

Building Safety Act Policy

1.0	SCOPE
	Purpose
1.1.	This document sets out whg's policy towards ensuring our buildings are safe and meet the regulatory requirements set out in the Building Safety Act 2022 (referred to as 'the Act') and its related secondary legislation.
	Legal and regulatory framework
1.2.	<p>whg's responsibilities in relation to building safety are set out in the following legislation.</p> <ul style="list-style-type: none"> • The Building Safety Act 2022 • The Fire Safety (England) Act 2022 • The Regulatory Reform (Fire Safety) Order 2005 – Amended by Fire Safety Act • The Construction (Design and Management) Regulations 2015 • Health & Safety at Work Act 1974 – As amended • Housing Act 2004, which introduced the Housing Health & Safety Rating System (HHSRS) • Building (Higher-Risk Buildings Procedures) (England) Regulations 2023 • The Fire Safety Regulations 2022 • Fire Safety Guidance (Local Authorities Coordinators of Regulatory Services "LACoRS") • Fire Safety in Specialised Housing – National Fire Chiefs Council Guidance • Fire Safety in Purpose Built Blocks of Flats – Local Government Association • Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002 • Furniture and Furnishing (Fire Safety) Regulations 1988 • Gas Safety (Installation and Use) Regulations 1998 • Electrical Equipment (Safety) Regulations 1994 • Equality Act 2010 • Building Regulations – Approved Document B • Management of Health & Safety at Works Regulations 2006 • Workplace (Health Safety & Welfare) Regulations 1992 • Social Housing Regulation Act 2023 • Safety and Quality Standard
1.3.	Definitions

	<p>The Building Safety Act 2022 (BSA) - The Building Safety Act 2022 became law in April 2022. The act was developed following Dame Judith Hackitt's independent review of building regulations and fire safety. The act introduces wide ranging reforms to how buildings are designed, constructed and managed.</p> <p>The Building Safety Regulator (BSR) – The regulator is part of the Health and Safety Executive and was established under The Building Safety Act 2022 to regulate higher-risk buildings, raise safety standards of all buildings, help professionals in design, construction, and building control, to improve their competence</p> <p>Higher Risk Building (HRB) - Defined in the Act as a residential building that is at least 18 metres or seven storeys high, containing two or more residential units</p> <p>Building Safety Case – The BSA imposes a duty on the Principal Accountable Person to prepare a report containing an assessment of the building safety risks and the steps taken to mitigate these in their HRBs. The Safety Case forms an essential element of the Building Assessment Certificate application</p> <p>Building Assessment Certificate (BAC) – A Building Assessment Certificate is issued by the Building Safety Regulator. The regulator will invite PAPs to apply for a BAC by submitting their Safety Case File. Once reviewed, if the regulator is satisfied the building is safe to occupy, they will issue a Building Assessment Certificate</p> <p>Accountable Persons (AP) - Is either a person or organisation that owns or is responsible for repairing any of the common parts of the building. Common parts include the exterior and structure, corridors, or lobbies.</p> <p>Principal Accountable Persons (PAP) - All occupied higher risk buildings must have one clearly identifiable AP, known as the principal accountable person (PAP). They are responsible for ensuring that fire and structural safety is being properly managed for the whole building.</p> <p>Premises Information Box (PIB) – The Fire Safety Regulations require key information is made available for fire and rescue services upon arrival at an HRB. This information must be stored within an accessible part of the building and must be clearly labelled. This is known as a Premises Information Box</p> <p>Resident –The Building Safety Act refers to the occupants of buildings as 'residents' this is reflected in the wording of documents and policies where usually 'customer' would be used to align with the Act.</p>
2.0	POLICY STATEMENT
	Roles & Responsibilities
2.1.	The Building Safety Act 2022 identifies new roles and responsibilities for people and organisations who are responsible for the safety of high-rise residential buildings in England.
2.2.	The Act also introduces new legal duties for existing roles such as those involved with designing and building higher-risk buildings. These are known as Accountable Persons (AP) and Principle Accountable Persons (PAP).

2.3.	An AP is an organisation or individual who owns or has a legal obligation to repair common parts of an HRB.
2.4.	Each building must have one clearly identifiable AP, known as the PAP. The PAP is usually an organisation, like a commonhold association, local authority or social housing provider. whg are the PAP in all 16 of its HRBs.
Building Registration	
2.5.	The BSA requires all residential buildings greater than 18 metres in height, or greater than 6 storeys, to be registered with the Building Safety Regulator.
2.6.	whg has 16 HRBs. These are listed at Appendix 1. The Building Safety Team are responsible for this registration process and have registered each of our existing HRBs.
Resident Engagement Strategies and Resident Communication	
2.7.	The Building Safety Act defines the permanent occupants of buildings as 'residents' therefore where necessary customers or documents will refer to 'residents' for the purposes of aligning to the Act.
2.8.	whg recognises safety is a matter for everyone and effective engagement with its customers will ensure a building safety positive culture. whg are voluntary signatories of the Building a Safer Future Charter which promotes openness and transparency in all matters of building safety.
2.9.	The BSA places a requirement on PAPs to. <ul style="list-style-type: none"> • Provide building occupants with relevant building safety information • Develop a resident engagement strategy specific to each HRB • Establish a system to capture and investigate building safety concerns, queries and questions
2.10.	whg has an established system of capturing building safety related concerns and complaints. Customers can raise building safety issues in several ways including face to face, over the phone, by email and through our website.
2.11.	All building safety related concerns and complaints are reviewed by the Head of Building Safety for appropriate action and response.
Resident Obligations	
2.12.	The BSA introduces obligations on residents, to: <ul style="list-style-type: none"> • Act in a manner that does not create a significant risk of fire or structural failure

	<ul style="list-style-type: none"> • Not interfere with any relevant safety item • Comply with requests by the Accountable Person for access or information to enable them to manage building safety risks
2.13.	When a customer's behaviour creates a risk, or where we are refused access to a home when performing our duties under the BSA, we will take appropriate action.
2.14.	This could involve attempting to resolve the risk through providing advice and guidance. If it still persists, we may issue warning letters or undertake proceedings in the courts.
2.15.	If legal action is taken, we will seek recovery of our costs from the individuals involved.
	Building Safety Cases & Digital Records (The Golden Thread)
2.16.	The BSA has introduced the requirement of Building Assessment Certificates (BACs). These are essentially a licence to occupy and can only be issued by the BSR. For existing buildings, the BSR will invite building owners to apply for a BAC over the next 5 years. (2024-2029).
2.17.	When applying for a BAC building owners must provide the BSR with a safety case for each HRB and will need to reapply for a BAC at least every 5 years (or upon request of the BSR). If the BSR refuses to provide a BAC for a HRB, it cannot be occupied.
2.18.	The purpose of the safety case is to ensure a building's fire and structural safety risks are being managed. whg has produced safety cases for each of our HRBs and keep these under regular review to ensure our HRBs remain safe.
2.19.	The foundation of a safety case is understanding how each building was designed and constructed. And how any changes to them do not adversely affect their safety systems.
2.20.	To ensure whg fully understands the construction of our HRBs we have created digital twins. Each twin consists of a 360-degree external and internal scan which is combined with intrusive inspections of key safety elements of the building. This ensures we have an appropriate understanding of the safety systems within the building.
	Fire Risk Assessments
2.21.	Fire Risk Assessments (FRAs) will be reviewed annually in our HRBs. Assessments will be undertaken by qualified Fire Risk Assessors (Assessors) within the Assets Team.

2.22.	The Assessor will ensure any issues identified are recorded and the appropriate teams are tasked with resolving them within a suitable timeframe. Any urgent issues identified will be raised directly with the Head of Building Safety who will ensure mitigation or remedial actions are implemented.
	Structural Assessments
2.23.	The BSA requires that building owners assess the structural safety of their HRBs, the frequency of these is not mandated by the BSR. The purpose of these surveys is to ensure that each load bearing system within the building is operating as intended.
2.24.	whg have appointed external specialist surveyors to undertake structural surveys on each of our HRBs. These confirmed our HRB structural systems to be safe and operational and will be reinspected in line with the structural engineer's recommendations based upon the findings. However, we would generally expect these to be undertaken every 5 years.
	External Wall Assessments
2.25.	The BSA requires that building owners assess the external walls of their HRBs, the frequency of these is not mandated by the BSR. The purpose of this assessment is to ensure the materials used in its construction are known and do not present a risk to occupants.
2.26.	whg have appointed external specialist assessors to carry out these assessments on our behalf. The findings of these assessments confirmed our external wall systems to be comprised of inert materials and would not therefore contribute to fire spread. These will be incorporated within the annual fire risk assessment external wall review or reviewed where required in the event there is a change to the external wall system.
	Fire Door Management
2.27.	The Fire Safety Regulations 2022 (Fire Regulations) require fire doors within 'Relevant Buildings' be inspected regularly. whg inspect flat entrance doors at least annually and all other fire doors quarterly. Inspections are carried out by trained colleagues within Community Housing and the Building Safety Team.
2.28.	The Inspector will ensure any issues identified are recorded and the appropriate teams are tasked with resolving them within a suitable timeframe. Any urgent issues identified will be raised directly with the Head of Building Safety who will ensure mitigation or remedial actions are implemented.
	Fire & Rescue Service Information Sharing

2.29.	The BSA requires PAPs to notify Local Fire & Rescue Services if any 'fire safety asset' within a HRB is inoperable for greater than 24 hours. This is to ensure the Fire & Rescue Services can make alternative arrangements should they require use of these assets when attending emergency at the building.
2.30.	<p>Fire safety assets include:</p> <ul style="list-style-type: none"> • Smoke ventilation and extraction systems • Firefighting lifts • Fire alarm systems • Emergency lighting systems • Dry / wet risers • Sprinkler systems <p>This list is not exhaustive.</p>
2.31.	Colleagues notified, or identifying fire safety assets should report this to the Building Safety Team who will notify the fire and rescue services. The Head of Building Safety will work with the appropriate team to oversee the repair / renewal of the asset and will undertake appropriate actions to reasonably mitigate the risks this may create.
Mandatory Occurrence Reporting	
2.32.	The BSA requires PAPs to report occurrences that have caused or are likely to cause serious injury or harm to a significant number of people. The BSR defines these as either safety, or mandatory occurrences.
2.33.	<p>A safety occurrence is an incident involving, or a risk that could cause:</p> <ul style="list-style-type: none"> • structural failure of the building • the spread of fire or smoke in the building
2.34.	<p>A mandatory occurrence is when a safety occurrence has caused, or has the potential if not addressed to be likely to cause:</p> <ul style="list-style-type: none"> • the death of a significant number of people • serious injury of a significant number of people
2.35.	The Building Safety Team will be responsible for submitting mandatory occurrence reports to the BSR and will do this in the manner and timeframe prescribed by the BSR. The Executive Group will also be informed if any mandatory occurrence reports are submitted to the BSR.
Vulnerable Residents	
2.36.	The requirement to provide evacuation information for vulnerable residents is currently subject to a government consultation.

2.37.	whg recognises the importance of providing fire and rescue services with key information to aid them in an evacuation situation and therefore adopt the principles of “Emergency Evacuation Information Sharing” (EEIS)
2.38.	The Building Safety Team will write to all residents within HRBs once per year to identify those that would require additional assistance to evacuate and will incorporate this within the PIBs. In addition, information is provided to customers on how to notify the Building Safety Team of a change in vulnerability.
Premises Information Management	
2.39.	The Fire Regulations require key information to be accessible to Fire & Rescue Services upon attendance at HRBs within a Premises Information Box (PIB). These boxes are kept locked and can be accessed by the Fire Service through a bespoke key.
2.40.	<p>PIBs should be accessible, clearly labelled and contain.</p> <ul style="list-style-type: none"> • Floor plans with key information such as the location of dry risers clearly identified • A list of vulnerable residents, with additional information about flats that may contain medical gases. • Keys / Fobs to all doors on all floors, other than Flat Entrance Doors <p>whg has installed PIBs in each of our HRBs and keep these under regular review.</p>
Wayfinding / Signage	
2.41.	Wayfinding signage is present within each HRB, this is reviewed annually on the Fire Risk Assessment and managed on a day-to-day basis by the Neighbourhood Impact Officers. The wayfinding signage within HRBs is also cyclically reviewed and upgraded if required on each HRB communal redecoration programme.
Building Change Management	
2.42.	The BSA requires all contractors working within HRBs to be “competent”. Whilst individual Contract Managers must ensure they undertake appropriate checks of the competence of their contractors as part of our contract management framework, the Building Safety Team will undertake additional checks of contractor competence where major works are undertaken within our HRBs.
2.43.	The Building Safety and Asset Investment Teams review all investment and major works before they commence. The purpose of this review is to ensure the contractors used are competent, the products being used are suitable for their purpose and that the building safety systems are not compromised.

2.44.	Works will not proceed without the agreement of either the Director, or Head of Building Safety.
	Development
2.5.	Where new developments are proposed to involve buildings which would meet the 'relevant building' criteria the Building Safety Entity Group will support in reviewing and having oversight of the Gateway procedures under the Building Safety Act. This process will form part of the wider internal governance approval process which developments under the 'relevant building' threshold already have in place through Development Committee.
3.0	PERFORMANCE MEASURES
3.1.	There are a number of performance measures implemented to ensure the successful adoption of the policy: <ul style="list-style-type: none"> • All new HRBs registered prior to occupation • Communal and flat entrance fire doors inspected in line with Regulation 10 checks • Relevant buildings to have an FRA undertaken at a period not exceeding 12 months
4.0	EQUALITY AND DIVERSITY
4.1.	The Building Safety Policy is an overarching document summarising the legislative duties on whg as an organisation acting as the principal accountable person. The delivery and operational equality and diversity impacts are covered within the associated documents, policies and procedures listed at 7.0
4.2.	
5.0	TRAINING AND DISSEMINATION
5.1.	The Policy will be presented to the Building Safety Entity Group for oversight and familiarisation, members of the Building Safety Team will be provided with a summary update of the Policy to support their work
6.0	MONITOR AND REVIEW
6.1.	This Policy will be monitored by the Director of Building Safety and reviewed every three years and approved by the Asset Investment Panel.
6.2.	The content of this policy has been developed in collaboration with several social housing providers as part of the TwinnedIT user group, this group meets quarterly to review updates and best practice. This will act as a continual review and monitoring process to ensure the policy remains suitable.

7.0	ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES
7.1.	<p>Documents, policies and procedures associated with this Policy are:</p> <ul style="list-style-type: none">• Asset Management Strategy 2022-2027• Fire Risk Assessment Policy• Evacuation Policy• Gas Safety Policy• Electrical Safety Policy• Asbestos Policy• Customer Complaints Policy• Water Hygiene Policy• Cyclical and Preventative Maintenance Policy• Health and Safety Policy• Damp, Mould and Condensation Policy• Solid Fuel Appliance Policy• Asbestos Policy• Repairs Policy• Procurement Policy• Data Protection Policy• Equality, Diversity, and Inclusion Policy

APPENDIX 1

Building Name	Building Address	Postcode	Regulatory Height (m)	Storeys
Austin House	Upper Forster Street	WS4 2AF	40.2	16
Bamford House	Bamford Road	WS3 3SA	15.76	6 (+lower ground floor)
Barleyfield House	Bath Street	WS1 3DU	18.64	8
Hamilton House	Field Road	WS3 3HY	18.69	8
Humphries House	Lindon Drive	WS8 6DF	43.08	18
Jones House	Penkridge Street	WS2 9JX	15.93	7
Little London House	West Bromwich Street	WS1 4DD	40.32	18
Newhall House	Newhall Street	WS1 3DY	18.58	8
Orlando House	Barleyfield Row	WS1 3DX	18.94	8
Severn House	Silver Court Gardens	WS8 6ES	18.55	8
Smith House	Stoney Lane	WS3 3RA	40.41	16
St Annes Court	Rosehill Gardens	WV13 2LY	25.02	11
St Giles Court	Rosehill Gardens	WV13 2LX	25.02	11
Thomas House	Stoney Lane	WS3 3RB	39.47	16
Wood House	Little London	WS1 3EP	40.2	16
Woodall House	Woodall Street	WS3 3JH	18.69	8

Document author	Head of Building Safety
Document owner	Director of Building Safety
Legal advice	N/A
Consultation	Consultation workshop session on building safety was undertaken in October 2024 co-ordinated by Customer Engagement Team, the customers in attendance were from numerous HRBs.
Approved by	GEXEC Customer Services Oversight Committee Asset Investment Panel
Review Date	July 2028
Equality Assessment	27/01/2025
Key changes made	New Policy