



## BUILDING SAFETY CONSULTATION

### ANALYSIS OF THEMES & QUESTIONS & RELEVANT CIBSE GROUPINGS FOR RESPONSES

Chapter 2	Heading	Questions	Description/Notes
	Deals with Scope and is largely for the Fire guys and perhaps Homes Group		
Chapter 3	Heading	Questions	Description/Notes
53-58	A new dutyholder regime for residential buildings of 18 metres or more	1.1 - 1.8	Introduction
59-66	Part A - Dutyholder roles and responsibilities in design and construction	2.1-2.4	What will be required of dutyholders. See Annex C as well.
67-70	Gateways - introduction		
71-86	Gateway One	2.5 - 2.11	Almost all about making sure the proposed development is accessible to firefighters and has adequate water for fire fighting.
87 - 97	Gateway Two	<b>Q 2.12 Key</b> 2.13 - 20	This is about getting full plans signed off - in more details than now. See para 89 especially
98 - 101	Preparation for Gateway Three	<b>21 - 25</b>	How to prepare for the gateway during construction
102 - 105	Gateway three – before occupation begins	<b>Q 2.26 Key</b> 27 - 31	Delivering the full information package
106	Approach to significant major refurbishments	<b>Q 2.32</b>	This extends the provisions to major refurbishment of in scope buildings
107	Transitional arrangements	2.33	How does this come into force - seems a sensible approach if there is capacity
<b>108 - 112</b>	<b>Part B – Duties in occupation</b>		
113 - 121	Safety Cases	3.1	Para 121 flags the role of the golden thread
122 - 124	How risks are currently managed during occupation		
125 - 129	The new safety case approach for managing the risks in new buildings	3.2	Do we agree with the content for safety cases?
130 - 139	Safety Cases for an existing (occupied) building		
140 - 141	Assessing risks on an ongoing basis	3.3	Is it just about fire and structure?
142 - 153	The safety case regime and remediation	3.4	What happens when the safety case fails and remedial work needed
154	Clarifying building safety responsibilities during occupation		
155 - 164	A new accountable person	3.5 - 3.8	Describes the new role and seeks comment
165 - 174	A new building safety manager role	3.9 - 3.16	Describes the new role and seeks comment
175	Clarifying the responsibilities of occupants		
176	Providing greater information about building safety responsibilities		
177 - 194	Registration of multi-occupied residential buildings of 18 metres or more and the building safety certificate	3.17 - 3.22	Describes the proposed registration regime
<b>195</b>	<b>Part C - Duties that run throughout a building's life cycle</b>		<b>Introduction</b>
196 - 200	The golden thread of information		A golden thread of accurate up-to-date information using digital tools
201	Digital Standards	<b>Q 4.1 key 4.2 also important</b>	Mandating BIM standards - for what buildings? And what standards?
202 - 203	Key dataset	<b>Q 4.3</b>	What is the key data about a building that needs to be collected? Façade data is included in proposals

204 - 207	Openness and Transparency	4.4 & 4.5	Should the key dataset be open data? What are the security implications?
208 - 209	Golden thread in design and construction	4.6 & 4.7	Questions about what information and what guidance is needed. Logbooks revisited?
210 - 212	Golden Thread in occupation	4.8	Govt. asking if they have missed anything
213 - 215	Raising concerns and learning from mistakes		Disclosure and extension of CROSS
216 - 224	Mandatory occurrence reporting	4.9 - 4.15	A regime of mandatory reporting and a "just culture"
225	Whistleblowing	4.16	The Regulator to be prescribed under the whistleblower legislation
226 - 230	Wider reporting approaches		Background to CROSS and SCOSS
231 - 234	Ensuring dutyholders have the competence to do the job	4.17	Question about how the competence requirements for dutyholders should be developed - a pitch for British Standards
235	Going further – strengthening duties and extending elements		Should they go further?
236 - 240	The building safety regulator’s statutory objectives and the general duty	4.18 & 4.19	Questions about statutory duties for the regulator and dutyholders
241 - 243	Extending dutyholder roles to all building work	Q 4.20	Extending the provisions to ALL building work
<b>Chapter 4</b>	<b>Heading</b>	<b>Questions</b>	<b>Description/Notes</b>
244 - 252	Residents at the heart of a new regulatory system		Preamble and summary of related legislative activity
253 - 255	Core information which all accountable persons will be required to provide	5.1	Question about information for residents
256 - 259	Culture of Openness		
260 - 261	Exemptions	5.2 & 5.3	
262 - 271	Requirements for a Resident Engagement Strategy	5.4 & 5.5	
272 - 278	Proposals for residents’ responsibilities	5.6 - 5.8	
279 - 281	Clear and quick escalation route for residents’ building safety concerns		
282 - 284	Internal process for raising safety concerns	5.9	
285 - 299	Route of Escalation	5.10 - 5.11	
<b>Chapter 5</b>	<b>Heading</b>	<b>Questions</b>	<b>Description/Notes</b>
	A more effective regulatory and accountability framework for buildings		Creation of a NEW regulator for building safety, a new oversight structure for regulations and discussion of the oversight of competence. <b>Fundamental to CIBSE.</b>
300 - 304	Regulation and oversight		Sets out the background from the Independent Review
305 - 320	Establishing a national building safety regulator	6.1 - 6.3	Single Regulator to cover the "joint regulatory authority", overarching competence oversight and replace BRAC. Seeking views on the statutory objectives. <b>Para 315 is the key para and needs a CIBSE view as does Q 6.2</b>
321 - 325	Minimising conflicts of interest within the regulatory system		How to avoid developers picking their own building control body
326 - 334	Oversight of competence	7.1 - 7.4	See also Annex E for the oversight proposals. ET&M MUST look closely at para 329 and the Annex carefully, and talk to George Adams.
335 - 339	Oversight of the construction products system		To be kept separate from the building safety regulator
340 - 344	Establishing roles and responsibilities	8.1 - 8.5	There is a very large piece of work here that overlaps with the implications of leaving the EU on product labelling and marking.
345 - 350	Strengthening national construction products oversight	8.6 - 8.9	348 & 349 and Q 8.8&9 cover MMC. Real scope for unintended consequences at the interface between Product Safety and Building Safety regulators
351 - 356	Encouraging independent assurance	8.10 - 8.15	This is all about 3rd party schemes for products and for installers. We need to address both. There is a sense that installation may not have had as much thought as it may need.

<b>Chapter 6</b>	<b>Heading</b>	<b>Questions</b>	<b>Description/Notes</b>
357 - 361	Enforcement, compliance and sanctions	9.1 - 9.3	Outlines the three step process - and flags the need for new civil AND CRIMINAL sanctions
362 - 364	Making civil sanctions available to deter and punish breaches of building safety	9.4	Enhanced and accelerated civil penalty system for deterrence
365 - 369	Enforcement action under the Building Act 1984	9.5 & 9.6	Extending the time for action against non compliant work, starting from time of discovery, not date of work
370 - 372	Civil liability for carrying out non-compliant work		Activating section 38 of the Building Act to allow civil redress for damages due to non-compliant work
373	The Regulatory Reform (Fire Safety) Order 2005		Notes the parallel call for evidence on this