertaken and by whom, ensuring transparency and requiring companies that undertake these tests to do so to high standards.

Third, and most crucially, a stronger voice for residents will be at the heart of the new system. In the immediate aftermath of the Grenfell Tower fire, it became clear that residents' concerns had gone unheard – a complaint echoed by the many other residents whose views shaped our Social Housing Green Paper. Residents must be better informed, empowered and engaged if we are to really learn the lessons from this tragic event, and we will ensure that the new system drives better engagement between residents and those managing their buildings; provides access to appropriate information; and opens up more effective routes for escalation and swift redress when things go wrong.

Finally, this implementation plan sets out how we will be working with industry to help them lead the required culture change and prioritise public safety. In doing so, we will champion those who are doing the right thing, challenge those who have further to go – including by supporting local authorities to take enforcement action – and consider whether legislation is needed to assure the competence of those carrying out building work.

This is a major programme of work as befits the challenge we face – ensuring that everyone who has a stake in keeping people safe and feeling safe in their homes – plays their part to rebuild public trust and deliver the meaningful, lasting change that is needed.

Achieving the systematic overhaul that we are aiming for requires all parties to change, and to put residents' safety at the heart of the system. This is the best tribute we can offer to those who lost their lives at Grenfell Tower and those who were left behind.

## Executive Summary

The Grenfell Tower fire represents the greatest loss of life in a residential fire in a century. Whilst the Metropolitan Police investigation seeks to ensure that justice is provided to the bereaved, the survivors and those affected by the fire, and the Grenfell Tower Inquiry seeks to understand the events of the night of the fire and its causes, the Government has undertaken a far-reaching programme of work to ensure that residents of high-rise buildings are safe and feel safe, now and in the future.

In the immediate aftermath of the fire, the Government set up a Building Safety Programme to identify and remediate affected buildings. An Independent Expert Panel was established to advise the Secretary of State for Housing, Communities and Local Government on the immediate measures needed to ensure building safety and to identify buildings of concern.

It quickly became apparent that there was a need for fundamental reform of the building and fire safety regulatory system. An Independent Review of Building Regulations and Fire Safety (the Review) was commissioned, led by Dame Judith Hackitt, a former Chair of the Health and Safety Executive (HSE) and former President of the Institution of Chemical Engineers. The Review led to an Interim Report in December 2017 and a Final Report, *Building a Safer Future*, in May 2018<sup>1</sup>. The Review looked at the regulatory framework around the construction, maintenance and ongoing use of buildings, with a particular focus on multi-occupied, high-rise residential buildings. It found that the system was not fit for purpose, leaving room for those who wish to take short-cuts to do so, and set out 53 recommendations to establish a new regulatory framework and achieve a culture change to create and maintain safe buildings.

The Government has already been clear that it agrees with the Review's diagnosis and the principles behind its recommendations. We want a step change: from a passive system centred around compliance with building regulations to a proactive one where developers and building owners take responsibility for ensuring that residents are safe, with stronger assurance provided by a tougher regulatory framework. We are clear that residents' safety is paramount: this fundamental requirement, that residents are safe and feel safe in their homes, lies at the heart of our ambition to radically improve culture and capability in industry and the regulatory framework. We have committed to bring forward legislation that delivers meaningful and lasting change, and to begin rolling out and trialling those changes as early as possible. This implementation plan sets out how the elements of that new framework will be developed over the coming months, leading to legislative changes at the earliest opportunity.

We also agree with the Review's conclusion that change should not wait for revisions to the law – we want to work with others to make a positive impact quickly. In advance of legislation, the Government has been taking steps to improve the system and the advice available to building developers and owners to address fire safety risk: prioritising support for the remediation of buildings with unsafe Aluminium Composite Material (ACM) cladding but also providing advice to tackle other identified risks. Moving forwards, we intend to trial a new regulatory framework through a Joint Regulators Group (drawing together the expertise of the HSE, Local Authority Building Control (LABC)<sup>2</sup>, the Fire and Rescue Services through the National Fire Chiefs' Council (NFCC) and the Local Government Association)), to ensure that we make rapid progress towards better building safety and to test and develop new approaches that will become enshrined in the new legislation.

We welcome the fact that a number of landlords and firms have already responded to this call for early action and have undertaken checks and remediation work as well as proactively engaging residents and documenting safety features. In particular, it is good to see the level of commitment to our Early Adopters Programme, through which major construction firms, developers and

<sup>1</sup> Cm 9607: <https://www.gov.uk/government/collections/independent-review-of-building-regulations-and-fire-safety-hackitt-review>

<sup>2</sup> The not-for-profit membership organisation that represents all Local Authority Building Control teams in England and Wales



housing associations are acting on the principles set out in the Review. The construction and fire safety industries are leading work to improve levels of competence - we look forward to a robust proposal that will bring coherence to the competence of all those working on buildings in scope of the new regime, drives the necessary culture change set out in Dame Judith's report, and can provide assurance to the new regulatory system and, ultimately, to residents. We will continue to create the right environment in which industry can start the culture change and show leadership in building a safer system that Dame Judith called for.

In addition to the findings of the Review, we have considered a wide range of evidence, views and concerns expressed since the Grenfell Tower fire: from powerful representations to the Grenfell Tower Inquiry; emerging findings from the Metropolitan Police investigation; submissions from a wide range of stakeholders; and views from our new Residents' Reference Panel. We have considered over 200 responses to the Review's Final Report, gathered in a listening exercise over the summer and in a useful report from the House of Commons Housing, Communities and Local Government Select Committee.

The Government has shown immediate leadership where necessary. Over the last year and a half, we have identified buildings with unsafe ACM cladding and continue to track remediation on all these buildings. We have laid regulations to give effect to a ban on the use of combustible materials in the external walls of all buildings over 18 metres in height that contain flats, as well as new hospitals, residential care premises, residential schools and student accommodation over that height. We have consulted on a clarified version of the Building Regulations fire safety guidance (Approved Document B) and today we are publishing a call for evidence to inform a full technical review of that guidance, including taking account of emerging findings from the Grenfell Tower Inquiry.

Beyond the Building Safety Programme, the Department is working to strengthen consumer redress across the housing market, as well as considering options to improve complaints handling and dispute resolution for social housing residents through our Social Housing Green Paper. The Government will ensure that as a package our work effectively supports residents across all tenures to feel empowered, engaged and safe in their homes.

We are also addressing concerns about the leaseholder and freeholder system by taking a number of steps, including promoting fairness and transparency and ensuring that consumers are protected from unjust charges and poor service.

The Government is taking action to ban letting fees and cap tenancy deposits so that private tenants are not hit by unfair charges; is taking steps to establish a new regulatory framework for residential property agents; and intends to empower tenants to take action against landlords who fail to provide a proper standard of accommodation, through supporting the Homes (Fitness for Habitation) Bill and requiring private landlords to join a redress scheme.

Dame Judith Hackitt called upon the Government to develop an implementation plan that will provide a coherent approach to delivering the recommendations in her Review. This plan sets out the programme of work that we intend to undertake to deliver fundamental reform to the system that will ensure that residents are safe, and feel safe, in their homes:

- We will 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. We will prevent people from flouting the system through tougher oversight and a **stronger and more effective sanctions and enforcement regime**.
- We will facilitate better understanding of what is required to ensure buildings are safe through **clearer standards and guidance**, as well as **improving the rigour of the product labelling, testing and marketing process** to ensure that people working on

buildings use safe products.

- We will ensure that we put **residents at the heart of the new regulatory framework** through better engagement between them and those managing their buildings, as well as providing more effective routes for escalation and redress when things go wrong. We will ensure building owners reassure residents by providing them with better information about the protection measures in place in their buildings.
- Working with industry, we will **drive culture change to increase responsibility for building safety**, including by improving the competence of those undertaking building work. This will complement the tougher regulatory oversight regime and sharing of good practice.

Reform of the whole regime requires all parts of the system – and all those working within it – to change. The Government is committed to fulfilling its role to make this happen. This implementation plan sets out some of the changes we intend to consult on in spring 2019. We believe that they will make a significant difference to all those who are involved in designing, building and owning buildings in scope and, in particular, for those who live in them.

- For **those who live in high-rise residential buildings**: an assurance that safety is actively managed and a means of recourse if safety concerns are being ignored; and more information on the safety measures in the building and clarity on their role in ensuring their homes are safe.
- For **those who regulate the buildings**: greater powers to intervene and greater ability to pursue those who do not follow the requirements.
- For **those who develop the buildings**: a requirement 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.
- For **those who own existing buildings**: an active demonstration that the ongoing safety of the building is being managed effectively.
- For **those who provide materials used in construction**: greater oversight that products are safe and are being marketed as safe.
- For **all of the above**, a clearer set of responsibilities with accountabilities at the right level and clearer guidance to operate within.

We agree with the Review's findings that the reformed regime should be effective, proportionate and risk-based, supporting continued, but safe, productivity and innovation by industry. That is why many of the proposed measures in this plan are targeting specific buildings within the scope of the new regime. However, we expect the impact of reforms to be felt more broadly across all buildings as good practice spreads.

The Government recognises that fundamental culture change will not be easy. It will take time and a broad public debate to determine exactly the right actions to take across all of the areas outlined in this implementation plan. This implementation plan sets a clear direction of travel. In many areas, we are pressing ahead with reforms to ensure that residents feel safe now. In others, we intend to work with the new Joint Regulators Group and Early Adopters to understand how they can be implemented in practice. We will then consult further in spring 2019 to develop government policy in more detail and to prepare the way for future legislative change.

# Chapter 1: Making buildings safe – the response to the Grenfell Tower fire

## Creation of the Building Safety Programme

1.1 After the Grenfell Tower fire, the Government established the Building Safety Programme to ensure that residents are safe, and feel safe, in their homes.

1.2 The Building Safety Programme has four main elements:

- Identifying building safety risks similar to those arising from the Grenfell Tower fire, specifically identifying all residential buildings over 18 metres in height with unsafe ACM cladding;
- Ensuring the safety of the residents of the identified ACM-clad buildings through immediate mitigation measures and longer-term remediation, and taking action to address buildings with other risks;
- Diagnosing problems in the building safety system and identifying solutions. This was predominately carried out by the Review; and
- Reforming the building safety system for the future. This implementation plan sets out how the Government will achieve this.

## *Identifying building safety risks and ensuring the safety of residents now*

1.3 The immediate actions since June 2017 focussed on ensuring the safety of residents in existing buildings similar to Grenfell Tower. Acting on advice from experts, the programme prioritised government support for the identification, testing and remediation of buildings over 18 metres in height with ACM cladding. The Government undertook testing on cladding provided by building owners and a series of full-scale fire performance tests (BS8414) on several combinations of cladding to determine risk and ensure that buildings were prioritised accordingly. Subsequent advice was provided to cover other types of cladding and more detailed advice for building owners on how to remediate buildings safely.

1.4 To ensure that our interventions were targeted and evidence-based, the Government set up a number of groups to advise our work, including:

- **an Independent Expert Advisory Panel** established by the Department on 27 June 2017 to advise the Secretary of State for Housing, Communities and Local Government on urgent building safety matters, which in turn has drawn on wider expertise from organisations such as the Standing Committee on Structural Safety (SCOSS) and local and national Trading Standards bodies; and
- **an Industry Response Group (IRG)** established by the Department on 10 July 2017 to support the process of building remediation. The aim of this group is to provide expert advice on construction solutions to make ACM-clad buildings safe; ensure access to technical expertise in industry where required; advise on construction industry expertise and capacity to undertake remedial work; and stand ready to mobilise industry to support a programme of remediation if necessary.

1.5 Since June 2017 the Government has been working with local authorities and with social and private landlords to identify all buildings with unsafe ACM cladding. Through the oversight

of the NFCC, we ensured that interim measures (such as ‘waking watch’) were put in place with local fire and rescue services to ensure the safety of residents. These interim measures have continued whilst remediation has been commissioned and work has begun. The Government has tracked remediation in the 441 buildings identified and reports progress on a monthly basis. We will continue to monitor progress publicly until all buildings with unsafe cladding are remediated. The latest remediation statistics are shown below.

Since June 2017:

- We have identified 160 social sector and 272 private sector buildings over 18 metres in height and 9 publicly-owned buildings with ACM cladding systems unlikely to meet current building regulation guidance.
- Of the 160 social sector buildings, 34 are now fully remediated, and 82 have started remediation. There are plans and commitments in place to remediate the remaining 44 buildings. £400m funding has been made available to remediate ACM cladding in the social housing sector.
- Of the 272 private sector buildings, 29 are now fully remediated and 18 have started remediation. There were plans and commitments in place to remediate a further 156 buildings. The Government has been clear that it will take further action to ensure that the remaining 69 buildings are remediated and will back local authorities to step in and remediate buildings if necessary.

**1.6** To ensure that buildings are improved swiftly, the Government is overseeing a comprehensive programme on the remediation of all high-rise residential buildings in the social and private sector with unsafe ACM cladding.

**1.7** For the social sector, the Government has made £400m available to social sector landlords to fund remediation and there has been strong progress in getting the work done. At the end of November 2018, remediation had started or completed on 116 of the 160 social sector buildings with unsafe ACM cladding systems. There were plans and commitments in place to remediate the remaining 44 buildings.

**1.8** In the private sector, the Government has taken action to put pressure on developers and landlords to remediate the ACM cladding on their buildings swiftly and to protect leaseholders from bearing the costs. We have:

- creating a taskforce chaired by ministers to oversee the progress;
- supporting local authorities to take decisive enforcement action where building owners are refusing to remediate high-rise buildings with unsafe cladding, including financial support where this is necessary for the local authority to carry out emergency remedial work;
- establishing a Joint Inspection Team ensuring that skills and expertise to address these issues are shared quickly; and
- laying an addendum to the Housing Health and Safety Rating System (HHSRS) operating guidance, providing specific guidance on the assessment of high-rise residential buildings with unsafe cladding.

**1.9** As a result of this action, at the end of November 2018 there were plans and commitments in place to remediate 203 of the 272 privately owned buildings with unsafe ACM cladding sys-

tems, including buildings where remediation has started or completed. The Government has been clear that it will take further action to ensure that all remaining buildings are remediated and will back local authorities to step in and remediate buildings if necessary.

**1.10** The Government has repeatedly made clear that building owners should protect leaseholders from bearing the cost of remediation. There is a growing list of owners and developers who are doing the right thing and agreeing to fund remediation. This includes Barratt Developments, Mace Group, Legal & General, Taylor Wimpey and Peabody. The Government has urged all other owners and developers to follow their lead.

**1.11** During the process of assessing high-rise residential buildings, a number of other safety issues were brought to the attention of the Government beyond ACM cladding. The Government consulted the Independent Expert Advisory Panel and issued advice for building owners about the steps they should take to investigate and address these risks on their buildings. This included specific advice and action on:

- **Large Panel System (LPS) buildings** – following concerns being raised by residents about cracks in the walls of a building in the London Borough of Southwark, the Council instructed structural engineers to investigate the causes. Concerns were raised about the large panel blocks used in the walls. In response, the Ministry of Housing, Communities and Local Government (MHCLG) contacted local authorities known to have LPS buildings, directing them to guidance available to support assessments of these buildings. The Department also took advice from the Independent Expert Advisory Panel and the Standing Committee on Structural Safety (SCOSS) and commissioned the Building Research Establishment (BRE) to review its risk assessment guidance. Recently we have established a forum of LPS building owners to disseminate information and good practice.
- **External Wall Insulation (EWI) systems** with either a render or brick-slip finish – advice was issued on steps that should be taken to check these systems for defects or deterioration following concerns that in some circumstances these systems may be vulnerable, resulting in parts of the EWI system falling from buildings.
- **External wall systems with non-ACM cladding systems** - the Independent Expert Advisory Panel considered many different components used in the construction of external wall systems, as all perform differently when exposed to a fire. The Panel issued clear advice to building owners in December 2017 advising them to check these systems and to replace any materials or systems that are unsafe. The Government has published new advice today to reiterate the importance of building owners assessing their buildings and ensuring that non-ACM cladding systems are safe.
- **Spandrel panels** (also including window panels and infill panels) – the Government issued advice, stressing that it is important that building owners check the materials used in the panels to ensure that they do not present a risk of fire spread, and take professional advice on remediation where necessary.
- The Government also stepped in to address **unsafe or mis-specified products** on high-rise buildings or being supplied to the market. In particular, it acted promptly to address the risk of defective GRP composite fire doors, where the Expert Panel issued guidance to building owners and Government action ensured that unsafe doors were removed from the market.

**1.12** We will continue to actively monitor building risks, working with the Independent Expert Advisory Panel where new risks are identified and issuing further advice as appropriate. In addition, we plan to start making change happen on the ground now, by collaborating with building owners to share best practice and testing our proposed changes with members of our Early

Adopters Programme.

**1.13** Complementary to all the actions Government has been undertaking, there has been regular and frequent external communication to ensure that residents and building owners are aware of our work. Activity includes:

- a dedicated webpage on gov.uk on which all public announcements, letters, advice notes and monthly data releases have been published;
- a series of round table events for local authorities, housing associations, other building owners and other stakeholders;
- advice notes and letters sent directly to building owners, building control bodies and other relevant and interested bodies; and
- regular updates to Parliament through oral and written statements.

**1.14** We have also been engaging with the Grenfell Tower Inquiry and the Metropolitan Police investigation so that issues raised by them inform our work and findings.

### ***Diagnosing problems in the building safety system***

**1.15** The emerging findings from the Grenfell Tower fire and the investigations in subsequent days and weeks into the fire safety of other tower blocks revealed a range of wider issues and problems with the whole fire safety system. In July 2017 the Government asked Dame Judith Hackitt to lead an Independent Review of Building Regulations and Fire Safety.

**1.16** In December 2017, the Review's Interim Report identified the key problems of the system as:

- **Unclear Guidance and Regulations** – the existing regulations and guidance were viewed as complex and unclear, leading to confusion and misinterpretation in their application.
- **Unclear Roles and Responsibilities** – accountability for the safety of a building throughout its lifecycle was unclear.
- **Inadequate resident engagement** – there was no clear route for residents to escalate concerns about their building and ensure that action was taken.
- **Weak compliance, enforcement and sanctions** – the current system for assessing buildings and ensuring that designs meet standards and what is built meets regulations, was considered weak and does not assure residents' safety. Weak sanctions failed to drive compliance within the sector.
- **Lack of competence** – the means of assessing and ensuring the competence of those working on high-rise and complex residential buildings was seen to be inadequate.
- **Inadequate product quality** – the existing system of product testing, marketing and quality assurance was seen to be inadequate.

**1.17** The Review's Final Report in May 2018 went further and set out the underpinning cultural problems which resulted in a system wide failure, such as:

- **Ignorance** – regulations and guidance were not always read by those who needed to, and when they did the guidance was often misunderstood and misinterpreted.
- **Indifference** – the primary motivation was often to do things as quickly and cheaply as possible rather than to deliver quality homes which are safe for people to live in. When concerns were raised by others involved in building work or by residents, they were often ignored.
- **Lack of clarity on roles and responsibilities** – there was ambiguity over where responsibility lay, exacerbated by a level of fragmentation within the industry, and which precluded robust ownership of accountability.
- **Inadequate regulatory oversight and enforcement tools** – the size or complexity of a project did not seem to inform the way in which it was overseen by the regulator(s). Where enforcement was necessary, it was often not pursued. Where it was pursued, the penalties were so small as to be an ineffective deterrent.

**1.18** Alongside the publication of the Review’s Final Report in May 2018, the Government launched a listening exercise to gather views on the Review’s findings. We received over 200 responses from a broad range of stakeholders, including construction companies, property managers, trade bodies and building control bodies (both local authority and Approved Inspectors), housing associations, resident groups, fire and rescue services and representatives of the construction industry.

**1.19** The listening exercise revealed broad and deep support for most of the key tenets of the Review’s recommendations, with particular support for:

- much clearer dutyholder responsibilities across the building lifecycle;
- a more stringent regulatory framework;
- removal of dutyholder choice in building control and collating and making available a ‘golden thread’ of core building safety information throughout the lifecycle of a building; and
- improving residents’ voice in the decision-making process around building safety.

**1.20** Some concerns were also raised. For example:

- respondents called for the Government to go further than Review and ban combustible cladding on the external walls of high-rise residential buildings;
- concerns were raised about whether the scope of the new regime on high-rise multi-occupied residential buildings of 10 storeys or more was too limited; and
- Approved Inspectors raised concerns about the proposed adjustments in the way they provide their services.

**1.21** Following these responses, we have listened carefully to the views expressed, and engaged further with the sector through conversations with residents, local communities and stakeholders across the construction industry to develop our thinking on the approaches set out in this implementation plan. We have also worked with existing regulators to develop options for the new, more stringent regulatory framework that is needed.

**1.22** The next chapter sets out in more detail how the Government is addressing the concerns

raised by both the Review and the issues that have been identified from the remediation of buildings with unsafe ACM cladding to improve the regulatory framework for building safety and ensure that residents feel safe. The proactive work from some in industry, including the work of Early Adopters, will enable the Government to trial the principles of the new system and provide additional assurance to residents as quickly as possible.



## **Chapter 2: Fixing the system - creating a safer future**

### **A fundamental reform of the system**

**2.1** The Government is clear that residents' safety is paramount: people should feel safe in their homes. In welcoming the Review's Final Report in May 2018, the Government agreed with the Review's assessment and supported the principles behind its recommendations for a new regulatory framework. Cultural and behavioural change is needed; understanding the law and complying with its obligations should be second nature. Both the Government and industry need to transform their approach to building safety. We intend to implement:

- a fundamental reform of building safety, introducing a system that ensures that people are safe, and feel safe;
- a tougher regulatory framework with the proactive deployment of stronger sanctions and more robust enforcement powers against those that fail to comply; and
- a systematic overhaul with clear direction to all parties - including regulators, the construction industry and those who own high rise buildings – that they must put residents' safety at the heart of the system.

**2.2** This Government has issued a clarion call: everyone must step up and play their part in creating the right culture and behaviours so that safety is prioritised in the future. The Government recognises that fundamental culture change will not be easy. That is why we are proposing a new regulatory framework to drive real culture change and the right behaviours. The changes proposed in the implementation plan will have a profound effect across the built environment and in the upkeep and maintenance of buildings.

**2.3** The Government will use evidence and assessment of risk to focus the scope of the regime on buildings where a significant fire could put many people's lives at risk. However, we expect that the requirements we introduce will drive culture change across the whole industry – it should raise standards, prioritise safety and improve the competence of all people involved in building safety at all levels.

**2.4** In line with current building regulations, changes to the regulatory framework will only impact on England, and we will consult on any changes to the Building Regulations in accordance with the Building Act 1984. However, some proposals within this implementation plan, for example the regime on construction products, may have a broader impact across the United Kingdom. We will continue to work with devolved administrations to understand where our proposals could add value to their own regulatory frameworks.

**2.5** This chapter outlines our approach to developing and implementing the new framework in four key areas:

- a more effective regulatory and accountability framework;
- clearer standards and guidance, and product safety;
- putting residents at the heart of the of the new regulatory framework; and
- driving culture change and a more responsible industry.

**2.6** We have engaged widely and established a number of external groups to help support our thinking, and ensure that the system change will deliver the intended outcome of ensuring residents are safe and feel safe in their homes, now and in the future.

### **A more effective regulatory and accountability framework**

**2.7** For buildings in scope, the Government is committed to fundamentally reforming the

regulatory framework. This new regulatory framework needs to change the culture and mindset of those involved in the procurement, design, construction, maintenance and occupation of buildings so that they take proper ownership of the potential building safety risks. They must provide intelligent leadership in managing and controlling those risks rather than being told what to do by Government. The Review's Final Report recommended that regulators delivering this new regime need to be able to rigorously and impartially assess whether key safety risks are being managed effectively, with powerful tools to stop unsafe work and apply tougher sanctions where that is not the case.

**2.8** This profound change is essential to ensuring that residents feel safe and remain safe in their homes. This section outlines a number of key parameters that will underpin the creation of this new regulatory framework, namely:

- the buildings that should be brought within the scope of the new regulatory framework;
- how accountability for building safety will be strengthened;
- the interventions that regulators should apply to dutyholders;
- whether dutyholders should continue to be able to choose their own building control regulator; and
- which regulators should oversee the new, more stringent regime.

### ***Action to date***

**2.9** Since the publication of the Review's Final Report, the Government has worked closely with a range of industry stakeholders and sector experts to help shape the lead proposals for lasting regulatory change and putting stronger accountability in the building safety system. This work has been led by Kevin Myers, former Deputy Chief Executive of the HSE, supported by MHCLG and Home Office officials. We have worked with building control bodies, the NFCC, the HSE and others to develop options for a new regulatory framework as recommended by the Review.

**2.10** We have also commissioned a review to assess how well the HHSRS under the Housing Act works in practice. The HHSRS is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. The review will assess whether the system needs updating and how this can, alongside other measures, prioritise safety for residents. An addendum to the HHSRS laid on 29 November 2018 provided guidance on the assessment of high-rise residential buildings with unsafe cladding to help local authorities to make robust hazard assessments and boost their ability to take decisive enforcement action

**2.11** We are engaging closely with stakeholders from across industry to consider how to effectively apply dutyholder responsibilities; what the most effective ways of creating a safety case regime might be; how we implement 'gateway' points; and how we put the idea of a 'golden thread' of building information into practice. We want to ensure that our policy proposals – as they are being developed – are as effective as they can be in delivering safety outcomes.

**2.12** We have engaged with the Early Adopters to test our proposals and ensure they can work 'on the ground'. The industry working groups on competence have provided a broad expertise to respond to the challenge of raising competence standards across the construction and fire safety industries to deliver these policy proposals in practice.

**2.13** We have also looked to understand and learn from other regulatory frameworks that

manage risk and hazard effectively. We want to build on existing risk management best practice that is well-understood to ensure our proposals are clear and will be quick to implement when they are introduced.

### ***Which buildings should the new regime cover?***

- 2.14** The Review suggested that the new regulatory framework should principally focus on fire and structural safety risks and, in the first instance, should apply to multi-occupied residential buildings of 10 storeys or more. Analysis carried out for the Review found that the likelihood of fire is greater in purpose-built blocks of flats of 10 storeys or more than in those with fewer storeys. Although the Review acknowledges that fire risk is primarily associated with demographics and behaviour rather than type of building (e.g. very elderly people are at greater risk of dying in a fire than young adults), it considered that the potential impacts associated with a fire are much greater in multi-occupied residential buildings due to the volume of people affected than in, for example, single residential dwellings. However, the Review invited the Government to consider whether some or all aspects of the framework should also apply to a wider set of buildings where multiple people sleep. During the listening exercise, the majority of stakeholders said that the scope should extend beyond multi-occupied residential buildings of 10 storeys or more. Many respondents argued that the regime should address other buildings where a significant fire could put many people's lives at risk.
- 2.15** The Government has listened carefully to these responses. The scope of the regime should focus on where a significant fire or structural failure could put many people's lives at risk. For new buildings and major refurbishments, we will consult in the spring on whether the regime should apply widely to buildings where multiple people sleep. For buildings in occupation, we agree with the Review that this should apply at least to buildings of 30 metres and above (10 storeys or more) and will consult in the spring on which additional buildings should be in scope, taking into account that the risk profiles for buildings in occupation will vary significantly.
- 2.16** We need to consider how the new regime will fit alongside existing legal requirements and frameworks – requirements placed on a responsible person through the Fire Safety Order; risk assessment frameworks that exist in housing legislation like the HHSRS and requirements like licensing of Houses in Multiple Occupation (HMO); and more bespoke law that focuses on buildings for a particular use (e.g. health and safety law for workplaces)<sup>3</sup>. The Review found that these regimes were incoherent and did not ensure that fire and structural safety was adequately prioritised for residents living in multi-occupied high-rise buildings. The Government will ensure that this is clear in law and, if necessary, that other pieces of fire and housing legislation are amended to ensure this is delivered in practice. We also need to be clear on how the new regime fits alongside existing regimes, like the town and country planning system, to ensure that the two systems work together.

### ***How will we strengthen accountability for building safety?***

- 2.17** The Review identified that there was an absence of clarity over who is responsible for key aspects of building safety at each stage of the building lifecycle. It recommended introducing a dutyholder approach which identifies the key roles (Clients, Principal Designers and Principal Contractors) who are responsible for ensuring that buildings are designed, built and can be managed in a way that facilitates the ongoing safety of residents. This is similar to the approach which stakeholders have identified as significantly improving the focus on health

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<sup>3</sup> Regulatory Reform (Fire Safety) Order 2005, Housing Act 2004, Health and Safety at Work etc Act. 1974

and safety on construction sites, as set out in the Construction (Design and Management) Regulations 2015. The listening exercise reflected strong support for this proposal amongst respondents, particularly as a way of underpinning responsibilities during the design and construction phase.

- 2.18** It is clear that there are technical challenges to implementing the dutyholder approach during the occupation phase due to the existence of a wide range of complex ownership models that will need further careful consideration. However, there is a need to place clear requirements on identifiable dutyholders at this stage of a building's lifecycle, who will need to demonstrate to the regulators that they are effectively managing and controlling building safety risks and have mitigated them so far as is reasonably practicable.
- 2.19** The listening exercise demonstrated broad support for the Review's recommendation to create dutyholders. We agree and will consult on proposals for doing so in practice. It is critical that dutyholders create, update, transfer and maintain a 'golden thread' of information to support delivery of their responsibilities (see below).

### ***What interventions will regulators apply to dutyholders?***

- 2.20** Regulatory interventions will play a critical role in underpinning dutyholders' responsibilities and thereby accelerating culture change across the industry. The Review recommended establishing regulatory 'gateways' at key points during the design and construction lifecycle of buildings where the onus is on the dutyholder to demonstrate that they are actively managing safety risks. The listening exercise revealed widespread support for this approach and, in particular, for ensuring that dutyholders satisfied regulators of their actions before moving on to the next stage of the construction process. The Government accepts the need to create, in law, a tougher regulatory framework, under which regulators will have greater powers and more opportunities to intervene throughout the lifecycle of a building. We also consider that stronger sanctions and enforcement powers are needed to incentivise compliance and address non-compliance.
- 2.21** The Government also agrees with the need to adopt a safety case mind set: we will consult on measures that ensure that those responsible for risks fully understand them, own them and take measures to manage and mitigate them both in design and in occupation. They should also document and communicate these risks to all those with an interest. Buildings should be considered in a holistic manner and mitigation measures should be layered appropriately based on the use of the building and the risks posed. Any changes made to a building should be reviewed against the overall practices and procedures in the building and should not compromise safety. Regulators should have the tools to deter those who may otherwise fail to do the right thing, including the ability to undertake regular, risk-based reviews of the safety case. In occupation, dutyholders should be encouraged to engage actively and effectively with regulators in between safety case reviews to discuss the risks and demonstrate that they are acting to mitigate them.

### ***Should dutyholders continue to be able to choose their own building control regulator?***

- 2.22** The Review recommended that, for buildings in scope of the new regime, it should not be possible for the dutyholder to choose their own building control regulator<sup>4</sup>. At present, the people who carry out building work (for example contractors, designers) can choose who will

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<sup>4</sup> The Independent Review identified that there was a fundamental contradiction between placing much more rigorous requirements on dutyholders to take ownership of, and to manage, key safety risks in complex buildings and still allowing those dutyholders to choose between, and negotiate over, who will provide them with rigorous regulatory oversight ('dutyholder choice') with a choice of either using the local authority where the building is located or any one of around 90 Approved Inspector companies.

provide regulatory oversight of their buildings and can negotiate on the level of inspection. Building control services can be offered through local authority building control or through a range of competing private sector Approved Inspectors. It recommended that there should be a single, streamlined, regulatory route for the provision of building control through local authorities, as part of a new regulatory structure. The listening exercise revealed widespread support for this recommendation, although responses from Approved Inspectors highlighted significant concern about their proposed future role.

**2.23** The listening exercise demonstrated broad support for the Review's recommendation to remove dutyholder choice, and we will consult on proposals for doing so in practice. 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 a new regulatory framework. This could be, for example, where local authority building control lacks sufficient capacity or expertise in a particular location to regulate all buildings in scope. We also want to utilise fully the expertise of suitably accredited Approved Inspectors to support dutyholders to understand and deliver their new responsibilities.

### ***Which regulator(s) should oversee the new, more stringent regime?***

**2.24** The Government will create a stronger regulatory framework that will provide national leadership to drive improvements in building safety. This would mean new responsibilities for compiling a register of buildings in scope, issuing strategic guidelines for local regulators on how to apply the new interventions, ensuring all regulators are sufficiently competent to work on these buildings, and investigating further building safety issues with dutyholders. The Government wants the new regulatory structure to draw on the expertise of key existing regulators: the HSE, Fire and Rescue Authorities and local authority building control. In the listening exercise there was strong support for creating a more joined up approach, although many respondents sought clarification about how this would work in practice. We have been working with these bodies and other stakeholders to discuss options for a more effective regulatory framework<sup>5</sup>. This includes the option of establishing a statutory Joint Competent Authority (JCA), as recommended in the Review that would sit at the centre of a stronger regulatory framework.

### ***Engaging the regulators to test our approach***

**2.25** The Government will establish a new Joint Regulators Group to help us develop and pilot new approaches and, in due course, to assist with the transition to a new regulatory framework, starting as soon as practicable. This will drive culture change amongst the regulators, the construction sector and building owners.

**2.26** This Group will draw together the expertise of the HSE, LABC, the Fire and Rescue Services through the NFCC, LGA and others as needed. This Group will work together at pace with the Early Adopters to trial aspects of the proposed new regulatory framework in advance of legislation. The Joint Regulators Group will also assess the resource needs of the future regulator, including working with Approved Inspectors, to ensure there are sufficient inspectors with the necessary experience and expertise.

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<sup>5</sup> Should the final proposal be for a new central government arms' length body, then the usual, separate government approval process would apply for such an entity. This equally applies to proposals elsewhere in this document including those for regulating construction products and residential property agents.

## ***How should information be recorded and maintained to ensure buildings are safe?***

**2.27** The Review identified significant issues in the production and maintenance of key building and fire safety information by those responsible for the design, construction, refurbishment and management of residential buildings. The lack of complete, accurate and up to date building information did not support the safe management of buildings or give residents assurance that their buildings are safe. The Review made clear that the new regulatory framework must be underpinned by robust record keeping, with a digital 'golden thread' of key building information running through all phases of design, construction and occupation.

**2.28** The Government recognises the importance of a 'golden thread' of information to both quality and safety and accepts the need for a digital record of key building information in the new regulatory framework. Building Information Modelling (BIM) Level 2 has already been mandated for Government-procured projects. Many organisations involved in the design, construction and management of residential buildings are already embracing BIM and better digital record keeping, and seeing the benefits to their businesses, clients and residents. We are working closely with Early Adopters, digital experts and other stakeholders to understand the digital solutions that are available and how the digital record is currently being implemented across the industry.

**2.29** The data constituting the 'golden thread' will be determined through close working with industry, taking account of decisions on the safety case regime and the new regulatory framework. The information will be created and updated through a collaborative process, with data coming from those involved in building design, construction, management and renovation. It will contain high-quality, accurate information and will provide assurance to regulators and support the continuing safety of buildings in scope, by ensuring that all those working on those buildings have the information that they need. There are a range of technical solutions on the market for BIM and it is important that there is a level of consistency in digital record keeping, ensuring that information is available in an accessible format for all key users, across all stages of the building's life cycle.

### **Today, we are announcing:**

- the creation of a **Joint Regulators Group** made up of our key regulatory partners that will help to pilot new approaches and, in due course, to assist with the transition to a new regulatory framework.

### **In the spring, informed by ongoing research and the input of the Joint Regulators Group, the Government will consult on:**

- the scope of the new regime and whether we should go further than the initial scope set out by the Review, to include other multi-occupied residential buildings where a significant fire or structural failure could put many people's lives at risk;
- proposals for creating dutyholder responsibilities that will set out in law who owns and needs to manage building safety risks at different stages of the lifecycle of the buildings in scope;
- proposals for a stronger and more effective enforcement and sanctions regime for buildings in scope;
- how the 'gateways' proposed in the Review could be implemented in practice for buildings in scope;

- what a safety case regime would look like to provide assurance that safety risks are being managed appropriately for buildings in scope during their lifecycle;
- making fire and rescue authorities statutory consultees in the planning process for multi-occupied residential buildings of 30 metres or more (10 storeys or more) in advance of the establishment of the new regulatory framework;
- proposals for managing the provision of building control within the new regulatory framework and the role of Approved Inspectors in supporting dutyholders for buildings in scope;
- options for a more effective regulatory framework to oversee the new regime, including the option of establishing a statutory Joint Competent Authority (as recommended by the Review) that would sit at the centre of a stronger regulatory framework for buildings in scope;
- proposals for a 'digital by default' standard of record keeping for the design and construction of buildings in scope and to ensure that this digital record is maintained throughout the occupation of buildings for buildings in scope;
- proposals for how dutyholders would collect, hold, analyse and make available the data that constitutes the 'golden thread'; and
- for all buildings, proposals to clarify and strengthen existing regimes to ensure that fire safety is adequately prioritised, and risks are addressed.

## **Clearer standards and guidance, and product safety**

**2.30** The Review identified issues associated with complex standards and guidance and recommended taking a holistic view of building work. The Government will ensure that guidance is as clear as possible and tailored to the needs of the people who need to use it.

### ***Action to date***

**2.31** We have published a clarified version of Approved Document B (the statutory Building Regulations fire safety guidance) for consultation and are considering responses. In line with the findings in the Review's Interim Report about the inappropriate use of assessments in lieu of tests (also known as desktop studies), we have consulted separately on changes to the guidance to tighten the rules on their use. Revised guidance will be published today which ensures transparency and applies much tighter and more restrictive conditions, requires that any assessments are properly evidenced on the basis of test data, and restricts who can undertake them.

**2.32** Where necessary, the Government has gone further than the recommendations in the Review. We launched a consultation on restricting combustible cladding in June 2018 and have laid regulations to give effect to a clear ban on the use of combustible materials on the external walls of new buildings over 18 metres containing flats, as well as new hospitals, residential care premises, dormitories in boarding schools and student accommodation over that height. This will also rule out the use of assessments in lieu of tests for cladding and other external wall materials covered by the ban.

**2.33** We have intervened in partnership with Trading Standards bodies where we have been

made aware of construction product failures. We instigated an investigation into fire doors and ensured that products that do not meet the required standards are removed from the market. In addition, we have investigated concerns over a particular type of non-ACM cladding and have taken similar action.

### ***Clarifying our guidance***

- 2.34** The Government has committed to carrying out a full technical review of Approved Document B. This will propose potential changes to a range of technical issues within the current Approved Document, going beyond the work to date to clarify the existing guidance. A call for evidence, the first step of a technical review, is being published alongside the implementation plan.
- 2.35** After a specific recommendation from the Review's Interim Report, MHCLG commissioned a group of experts to review the Department's current approach to issuing guidance. The Review's Interim Report raised concerns that the way guidance was being produced in individual documents— for example on Fire safety, Structure, Conservation of fuel and power, Sanitation, hot water and water efficiency – was discouraging designers and developers from making a holistic assessment of the impact changes might have to the overall safety of the building. The Group considered the usability of the Approved Documents and explored how the current information in Approved Documents could be transformed to better meet user needs and encourage a more holistic approach. The Group recommended developing a Building Regulations manual to explain the role of Approved Documents and their relationship with each other and how they support compliance. The findings of this group were included in the Review's Final Report.
- 2.36** The Government will also carry out a review of Approved Document L (Conservation of fuel and power), Approved Document F (Ventilation) and Approved Document M (Access to and use of buildings) in line with the spirit of the recommendations of the Review's Final Report; and will set out a workplan for dealing with other technical requirements (such as Part P Electrical safety) in the new year.

### ***New governance arrangements for building regulations guidance and standards***

- 2.37** The Government agrees that the new governance structure for oversight of building regulations and guidance should capture the four roles set out in the Review:
- validation and assurance of industry guidance;
  - reviewing the ongoing performance of the building environment sector;
  - engineering advice so that government can act intelligently in control of the built environment; and
  - a periodic review of the effectiveness of the overall building regulation system.
- 2.38** Whilst recognising the important work that the Building Regulations Advisory Committee (BRAC) continues to undertake, the roles outlined in the Review go beyond its current remit and organisation. Therefore, we will consult on how the current role and function of BRAC will be expanded and absorbed within a new structure. The new governance structure will need to have status and capacity to deliver independent, robust and timely advice to government in relation to the four roles set out above.



## **Construction Products**

- 2.39** We have agreed with the findings in the Review that the regulation of construction products needs to be strengthened at a national level, to ensure that products used perform in the way they are required and expected to. Such information is critical to ensure dutyholders can show regulators that they have properly understood and managed risks.
- 2.40** The Review found that there was not adequate oversight and testing for construction products. Information on the product's performance was limited. The Government recognises that there is a need for national regulatory oversight of construction products to ensure safety, and is clear that the construction products industry must take the lead in supporting manufacturers to improve production practices and standards over time. This should include working with manufacturers to share learning and good practice to improve effectiveness and consistency of product performance. Manufacturers must also ensure that the right information is provided to building owners to maintain the performance of products when installed within buildings. Industry-led third-party schemes can provide this support and provide independent assurance to building owners about product performance of essential fire protection products. We are working with the fire door industry, British Standards Institution (BSI), and the UK Accreditation Service to develop a framework for establishing minimum standards for third-party schemes – including manufacturing, installation, and inspection – that can be tailored to key products and accredited.
- 2.41** The Government is working with the Construction Products Association, UK notified bodies (test houses) and industry representative groups to improve transparency of the performance of products used as a system. The Government is encouraging continuous learning across the sector through the sharing of information, agreement of standards for consistent expert advice; and development of more accessible reports on products that can be understood easily by non-technical purchasers of those products. We will also work with UK notified bodies supported by other experts, including the Government's network of Chief Scientific Advisers, to review how testing regimes can be improved over time.

Today, we have launched:

- a call for evidence to inform a full technical review of the Building Regulations Fire Safety Guidance in Approved Document B (fire safety); and
- the Government's response to the consultation to further restrict assessments in lieu of tests, alongside amended guidance to bring these changes into force.

Over the next 12 months, informed by stakeholder engagement, the Government will:

- consult in the spring on options for a new governance structure, for oversight of building regulations and guidance;
- set out a work plan for reviews of Building Regulations Approved Document guidance in line with the spirit of the recommendations of the Review and the accompanying expert group report;
- establish a 'standards committee' to advise the Secretary of State on new and existing construction product and system standards;

- bring forward proposals to establish consistent legislative powers which cover construction products<sup>6</sup>;
- consider options for national regulatory oversight of construction products to ensure that construction products are manufactured to the standards they should perform at;
- work with industry to develop minimum standards for third-party certification schemes for fire protection products essential to building safety. These standards will be led by industry and will cover manufacturing, installation and inspection of products;
- encourage all buildings in scope to use third-party certified fire safety products essential to building safety; and
- ensure that UK notified bodies and suppliers of products produce more accessible summaries of performance.

## Putting residents at the heart of the building safety system

**2.42** The Review called for greater reassurance and recourse for residents on matters of building safety. Government will ensure that residents are at the heart of the new regulatory framework. By developing a culture of resident engagement, we will ensure that residents are empowered to play an effective role in making sure that their building is safe and remains safe – this includes being able to challenge unsafe practices where necessary. We will create a meaningful and lasting change across all tenures on the provision of information, communication and engagement with residents, and escalation and redress for building safety issues. The way these changes are implemented for different tenures may take different forms, reflecting the variation of ownership in the housing sector.

**2.43** The Government is already committed to improving the experience for leaseholders and private and social sector tenants; and empowering and improving the experience for residents in relation to building safety is an important part of this. The proposals set out in this plan are therefore linked to our much wider programme of work to improve people’s experience of living in their homes. The Government is taking action by, for example:

- improving the experience of social housing residents through the fundamental reforms proposed in the Social Housing Green Paper, ‘A new deal for social housing’;
- promoting fairness and transparency for leaseholders and freeholders and ensuring that consumers are protected from unjust charges and poor service;
- legislating to ban letting fees so that private tenants are not hit by unfair charges and establishing a new regulatory framework for residential property agents;
- empowering tenants to take action against landlords who fail to provide a proper standard of accommodation, including through supporting the Homes (Fitness for Human Habitation) Bill; and
- strengthening consumer redress across all housing tenures by filling the gaps in existing provision.

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<sup>6</sup> 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.

## **Action to date**

- 2.44** The Government has worked with stakeholders since the publication of the Review to develop options for improving information and engagement with residents on building safety, ensuring that residents can play their role in keeping their building safe, and that there are suitable options for escalation and redress for building safety issues.
- 2.45** We have established a Residents' Reference Panel with representation from private tenants, social tenants and leaseholders to ensure that the experiences, priorities and perspectives of residents living in high-rise buildings inform our thinking across the implementation of building safety reforms. The Panel met for the first time on 29 October 2018 and we welcome residents' continued ideas, comments and challenges from their first-hand experience of living in high-rise buildings.

### ***How will we ensure that residents are better informed and engaged in building safety issues about their homes?***

- 2.46** The Government is committed to ensuring that residents have more involvement in, and information about, the fire and structural safety of their homes. We have been working closely with residents to understand what information they would like to receive and the best way to share this with them in order to ensure they feel safe.
- 2.47** The Government will capitalise on the existing good practice within the social housing sector around effective engagement and sharing information. Initially we will take this forward with the social sector to lay the groundwork for legislation, and with a view to considering how effective approaches can be extended to all tenures in the future. As announced in the Social Housing Green Paper, the Government will:
- **establish the Social Sector (Building Safety) Engagement Best Practice Group** which will build on social sector expertise in engaging closely with residents to develop best practice in engagement and communication with residents 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. We will seek to share this knowledge across the housing sector. The first meeting of the Group is expected to be held in the new year and it will present its recommendations to Ministers six months later;
  - **develop a new programme to deliver support and 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 this support will be evaluated following its delivery and we will explore the scope for the provision of additional support, including extending it to include leaseholders and private sector tenants.
- 2.48** Residents play an important role in helping to keep their building safe, including identifying and reporting hazards that may impact on the safety of the building and meeting their obligations to ensure their own safety and that of their neighbours. Our expectation is that new information and engagement requirement will help residents to raise concerns and seek redress and will drive a step change in supporting residents to play their part in maintaining a safe building. We have heard how important this is for residents and want to ensure they can each play a part in ensuring safety. The responses we have received to the Social Housing Green Paper consultation are helping to further our understanding of residents' views about how the safety of their homes is managed and what is important to them. In addition, we want to understand the extent of any issues, and learn from the best housing organisations about how to manage it.

## ***How will we make escalation and redress for building safety issues more effective?***

**2.49** Effective escalation routes for building safety issues and being able to seek redress where things go wrong are a key part of giving residents the tools they need to feel safe. We will develop proposals for a clear and quick escalation route for residents to use if their landlord or building owner fails to resolve building safety concerns. The escalation route will be developed together with the proposals for a stronger regulatory framework for building safety.

**2.50** More widely, we are improving consumer redress in housing and will ensure that building safety concerns are dealt with appropriately, in a way that is aligned with the new redress landscape. Our consultation ‘Strengthening consumer redress in the housing market’ closed on 16 April 2018 and looked at a range of issues including three distinct aspects of strengthening redress:

- streamlining access to housing redress schemes to reduce confusion for consumers;
- considering powers and practices of the schemes themselves to improve the consistency of the offer for consumers; and
- filling gaps where consumers currently do not have good access to redress outside the courts – including for buyers of new build homes.

**2.51** The Government’s response to the consultation will be published.

### ***Ensuring residents are engaging in the new regulatory framework***

**2.52** The new Joint Regulators Group will seek input from residents, tenants and relevant experts to ensure that the development of a more effective regulatory and accountability framework has a strong resident and consumer perspective.

Today, we have:

- launched a call for evidence inviting views on how residents are supported to meet their responsibilities to keep their homes and buildings safe.

In the spring, informed by ongoing research and the input from the Residents’ Reference Panel, the Government will:

- consult on requirements for dutyholders to proactively provide residents with critical safety information about their building and more detailed information related to the structural and fire safety of residents’ homes, based on a presumption of openness, unless there are good reasons not to, for example security;
- consult on requirements for dutyholders to put in place a resident engagement strategy to support the principle of transparency of information for residents, as well as effective communication and involvement in decisions about their building; and
- consult on options for a clear and quick escalation route for residents’ building safety concerns, including the relationship with the new regulatory framework for building safety and the interactions with existing regulators and redress schemes.

## Driving culture change and a more responsible industry

- 2.53** The Review called on the construction sector and fire safety sector to demonstrate more effective leadership for ensuring building safety. Dame Judith pointed to long-standing and entrenched cultural issues, highlighted in reports dating back as far as the 1990s, such as Sir John Egan's 'Rethinking Construction', that create barriers to the development of a more modern, productive and safe construction sector. The Government is taking forward work in partnership with industry to improve the safety, productivity and efficiency of the construction sector through the [Construction Sector Deal](#).
- 2.54** The Government will look to industry to go further in leading a response to the specific and pressing issue of safety, responding to the challenges set out in the Review. As well as driving wider culture change and showing greater leadership on building safety, the Review identified the need to improve the competence of those working on multi-occupied residential buildings, and to establish better ways of providing assurance on this competence.
- 2.55** The new regulatory framework will ultimately drive some of this culture change, but we know that forward-thinking organisations are not waiting for that. They want to get on the front foot now - doing everything they can to make buildings safer as soon as possible. This section sets out the action industry is taking, and the steps that the Government will take in support, playing its part in creating an environment that allows the construction and the fire safety sectors to lead the way in:
- ensuring that building safety is prioritised in new and existing buildings;
  - championing the efforts of those who are doing the right thing; and
  - challenging those who have further to go.
- 2.56** The Government will also consider where legislation is needed to give effect to this ambition.

### ***Action to date***

- 2.57** We know that many construction firms, developers, housing associations and private owners are already changing their behaviour and practice in response to the challenges set by the Review. The Government is keen to understand their activities and share good practice. This will help to lay the groundwork for reform and legislative changes that will be introduced to establish a new regulatory framework. That is why we have established a construction industry Early Adopters Programme, with organisations working together to develop and showcase good practice, raise standards within the construction sector and help shape policy interventions. The Secretary of State announced in July that Kier, L&Q, Salix Homes and Willmott Dixon had agreed to be the first of the Early Adopters. The group has since expanded to include Barratt Developments PLC, Peabody, United Living Group and Wates Group, together creating a strong group of industry leaders committed to doing the right thing and driving building safety.
- 2.58** Like other forward-thinking organisations, the Early Adopters have already begun to take measures within their own organisations to strengthen their approach to building safety. This includes:
- new document management systems for buildings within their portfolios to ensure that key information about materials and components used is easily available;
  - trialling various technologies to better manage their supply chain and to establish a digital record of a building's make-up, the age of the components, and changes that have occurred throughout its life; and
  - training staff and sub-contractors to ensure that all site workers are aware of their

employer's safety demands and understand how best to adhere to these standards.

**2.59** Early Adopters are not the only organisations taking such steps. Government welcomes the early commitment shown by industry to take building safety seriously and expects industry to work together to show leadership in sharing good practice and learning from each other.

As well as testing and trialing new approaches to building safety, Early Adopters working with the Government will:

- sign a new Building Safety Charter, demonstrating their commitment to spearhead culture change and put building safety first. Early Adopters will be the first signatories of the Charter, which will be extended to others within the industry to encourage wider culture change;
- trial and adopt a range of policy options to implement the recommendations of the Review in advance of legislation, including through working with the Joint Regulators Group. These include testing the 'gateway points' and the dutyholder role, options around supply chain management and the 'golden thread' of information - including the use of Building Information Management tools. They will also support work to understand the digital skills required across the sector and develop ways to close this skills gap; and
- establish standards, guidance, and training for commercial professionals involved in building projects to raise awareness and protect incentives that drive improved safety within the procurement and contract management of large residential projects.

**2.60** The construction and fire safety industries responded quickly to the Review's recommendations on competence. In June, industry came together to establish a Competence Steering Group and sub-working groups covering professions and trades to develop proposals for an overarching body to assure the competence of those working on buildings in scope, and a common competence framework. Good progress has been made by sub-working groups, particularly on the proposals for improving competence for engineers and the role of Building Safety Manager, which take account of the more rigorous standards that will be expected of them. The Government expects that the proposals will show how the overarching body will:

- balance the right expertise to assure competence with reasonable independence from industry;
- foster an understanding of the building as a system and be effective across the life cycle of a building;
- drive culture change; and
- operate in concert with the new regulatory framework to assure the regulator, dutyholder, residents and Government that the necessary level of competence has been reached by those working on high rise residential buildings.

**2.61** The Government has agreed to the formation of an independent Fire Standards Board to create and maintain professional standards, to provide independent oversight for quality assurance, and to ensure that we learn from best practice in other sectors. This was approved by the Minister for Policing and the Fire Service in May 2018 and will be supported by the NFCC Central Programme Office. The chair and vice-chair have been appointed and work to produce the first standards will begin shortly thereafter.

## ***Providing support and challenge to industry***

- 2.62** Following the publication of the Review an Industry Safety Steering Group (ISSG), chaired by Dame Judith Hackitt, has been established to provide support and constructive challenge to industry, and to determine actions for tackling blockages and accelerating culture change in the construction industry. The Group will be responsible for highlighting progress and action that industry is taking and holding industry to account for progress made in implementing the changes Dame Judith identified.
- 2.63** Drawing on the expertise of its members, the Group will use their knowledge and experience of: the aviation industry which has an embedded culture of self-reporting; the financial sector which has undergone fundamental changes since the financial crisis to raise standards across the industry; and the oil and gas industry where improvements to safety and managing major incidents since the Buncefield disaster to challenge and push the sector to drive forward culture change.
- 2.64** The Government is clear that all those engaged at every stage of the life cycle of a building should have proven competence. We want the construction and fire safety sectors to take responsibility for collaborating and taking a holistic approach to building safety rather than just focusing on their own disciplines.
- 2.65** If industry's proposals do not go far enough to provide the necessary assurance, or there is no collective agreement, the Government will consider alternative proposals, including through mandation, as recommended by Dame Judith.

Over the next 6 months, the Government will:

- review industry's proposals and take a view on whether they deliver a coherent approach to assessing competence across all disciplines and provide assurance that those working on multi-occupied high-rise residential buildings have sufficient competence, in line with Dame Judith's vision; and
- consider whether legislation is necessary to underpin a new system to assure competence.

## Chapter 3: Next steps

### A proactive approach to building safety

- 3.1** The Government has taken considerable action since last June to ensure that residents are safe and feel safe. The Government has stepped in to identify buildings with unsafe ACM cladding and ensure that they are being remediated; it has identified and provided advice for building owners to act on a range of other safety risks; and has ensured the removal of sub-standard products from the market. However, there is a lot more to do to ensure that there is an appropriate regulatory framework that ensures ongoing building safety in the future. This implementation plan sets out the work the Government will do to create this framework. It is clear that Government cannot do this alone and this plan sets out the contribution that we expect from others in reforming this system. Success will be dependent on a construction industry that takes greater responsibility for ensuring building safety, and on residents who are truly empowered to keep their own homes, their neighbours and their communities safe.
- 3.2** As we implement the reforms set out here to ensure resident safety, we will also be mindful of the interim and final recommendations of the Grenfell Tower Inquiry. We will keep our programme of work under constant review to ensure that we take on board all the lessons from the Grenfell Tower fire as they emerge and consider new evidence or changes to achieve fundamental reform. There will be significant consultation and engagement in the New Year and we encourage everyone to continue working with us to put residents' safety at the heart of the new system.

### Next Steps: Today

- 3.3** Alongside this implementation plan, we are announcing a number of important measures to move forward towards our aim of everyone living in high-rise residential buildings both being safe and feeling safe in their homes. These measures include establishing a Joint Regulators Group, bringing together for the first time a broad range of key regulatory partners to help pilot new approaches and, in due course, to assist with the transition to a new regulatory framework.
- 3.4** We are also launching calls for evidence to both inform a full technical review of the building regulations fire safety guidance, known as Approved Document B (fire safety), and to invite views on how residents are supported to meet their responsibilities to keep their homes and buildings safe.
- 3.5** Finally, we are publishing the Government's response to consultation proposals to further restrict assessments in lieu of tests, alongside amended guidance.

### Next Steps: Short to Medium Term

- 3.6** We will shortly be publishing the Government's response to the consultation on 'Strengthening consumer redress in the housing market'. Then, over the next few months, we will be launching a broad consultation on the new regulatory framework, covering such areas as the scope of the new regulatory approach, options for establishing a more effective regulatory framework and the role of Approved inspectors in the new framework.
- 3.7** The consultation will also seek detailed views on the way the proposed dutyholder approach will work, including establishing 'gateway' points at crucial stages of a building's life; how dutyholders will collect, hold, analyse and make available data that constitutes the 'golden thread'; and what a safety case regime would look like to provide assurance that safety risks are being managed. We will also consult on how dutyholders should develop strategies to engage residents and provide them with critical safety information as they move in to and live



in the building, as well as how a 'digital by default' record system will ensure that information remains available in a proportionate and cost-effective way.

- 3.8** In order to underpin the new regulatory framework, we will consult on a range of measures, including proposals for a stronger and more effective enforcement and sanctions regime; making fire and rescue authorities statutory consultees in the planning process for multi-occupied buildings of 30 metres or more; options for a clear and quick escalation route for residents' building safety concerns; and changes to clarify and strengthen existing regimes to ensure that fire safety and risks are adequately prioritised in all buildings. We will also consult on options for the new governance structure for oversight of building regulations and guidance. We will continue to work with our Early Adopters in industry as they sign a new Building Safety Charter, demonstrating their commitment to put culture change and building safety first.
- 3.9** We will drive further improvements to standards by, for example, reviewing and responding to the industry working group's proposals to improve competence across the sector, including setting out whether we should legislate to underpin these proposals. We will also start our programme of reviewing the Approved Documents, as well as establishing a 'standards committee' to advise the Government on new and existing construction standards. We will continue to work with industry to establish minimum standards for third-party certification of key fire safety products, including their installation and inspection.
- 3.10** In order to underpin the work of local and national government, building safety regulators and the construction industry, we will develop proposals to set out consistent legislative powers in a number of areas, including the manufacture and regulatory oversight of construction products. We will also encourage the owners of all buildings in scope to use third-party certified fire safety products essential to building safety.
- 3.11** This far-reaching programme of work, across all those bodies responsible for delivering safe housing, will ensure that we deliver on our overriding aim of ensuring that residents of high-rise buildings are safe and feel safe in their homes, now and in the future.

## Annex A – Independent Review of Building Regulations: Interim and Final Report recommendations and the Government position

Interim Report	
Recommendation	Response
The Government should consider how the suite of Approved Documents could be structured and ordered to provide a more streamlined, holistic view while retaining the right level of relevant technical detail, with input from the Building Regulations Advisory Committee. Given that reframing the suite of guidance may take some time, in the meantime I would ask the government to consider any presentational changes that will improve the clarity of Approved Document B as an interim measure. (Paragraph 1.63)	The Government launched a consultation on clarified Building Regulations fire safety guidance (Approved Document B) in July 2018 and is launching a full technical review of that guidance to ensure that it is up-to-date and that the requirements that it sets fully reflect our learning from the Grenfell Tower fire.

There is a need to be certain that those working on the design, construction, inspection and maintenance of complex and high-risk buildings are suitably qualified. The professional and accreditation bodies have an opportunity to demonstrate that they are capable of establishing a robust, comprehensive and coherent system covering all disciplines for work on such buildings. If they are able to come together and develop a joined-up system covering all levels of qualification in relevant disciplines, this will provide the framework for regulation to mandate the use of suitable, qualified professionals who can demonstrate that their skills are up to date. This should cover as a minimum:

- engineers;
- those installing and maintaining fire safety systems and other safety-critical systems;
- fire engineers;
- fire risk assessors;
- fire safety enforcing officers; and
- building control inspectors.

I would ask these bodies to work together now to propose such a system as soon as practicable. I will launch this work at a summit in early 2018. (Paragraph 1.73)

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 (HRRBs). Government expects final proposals from the Group by April 2019. We will review industry's proposals and consider whether legislation is necessary to underpin a new system to ensure compliance.

<p>Consultation with the fire and rescue services is required on plans for buildings that are covered by the Fire Safety Order, but does not work as intended. Consultation by building control bodies and by those commissioning or designing buildings should take place early in the process and fire and rescue service advice should be fully taken into account. The aim should be to secure their input and support at the earliest stage possible so that fire safety can be fully designed in. (Paragraph 1.76)</p>	<p>The Government issued a circular letter in February 2018 to ask that fire and rescue services were consulted at, or before, full plans.</p> <p>Following the Review's Final Report, the Government will consult in spring 2019 on making fire and rescue authorities statutory consultees in the planning process for multi-occupied residential buildings of height 30 metres plus (10 storeys or more).</p>
<p>Building developers need to ensure that there is a formal review and handover process ahead of occupation of any part of a new high-rise residential building. While there are legitimate reasons to allow occupation in a phased way, the practice of allowing occupancy of buildings without proper review and handover presents barriers to the implementation of any remedial measures identified as part of the completion process. (Paragraph 1.79)</p>	<p>The Government will, in spring 2019, be consulting on how the 'gateways' proposed by the Review could be implemented in practice.</p>
<p>There is a need for building control bodies to do more to assure that fire safety information for a building is provided by the person completing the building work to the responsible person for the building in occupation. Given the importance of such information for ongoing maintenance and fire risk assessment, proof should be sought that it has been transferred. (Paragraph 1.80)</p>	<p>The Government issued a circular letter in February 2018 asking that fire safety information required by Regulation 38 of the Building Regulations is transferred prior to the issue of a final certificate.</p> <p>The Government will consult in spring 2019, on a detailed proposal for creating dutyholder responsibilities that will set in law who owns building safety risks at different stages of the building life cycle.</p>
<p>It is currently the case under the Fire Safety Order that fire risk assessments for high-rise residential buildings must be carried out 'regularly'. It is recommended that the responsible person ensures these are undertaken at least annually and when any significant alterations are made to the building. These risk assessments should be shared in an accessible way with the residents who live within that building and notified to the fire and rescue service. (Paragraph 1.84)</p>	<p>The Government will consult in spring 2019, on detailed proposals on the future role of Fire Risk Assessments and for creating dutyholder responsibilities which will set in law who owns building safety risks at different stages of the building life cycle.</p>

<p>The Government should significantly restrict the use of desktop studies to approve changes to cladding and other systems to ensure that they are only used where appropriate and with sufficient, relevant test evidence. Those undertaking desktop studies must be able to demonstrate suitable competence. The industry should ensure that their use of desktop studies is responsible and in line with this aim. (Paragraph 1.94)</p>	<p>The Government is publishing the outcome of our consultation on the use of assessments in lieu of tests and is implementing proposals to further restrict their use.</p>
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Final report	
Chapter 1: Parameters and principles of a new regulatory framework	
Recommendation	Response
<p><b>1.1:</b> The new regulatory framework should apply to residential properties which are 10 or more storeys high in the first instance. New higher-risk residential buildings (HRRBs) should be identified by the Local Planning Authority and notified to the regulator. Existing buildings in scope should be identified through other means, learning from the MHCLG Building Safety Programme experience.</p>	<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><b>1.2:</b> 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. 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>
<p><b>1.3:</b> The regulatory framework should treat the building as a single entity (a system encompassing sub-systems) and 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>
<p><b>1.4:</b></p> <p><b>a.</b> 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 dutyholders 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><b>b.</b> It would be appropriate for the JCA to be a prescribed person under PIDA.</p> <p><b>c.</b> 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>	<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>

## Chapter 2: Design, construction and refurbishment

**2.1:** 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 minimum, those identified in Table 1 – Key roles under the CDM Regulations. The definition of these roles should reflect those in the CDM Regulations to avoid unnecessary confusion.

**2.2:** Government should allocate broad responsibilities to Clients, Principal Designers and Principal Contractors responsible for HRRBs as set out in Table 2 – Key responsibilities of dutyholders

**2.3:** 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. The four information products (the digital record, the Fire and Emergency File, Full Plans and Construction Control Plan) represent a minimum requirement.

**2.4:** 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.

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.

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.

The Government will consult in spring 2019, on the scope of the new regime.

<p><b>2.5:</b> The 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). This is the first Gateway Point.</p>	<p>The Government will, consult in spring 2019 on how the 'gateways' proposed by the Review could be implemented in practice.</p>
<p><b>2.6:</b> Government should ensure that there is thorough assessment by the JCA of detailed design plans for HRRBs and sufficient assurance that dutyholders are in place and relevant responsibilities are being met in order to give permission for building work to legally commence. This should be in line with paragraphs 2.29-2.32. This 'Full Plans Approval' is the second Gateway Point.</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 storeys or more).</p>
<p><b>2.7:</b> Government should ensure that:</p> <ul style="list-style-type: none"> <li><b>a.</b> the JCA undertakes a thorough test of the dutyholders' 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. This should be as set out in paragraphs 2.33-2.35; and</li> <li><b>b.</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.</li> </ul> <p>This 'Completion Certificate' process is the third Gateway Point.</p>	
<p><b>2.8:</b> 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><b>2.9:</b></p> <p><b>a.</b> there should be a clearer, statutory change control process that places requirements on the relevant dutyholder to notify the regulators of significant changes post-Full Plans sign-off. Within that context, two types of changes should be defined – ‘major’ and ‘minor’. ‘Major’ changes would be a limited list of significant changes for example (a) changes in use, changes in number of storeys, changes in number of units or (b) changes which could impact on previously signed off building safety plans. Major changes would require an update from the dutyholder to the JCA (for reconsideration) before such work is commenced. ‘Minor’ changes (i.e. all other changes) would need to be recorded and identifiable at the completion of the work for dutyholders to demonstrate that Building Regulations are still satisfied.</p> <p><b>b.</b> Government should consider also applying this change control process to other multi occupancy residential buildings and to institutional residential buildings.</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><b>2.10:</b> 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 in line with paragraph 2.38-2.39</p>	<p>The Government will consult in spring 2019 on how change control should be managed under the new regime.</p>

**2.11:**

- 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 dutyholder where such action is warranted.
- 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 with oversight solely provided through Local Authority Building Control.
- 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)
- 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).
- 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.
- 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.
- g.** Local Authority Building Control should be re-named the Local Authority Building Standards given their new role.

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.

**2.12:**

**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 (as per paragraph 2.46).

**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.

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><b>2.13:</b> 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> <ul style="list-style-type: none"><li><b>a.</b> the JCA/Local Authority Building Standards should have additional powers to issue formal Improvement and Prohibition (or 'Stop') Notices to dutyholders 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;</li><li><b>b.</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;</li><li><b>c.</b> time limits for bringing prosecutions against dutyholders should be increased to five or six years for 'major' deficiencies in building requirements identified at a later date;</li><li><b>d.</b> the JCA cost recovery model should be weighed appropriately to create a fund for enforcement action to be taken where needed; and</li><li><b>e.</b> 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.</li></ul>	<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><b>2.14:</b> 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 as set out in paragraphs 2.58-2.59.</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

### 3.1:

- a.** Government should specify that responsibility for the safety of all parts of a HRRB must be held by a clear, senior dutyholder 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 dutyholder (whether that is an entity or a named person).
- c.** The dutyholder 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.

### 3.2: Government should allocate clear responsibilities to dutyholders of HRRBs to:

- 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 (see paragraph 3.34);
- 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 dutyholder when a building changes hands.

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><b>3.3:</b> The dutyholder 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>
<p><b>3.4:</b></p> <p><b>a.</b> The dutyholder 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>b.</b> The dutyholder 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><b>c.</b> 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>

<p><b>3.5:</b></p> <p><b>a.</b> For HRRBs, residents should have clearer obligations in relation to maintaining safety of flats and should cooperate with the dutyholder (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>b.</b> The dutyholder should educate, influence and inspect to ensure residents meet these obligations and the JCA should be able to intervene where there are any immediate risks to persons.</p> <p><b>c.</b> The Government should consider applying this good practice on rights and responsibilities 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>
<p><b>3.6:</b> The JCA should be empowered to regulate across all parts of a HRRB, be clearly identifiable to dutyholders and residents, and should have the following roles in the occupation and maintenance phase:</p> <p><b>a.</b> hold a register of dutyholders;</p> <p><b>b.</b> ensure that dutyholders meet their responsibilities through effective inspection, assessment and enforcement; and</p> <p><b>c.</b> 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>
<p><b>3.7:</b></p> <p><b>a.</b> For HRRBs, Environmental Health Officers should raise any fire and structural safety concerns to the JCA.</p> <p><b>b.</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>

<p><b>3.8:</b></p> <p>For HRRBs there should be robust sanctions and strong incentives in place to drive compliance by dutyholders 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>
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Chapter 4: Residents' Voice	
<p><b>4.1:</b></p> <p><b>a.</b> The dutyholder 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><b>b.</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>
<p><b>4.2:</b></p> <p><b>a.</b> Residents of HRRBs should have the right to access fire risk assessments, safety case documentation and information on maintenance and asset management that relates to the safety of their homes.</p> <p><b>b.</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>



<p><b>4.3:</b></p> <p><b>a.</b> The dutyholder 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 dutyholder 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>b.</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>
<p><b>4.4:</b></p> <p><b>a.</b> 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><b>b.</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>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 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>

<p><b>4.5:</b></p> <p><b>a.</b> 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>b.</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>
<p><b>4.6:</b></p> <p><b>a.</b> The dutyholder 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>b.</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

<p><b>5.1:</b> The construction sector and fire safety sector should:</p> <p><b>a.</b> demonstrate more effective leadership in relation to developing a responsible approach to delivering building safety and integrity;</p> <p><b>b.</b> work with other sectors to learn and translate good practice and implement it within the sector; and</p> <p><b>c.</b> develop continuous improvement approaches to competence levels.</p>	<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>
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## 5.2:

**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: 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; 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.

**b.** Progress should be monitored by government, with the professional and accreditation bodies providing government with quarterly progress reports.

**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.

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><b>5.3:</b> Relevant parties, along with the relevant professional bodies, should:</p> <ul style="list-style-type: none"> <li><b>a.</b> 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 dutyholders.</li> <li><b>b.</b> This framework should apply to all Building Standards Inspectors whether they are LABS Inspectors and part of the JCA or Approved Inspectors offering their services to Building Standards or to dutyholders.</li> <li><b>c.</b> Consider whether these competence requirements for Building Standards Inspectors working on HRRBs, and Approved Inspectors, should also be extended to cover those working on other multi-occupancy residential buildings and institutional residential buildings.</li> </ul>	<p>The Government accepts this recommendation and an Industry Working Group is developing this work further. Government will review industry’s proposals, respond to them and consider whether legislation is necessary to underpin a new system to assure competence.</p>
<p><b>5.4:</b> Relevant parties should work together, along with the relevant professional bodies, to develop and define a robust, comprehensive and coherent system for:</p> <ul style="list-style-type: none"> <li><b>a.</b> the competence requirements for the role of building safety manager of HRRBs; and</li> <li><b>b.</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.</li> </ul>	<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

<p><b>6.1:</b></p> <p><b>a.</b> 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>b.</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>	<p>The Government accepts this recommendation in principle and will consult on further detail in spring 2019.</p>
<p><b>6.2:</b></p> <p><b>a.</b> 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>b.</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>	<p>The Government accepts this recommendation in principle and will consult on further detail in spring 2019.</p>
<p><b>6.3:</b> The Government should take forward the recommendations made by the Expert Group included at Appendix F. To summarise these are:</p> <p><b>a.</b> clear user-friendly language and formatting of the guidance (including Approved Document B);</p> <p><b>b.</b> multiple points of entry for different users to the document set, to provide clear advice for different types of building work;</p> <p><b>c.</b> facilitating the prioritisation of fire and structural safety while encouraging a holistic approach that considers all building safety objectives; and</p> <p><b>d.</b> a building regulation manual to explain the role of the Approved Documents.</p>	<p>The Government accepts this recommendation in principle and will consult on further detail in spring 2019.</p>

## Chapter 7: Products

### 7.1:

- 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.
- 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.
- 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.

The Government accepts this recommendation and will work with industry to improve the testing regime.

<p><b>7.2:</b></p> <p><b>a.</b> Manufacturers must retest 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> <p><b>b.</b> The testing of products that are critical to the safety of HRRBs should be subject to independent third-party certification.</p> <p><b>c.</b> The introduction of the JCA should drive the introduction of reactive testing when particular issues of concern arise regarding products installed that are critical to the safety of HRRBs.</p> <p><b>d.</b> Additional test houses should be established and certified.</p> <p><b>e.</b> All test houses should produce an annual report providing summary details of tests carried out and the number of passes and failures reported.</p>	<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>
<p><b>7.3:</b> 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>
<p><b>7.4:</b> 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>

<p><b>7.5:</b></p> <p><b>a.</b> 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>b.</b> The dutyholder 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>
<p><b>7.6:</b></p> <p><b>a.</b> 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>b.</b> Government should consider whether this could be achieved by extending the remit of the Office for Product Safety and Standards.</p> <p><b>c.</b> 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.</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 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>



## Chapter 8: Golden thread of building information

<p><b>8.1:</b></p> <p><b>a.</b> 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.</p> <p><b>b.</b> Digital records are to be in a format which is appropriately open and non-proprietary with proportionate security controls.</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>
<p><b>8.2:</b> 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>
<p><b>8.3:</b></p> <p><b>a.</b> 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.</p> <p><b>b.</b> Dutyholders must identify and record where gaps in the above information exist and the strategy for updating that relevant information.</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>
<p><b>8.4:</b></p> <p><b>a.</b> Dutyholders must hold, transfer and update information throughout the life cycle of the HRRB.</p> <p><b>b.</b> Information from this record is to be provided to the JCA in the event that this may be required.</p>	<p>The Government accepts this recommendation and will consult on further detail in spring 2019.</p>

## Chapter 9: Procurement and Supply

### 9.1:

- a.** 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.
- b.** The Government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.

### 9.2:

- 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.
- b.** The Government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.

**9.3:** 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.

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.

## Chapter 10: International Examples

**10.1:** The Government should re-join the Inter jurisdictional Regulatory Collaboration Committee (IRCC).

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.

## Annex B: Building Safety Programme: The story to date

14 <sup>th</sup> June 2017	<p>A fire broke out at Grenfell Tower in the evening of 14<sup>th</sup> June 2017. The fire breached compartmentation of the block and represents the greatest loss of life in a residential fire in a century.</p> <p>The Government needed to establish whether there was an imminent risk to other buildings. Early analysis suggested that the Aluminium Composite Material (ACM) cladding system on the side of the building was a possible contributory factor.</p> <p>A process was set up to enable local authorities, housing associations and private landlords to test the cladding on their buildings free of charge at the BRE.</p>
18 <sup>th</sup> June – 30 June 2017	<p>The <a href="#">Permanent Secretary (Melanie Dawes) wrote to Local Authorities and Housing Associations</a> asking them to submit samples of ACM on their buildings for testing.</p> <p>The Department issued advice on the safety measures that building owners should put in place where it was confirmed that a building had ACM cladding and was unlikely to comply with building regulations and guidance. This reflected the emerging findings of the Metropolitan Police investigation into the Grenfell Tower Fire.</p> <p>The Government extended its approach to identification, testing and mitigation to public sector buildings in the education and health sectors. The approaches were shared with Scottish, Welsh and Northern Ireland administrations.</p> <p>The Department issued an explanatory note which detailed the checking and testing programme for ACM cladding that had been set up and the wider steps being taken to ensure safety in all relevant buildings, in the light of the early test results.</p>
27 <sup>th</sup> June 2017	<p>An <a href="#">Independent Expert Advisory Panel</a> (The Expert Panel) chaired by Sir Ken Knight was established to issue advice to building owners and others about how to ensure their buildings were safe.</p> <p>With the Expert Panel, MHCLG has published advice notes on interim safety measures, ACM and non-ACM cladding, and EWI systems and other safety issues. Another one about remediating buildings with partial cladding is in the pipeline.</p>
29 <sup>th</sup> June – 6 <sup>th</sup> July 2017	<p>The Expert Panel concluded the initial ACM screening tests and interim measures guidance were the right first steps.</p> <p>The Expert Panel met and discussed a number of areas including the Building Regulations guidance and the cladding tests which would be undertaken.</p> <p>The Expert Panel had advised further testing as the next step to be conducted in helping landlords to ensure the safety of their buildings.</p>
10 <sup>th</sup> July 2017	<p>An Industry Response Group (IRG) was set up to coordinate the way industry addressed the challenges presented by the need to remediate buildings and advise on immediate next steps. This complemented the work of the Expert Panel.</p>

13 <sup>th</sup> July 2017	The Expert Panel concluded that the six proposed tests would contribute to an appropriate evidence base to help building owners take informed decisions on building safety.
14 <sup>th</sup> July 2017	<a href="#">MHCLG wrote to all building control bodies</a> asking them to ensure all re-cladding work meets building regulations requirements.
20 <sup>th</sup> July 2017	Government published an <a href="#">explanatory note on the large scale cladding system testing</a> it was undertaking to better understand how different types of ACM panels behaved with different types of insulation in a fire.
28 <sup>th</sup> July 2017	The Home Secretary (Amber Rudd) and Secretary of State (Sajid Javid) jointly commissioned an Independent Review of Building Regulations and Fire Safety (the Review) to be led by Dame Judith Hackitt
11 <sup>th</sup> August 2017	<a href="#">MHCLG wrote to all local authorities</a> and asked them to identify private sector residential buildings over 18 metres with ACM cladding in their area.  MHCLG also asked local authorities to take steps to ensure that appropriate building safety checking and remedial action is being carried out on these buildings and to collate information on this so that we can be reassured that all residents are safe.
25 <sup>th</sup> August 2017	Government provided financial support for data collection and reporting (£289,000) and support to assist the most affected local authorities in identifying these buildings (£1 million).  A <a href="#">set of full-scale BS8414 tests were completed</a> (these were on several combinations of cladding).
30 <sup>th</sup> August 2017	The terms of reference for the Review were published. Its purpose was to make recommendations that will ensure we have a sufficiently robust regulatory framework for the future and to provide further assurance to residents that the complete system is working to ensure the buildings they live in are safe and remain so.
5 <sup>th</sup> September 2017	The Expert Panel's remit was extended to consider all building safety matters.  MHCLG published a <a href="#">consolidated note</a> from the Expert Panel covering all the Government-commissioned ACM testing to date.
12 <sup>th</sup> September 2017	Dame Judith Hackitt launched a <a href="#">call for evidence</a> (closing on 13 <sup>th</sup> October 2017) to inform her Review.  This was supplemented by a series of stakeholder roundtables, including residents and industry.
10 <sup>th</sup> and 11 <sup>th</sup> December 2017	The first formal procedural hearings of the Grenfell Tower Inquiry took place.
11 <sup>th</sup> December 2017	It was brought to MHCLG's attention that some render or brick-slip finish buildings may be subject to deterioration. <a href="#">Advice was issued</a> .  Government also published an <a href="#">information note</a> on remediation, often referred to as the 'step-by-step guide to remediation'.  The Department issued advice for building owners on external wall systems that did not incorporate Aluminium Composite Material.

18 <sup>th</sup> December 2017	<p>Dame Judith Hackitt published her <a href="#">Interim Report</a>, in which she diagnosed issues with the current building safety system and identified that the current system was ‘not fit for purpose’.</p> <p><a href="#">Government accepted all of Dame Judith Hackitt’s immediate recommendations in the Review’s Interim Report.</a></p>
22 <sup>nd</sup> January 2018	<p>Dame Judith Hackitt launched the next phase of her Review with an industry summit attended by Amber Rudd and Sajid Javid.</p>
28 <sup>th</sup> February 2018	<p>The Expert Panel submitted an <a href="#">update to their consolidated note</a>, which included confirmation that all social housing blocks over 18m with ACM had been identified.</p>
15 <sup>th</sup> March 2018	<p>Government announced publically that <a href="#">an issue with a fire door at Grenfell Tower had been identified</a> and that further testing was underway.</p>
11 <sup>th</sup> April 2018	<p>Following concerns expressed in the Review’s Interim Report about the inappropriate use of “desktop studies”, a <a href="#">consultation</a> on changing the guidance in Approved Document B on assessments in lieu of tests was launched. (The consultation closed on 25<sup>th</sup> May 2018)</p>
16 <sup>th</sup> May 2018	<p>Government announced it would <a href="#">fully fund the removal and replacement of unsafe cladding in social housing</a>. The estimated cost was £400m.</p>
17 <sup>th</sup> May 2018	<p>An <a href="#">advice note was issued for building owners</a> on assurance and replacing of flat entrance fire doors.</p> <p>The <a href="#">Final Report</a> of the Independent Review of Building Regulations and Fire Safety was published. The report made 53 recommendations and called for major reform of the regulatory framework and for culture change across the construction and fire safety industries.</p> <p>Government agreed with the Review’s diagnosis and the principles behind her recommendations. Government also committed to bring forward legislation to put greater responsibility and accountability at the heart of the system.</p>
18 <sup>th</sup> June 2018	<p>The Secretary of State issued a <a href="#">statutory direction</a> instructing local housing authorities to pay particular regard to cladding related issues when reviewing housing in their areas, giving clarity and confidence to local housing authorities in carrying out their duty.</p>
18 <sup>th</sup> June 2018	<p>A <a href="#">consultation</a> on banning the use of combustible materials in cladding was launched (it closed on 14<sup>th</sup> August).</p>
28 <sup>th</sup> June 2018	<p>A <a href="#">package of measures</a> (including a task force, inspection team, follow-up roundtable and letters to building owners) was announced to help speed up private sector remediation.</p> <p>The new ministerially-chaired taskforce would actively oversee the remediation of private sector buildings with unsafe ACM cladding system. The first meetings of the taskforce were held in July and August.</p> <p>The new Joint Inspection Team, backed by £1million of government funding, would be set up to support local authorities in ensuring buildings are remediated and in undertaking enforcement action where required.</p>

19 <sup>th</sup> July 2018	A <a href="#">consultation</a> on the clarification of Approved Document B was published. (it closed on 11 <sup>th</sup> October 2018.)
31 <sup>st</sup> July 2018	<a href="#">Fire doors from five manufacturers failed to meet the required standard when tested</a> . The Secretary of State instructed major suppliers to meet and agree an action plan.
1 <sup>st</sup> August 2018	MHCLG <a href="#">wrote to building control bodies</a> highlighting the need to ensure building regulations are complied with in relation to fire doors.
28 <sup>th</sup> August 2018	Government issued <a href="#">advice on how composite front doors should be tested and classified</a> .
6 <sup>th</sup> September 2018	First meeting of the Industry Early Adopters took place.
10 <sup>th</sup> September 2018	Government wrote to building control bodies issuing <a href="#">advice on what evidence should be accepted</a> as meeting B4 of the Building Regulations covering external fire spread.
1 <sup>st</sup> October 2018	At The Conservative Party Conference, the Secretary of State (James Brokenshire) announced that <a href="#">government would ban the use of combustible materials</a> on the external walls of high-rise residential buildings, as well as new hospitals, residential care premises, dormitories in boarding schools and student accommodation over 18 metres.
1 <sup>st</sup> October 2018	The first meeting of the Industry Safety Steering Group took place chaired by Dame Judith Hackitt.
29 <sup>th</sup> November 2018	Regulations laid giving effect to the ban on combustible materials in cladding.

- Public facing information on the Building Safety Programme can be found here: <https://www.gov.uk/guidance/building-safety-programme>.
- Monthly data releases can be found here: <https://www.gov.uk/guidance/building-safety-programme#data-on-the-building-safety-programme>
- In addition to the above, MHCLG has run a series of best practice remediation work shops with LAs and HAs and intend to continue these.



