

BUILDING SAFETY

Are you fit for today and
fit for tomorrow?

Does the social housing sector need
to 'mind the gap'?



WHAT WE DO

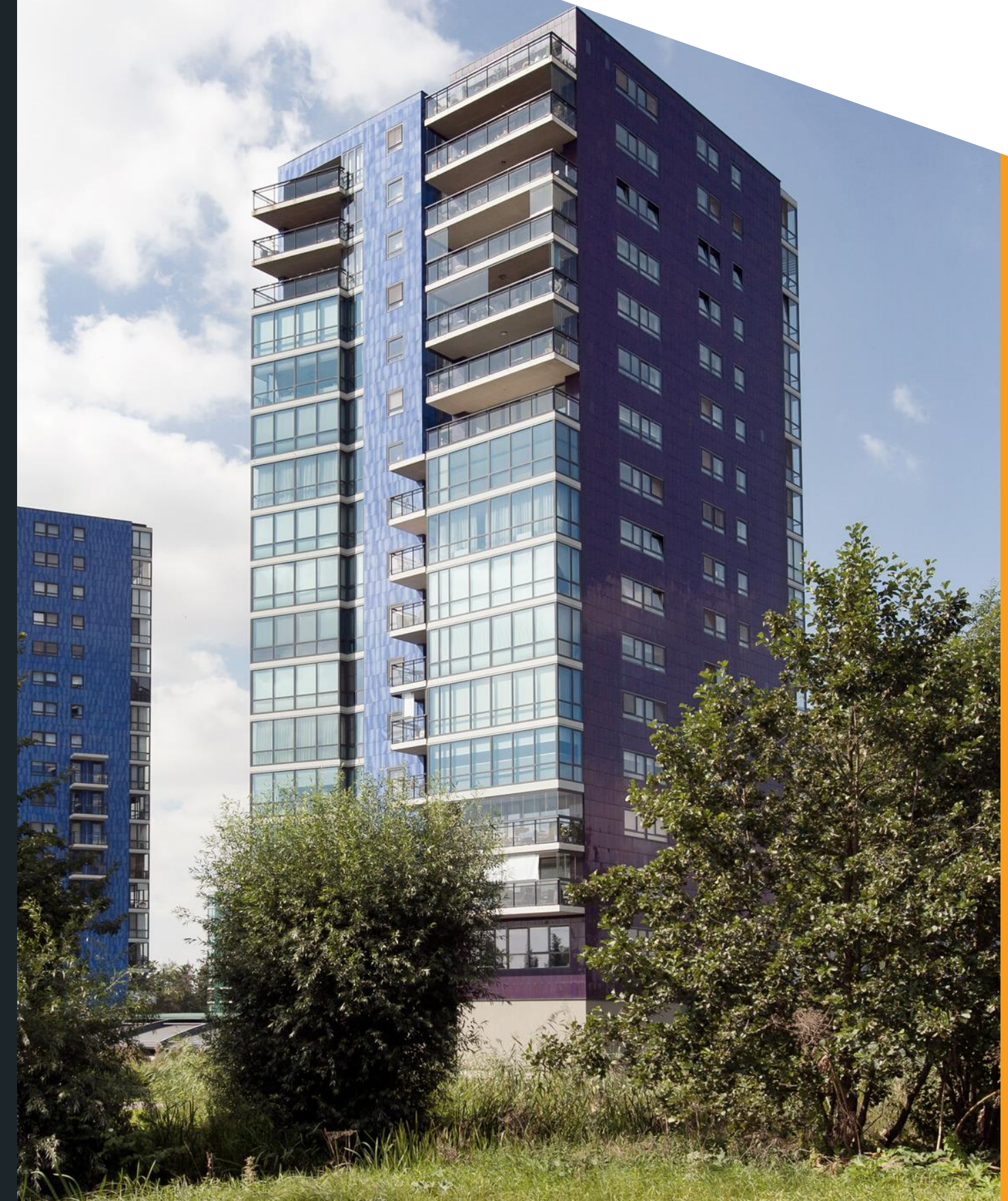
- Compliance/building safety experts – consultancy and technical delivery.
- 125+ - health checks on the ‘big six’ and gap analysis on ‘building safety’.
- Training and advice – boards, leaders, operators and the RSH.
- We understand and recognise the common failings and we know what full compliance looks like, and how to get there.
- We have developed/delivered many roadmaps to recovery.
- We are helping providers implement systems and processes to prepare for and address the new legislative requirements.



COMPLIANCE SURVEY

INSIDE HOUSING

- In a recent survey of 128 social housing landlords, we asked Inside Housing to pose the following questions:
- Is the sector keeping tenants safe in their homes today?
- Is the sector prepared for the future in order to keep tenants safe in their homes?
- The results show that there are still major gaps in safety compliance – we explore why...



COMPLIANCE SURVEY

THE RESULTS

128 ORGANISATIONS
RESPONDED

82 HOUSING
ASSOCIATIONS

46 LOCAL AUTHORITIES/
ALMOs

FOCUS ON THE BIG SIX – GAS, ELECTRIC, FIRE, ASBESTOS, WATER AND LIFTS

42% SAID THEIR
BIGGEST AREA
OF CHALLENGE WAS
MANAGING FIRE SAFETY

80% SAID THEIR
BOARDS RECEIVE
REGULAR REPORTS

14% HAVE NO
OVERSIGHT AT ALL

68% OPERATING ON A
FIVE YEAR EICR
INSPECTION CYCLE

32% ARE NOT

COMPLIANCE SURVEY

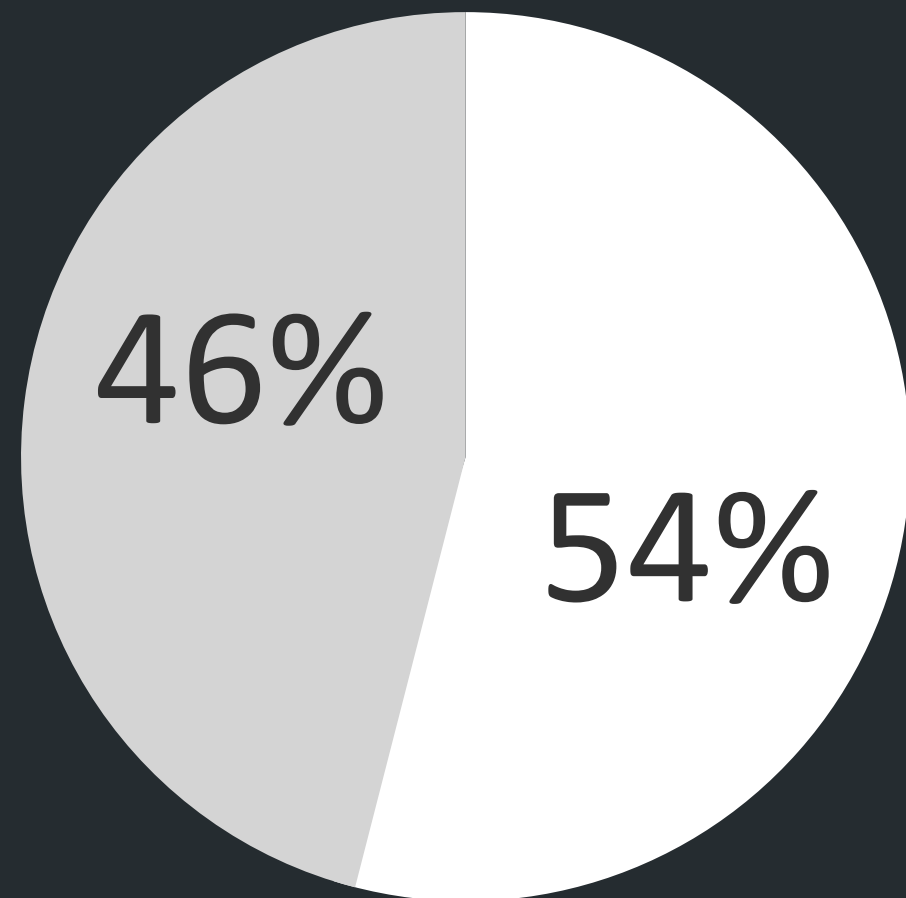
THE RESULTS

What percentage of landlords are operating at 100% compliance, and what percentage are operating at less than 100%?

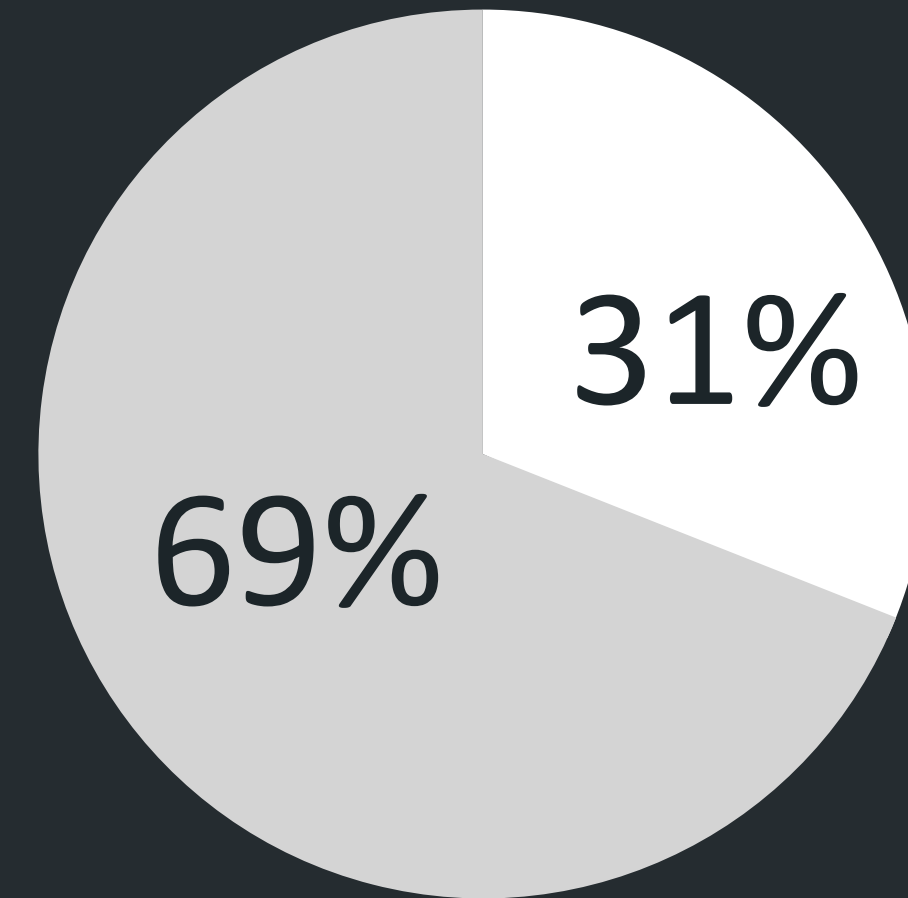
COMPLIANCE AREA	ACHIEVING 100%	ACHIEVING LESS THAN 100%
GAS	22%	78%
ELECTRIC (5 YEAR CYCLE)	10%	90%
FIRE RISK ASSESSMENT	43%	57%
FIRE SAFETY ACTIONS ON TIME	59%	41%
ASBESTOS INSPECTIONS	30%	70%
LEGIONELLA RISK ASSESSMENTS	40%	60%

COMPLIANCE SURVEY

THE RESULTS



54% know which of their buildings are in scope, 46% do not know



31% of boards/leaders have a detailed understanding of duties and implications of the new building safety regime, 69% do NOT

So why are large numbers of social landlords failing to operate at 100% compliance with the big six?

The survey provides some insight:

- IT systems/data management – cannot create the golden thread of information. Only 26% have adequate IT/systems to address property compliance/requirements of the BSB.
- Lack of governance oversight or understanding of what is required.
- Competency – recruitment of people with technical, people and programme management skills is a hard combination to find!
- Lag effect from Covid-19 – tenants concerns and supply chain furloughing staff.
- Failure to carry out FRA's and/or deliver fire safety works.
- Demand for competent contractors who can deliver fire safety works.

So why are large numbers of social landlords failing to operate at 100% compliance with the big six?

The findings from our 100+ compliance health checks show similar common failings.

- Governance/leadership – no line of sight or understanding of what is required to comply.
- Policy direction not set from the top.
- Poor data management systems – property data and inspection records.
- Culture – is it one of ‘reassurance’ (narrative based) or is it one of ‘assurance’ (evidenced based)?
- Lack of reporting on the big six – this creates the line of sight needed.
- Competence, validation – second and third lines of defense not in place.

So what does this tell us?

- These common failings, unless addressed, will continue to prevent landlords from fully complying with the big six.
- The fact that landlords have not got compliance in order today will prevent them from achieving the building regulations of tomorrow.
- Key message – get your house in order today – address these common strategic failings and work towards full compliance – make it a strategic priority, if it is not already!
- Fixing them through a ‘roadmap to full compliance’ will provide the framework to then better support the building safety agenda of tomorrow.



The changing landscape

- Fire Safety Act 2021
- The Fire Safety (England) Regulations 2022
- Building Safety Act 2022
- Social Housing Regulations Bill
- Combine your approach to property compliance and building safety – do not separate!



Fire Safety Act 2021

- Introduced in April 2021, become law in May 2022
- Addresses weaknesses of the 2005 order – the bar was ‘too low’
- Provides for more stringent measures in multi-occupancy buildings
- Will apply to occupied buildings containing two or more domestic premises

The Act applies to the:

- Buildings structure, external walls (including any doors, windows and balconies) and any common parts
- All doors between the domestic premises and the common parts
- As such, your fire risk assessments must capture observations and potential risks in respect of these areas of the building, so they can be fully investigated.



Fire Safety (England) Regulation 2022

Will implement the majority of the recommendations to come out of the Grenfell Tower Enquiry - Phase 1, which required a change in the law

These regulations will come into force on the 23rd January 2023 following the publication of supporting guidance that will come out later in 2022.

This will set out what will be required in HRRBs in respect of:

- Building plans
- External wall systems
- Lifts and other key fire fighting equipment
- Information boxes and wayfinding signage
- Fire door checks and fire door information (applies to residential buildings 11 metres in height)
- Fire Safety instructions (applies to residential buildings 11 metres in height)



Social Housing Regulations Bill

- Greater accountability to residents
 - Tenant satisfaction measures on the things that matter to tenants
- Building Safety; resident safety
 - Landlords to identify nominated person responsible for H&S requirements
 - Mandatory smoke and carbon monoxide alarms from 1.10.22
 - Consultation on mandating EICR checks every 5 years, including leaseholders in social housing blocks to align to private sector
- Quality of home and neighbourhood
- Resident voice
- New, proactive regulation
 - Consumer regulation objectives to explicitly include safety
 - Serious detriment test removed; routine inspections
 - Strengthened enforcement powers for RSH
 - MOU between RSH and HSE
 - Support development of guidance on engaging residents on safety issues
- Strengthened Ombudsman
 - Duty for RSH to co-operate with Ombudsman



Building Safety Act 2022 – What's in scope?

Will apply to occupied buildings:

- At least 18 metres in height, **or** at least 7 storeys; **and**
- Containing 2 or more residential units

Design, refurbishment and construction requirements also apply to care homes and hospitals of same height

Those accountable for occupied in-scope buildings must take all reasonable steps to reduce building safety risks:

- Fire spread
- Structural failure



Building Safety Act 2022– occupied buildings (in scope)

Accountable Person must:

- Carry out an assessment of building safety risks in and around the building
- Take all necessary steps to control those risks
- Register the building and apply for Building Assessment Certificate (when directed by BSR – likely to be over 5 year period for occupied buildings)
- Carry out assessment of building safety risks – ongoing, regular basis
- Take all reasonable steps and actions necessary to manage building safety risks
- Prepare Safety Case and submit Safety Case Report to the BSR
- Establish and operate Mandatory Occurrence Reporting system – report to BSR
- Keep information about higher-risk buildings – Golden Thread of Information
- Produce Residents Engagement Strategy



**What can
we do to
help?**

Compliance Health Check

Roadmap to full compliance

Building Safety Gap Analysis

Building Safety roadmap

Project Management/Interim support