

25th

ANNUAL FIRE SAFETY CONFERENCE

23 & 24 February 2023
Armagh City Hotel

“The changing face of fire safety”

Marking **50** years of the Building Regulations in
Northern Ireland

www.buildingcontrol-ni.com



The Building Safety Act

Implications for the Building Control profession
and the regulation of buildings in England

Lorna Stimpson

LABC

- Member of post Grenfell expert panels
- Member of the working groups established as part of Dame Judith Hackitt's Review of Building Regulations and Fire Safety
- Member of the Joint Regulators Group – expert group advising Government on the implementation of Building a Safer Future
- Member of BRAC
- Interim Independent Competence Committee member



Joint Regulators Group

- Established 2018 to develop new approaches and assist with transition to new regime.
- Decision making forum, coordinated regulatory leadership and shadowing new functions.
- Leadership, advice, change cultures and build capacity.
- Support transition building capacity and competence
- Leading Policy Design Trials



Department for Levelling Up,
Housing & Communities



Government
Association



NFCC
National Fire
Chiefs Council



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Stronger Legislation

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The Building Safety Act

The foundation to the new building safety regime where:

- Rigorous standards
- Proving and maintaining competence, ethics and integrity

Become the norm...



The Building Safety Act

The foundation to the new building safety regime:

- Applies to ALL buildings
- Introduces New Bodies, New Responsibilities and New Systems
- Additional requirements for Higher Risk Buildings
 - Three gateways
 - Removal of Dutyholder choice of building control provider
 - **Golden Thread** of Information
 - Mandatory Occurrence Reporting

Three new bodies

Building Safety Regulator – to oversee the safety and standards of all buildings

New Homes Ombudsman – enabling owners of new homes to raise complaints

National Regulator for Construction Products within the OPSS providing enforcement of the Construction Products Regulations

Building Safety Regulator

New National Building Safety Regulator [BSR] within the HSE that has three main functions:

1. Oversee the safety and standard of **ALL** buildings
2. Directly assure the safety of higher- risk buildings
3. Improve the competence of people responsible for designing, building or inspecting building work and new rules to ensure buildings are regularly inspected and remain safe.

**Building
Safety
Regulator**



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Building Safety Regulator

Three new committees to provide advice and support to the BSR:

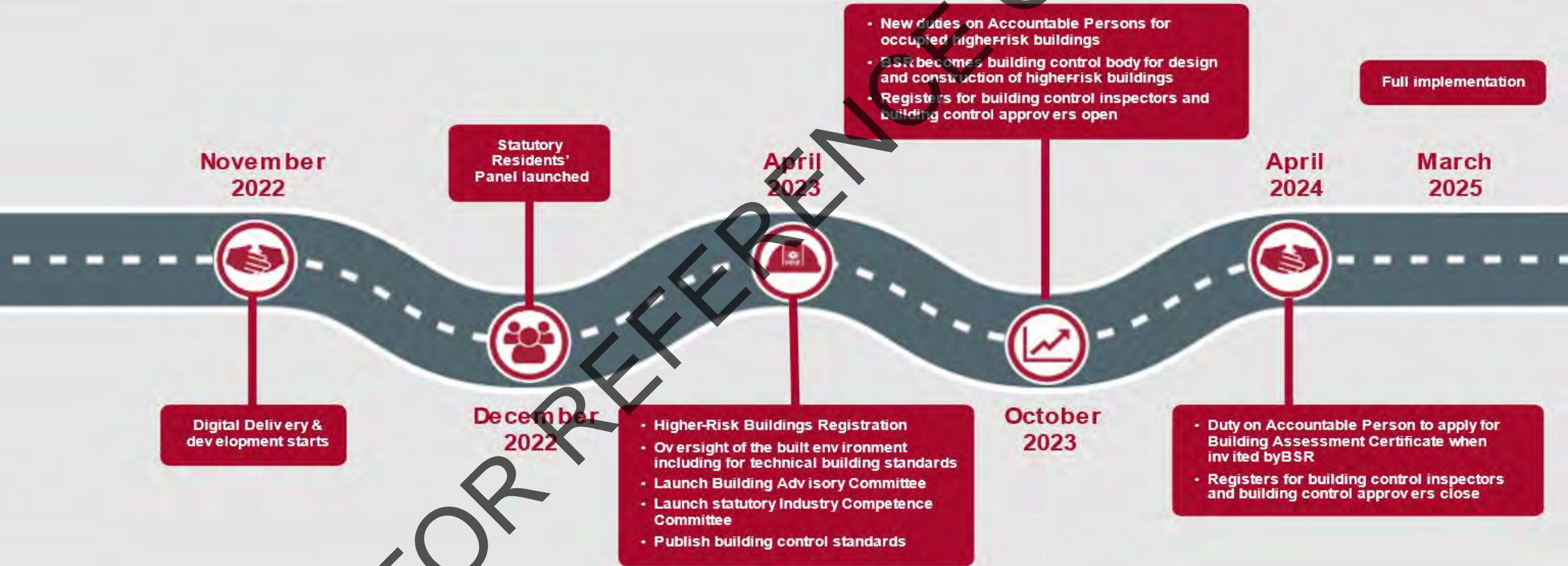
- The Building Advisory Committee
- The Industry Competence Committee
- Residents Panel

**Building
Safety
Regulator**



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Timeline



Higher Risk Buildings

The BSR will become the building control authority on higher risk buildings from October 2023

A Higher Risk Building is:

- At least 18m in height or at least 7 storeys.
- Contains at least 2 residential units
- Care homes and hospitals meeting the same height threshold during design and construction only.
- Under Section 13 of the BSA 2022, Local Authority Building Control will provide building control services to the BSR for these buildings as part of the Multi-Disciplinary Team



Predicted new build & refurb HRBs per year

Region	Predicted number of new / refurb HRBs per year
Northern	11.5
North West	34
Yorkshire	24
East Mids	11
West Mids	29.5
East Anglia	13
Central	14
London	303
South East	42.5
West of England	9.5
South West	8
Total	500

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The new legislation WILL impact ALL local authorities

- Local authorities and fire and rescue authorities.
- BSA Section 13 : provision of assistance to regulator, in extremis the regulator may direct a relevant authority to do so.
- Local authorities & F&RS will be reimbursed for the costs of this support.
- Additional stronger sanctions for local authority building control, including Stop Notices and Compliance Notices for all work under proposed revisions to the Building Act

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Multi Disciplinary Teams

a new responsibility...

Building Control Surveyors will have a role in MDTs working on behalf of the Building Safety Regulator on:

- Design and Construction of new build in-scope buildings
- Design and construction of refurbishments and other work on in-scope buildings

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Multi Disciplinary Teams

a new responsibility...

The MDTs will be made up of:

- The BSR
- Fire and Rescue Service &
- Local Authority Building Control.

The MDT may draw in expertise from other parts of local authorities (such as Environmental Health) and other specialists if required (e.g., approved inspectors, structural engineers & fire engineers).

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Regulating the Building Control Profession

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Operational and Performance Standards

The BSR will set operational standards and will register and audit:

- Building Control Teams
- Building Control Surveyors

In both private sector and local authorities

The BSR has the power to issue investigate and sanction, including financial penalties, suspension & 'special measures' type sanctions on both public and private sector teams and individuals.

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Building Control will become a Regulated Profession in 2024

Registration will apply to ALL building control surveyors working on ALL buildings

Plan assessments and site inspections (Restricted Activities) will only be able to be undertaken by an appropriately qualified and registered building inspector (RBI)

To perform a Restricted Function (e.g. issuing a completion cert) the LA must obtain the advice of a suitably competent Registered Building Inspector

Registration will be at various levels / classes

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Registration of the Profession - Requirements

Proof of Competence is the main requirement for registration

Competence is **NOT** a qualification

Competence is about knowledge, skills, experience and behaviours

Competence can ONLY be assessed by a UKAS or Engineering Council accredited body

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Registration of the Profession – Competence Validation

In 2021 LABC has established a community interest company, known as 'The Building Safety Competence Foundation

Delivering UKAS accredited ISO17024 Validation of Competence of Persons

Independent from LABC

Community Interest Company

Giving LABC Surveyors, Managers and Senior Managers confidence in the competence of individuals

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Registration of the Profession – Competence Validation

The BSCF delivers 3 classes of validation assessments to the building control profession:

1. Domestic Building Control Surveyor
2. General Building Control Surveyor
3. Specialist Building Control Surveyor

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Building capacity
and competence
in public service
building control

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Building Competence

- LABC given £3.88m funding in early 2022 to increase competence in local authority building control as a result of 'New Burdens'
- 'New Burdens' which will be incurred by public service building control under the new building safety regime. The new burdens doctrine, published in 2011, states that:

Broadly, a new burden is defined as any policy or initiative which increases the cost of providing local authority services, and only applies where central government requires or exhorts local authorities to do something new or additional.

Building Competence

HRB AREAS IN ENGLAND	£7,924,700
LABC - (NON HRBS & WALES)	£1,216,700
TOTAL COST	£9,141,400
GRANT FUNDED	£3,888,000
TOTAL LABC FUNDING	£5,253,400

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Building Capacity

- Government funding to bring new capacity into the authorities where there are HRBs – to provide backfill
- Centrally employed on 3-year contracts
- Seconded into local authority hubs
- 112 trainees recruited
- 66% of those offered places are embarking on second careers
- 35% are women

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