

Report title	Building Safety Policy (for properties in scope of the Building Safety Act 2022)
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Department	Housing – Technical Services
Exempt?	No

Purpose of report:

To resolve

Synopsis of report:

The Building Safety Policy outlines RBC's commitment to implementing the Building Safety Act 2022 (BSA) across its housing portfolio for any property which falls within the scope of the BSA.

This policy ensures compliance with the BSA and related legislation to safeguard residents, workers, and the public.

Recommendation(s):

Members approve an 8 week consultation with professional stakeholders and residents on the new Building Safety Policy.

1. Context and background of report

- 1.1 This policy outlines Runnymede Borough Council's (RBC) compliance with the obligations within the Building Safety Act 2022, (BSA). This policy applies to all RBC tenants and leaseholders.
- 1.2 The policy outlines RBC's responsibilities under the Building Safety Act, the Fire Safety (England) Act 2022, and other related legislative and regulatory updates that have emerged in response to the Grenfell tragedy. RBC ensures that it complies with all building safety regulation and has a robust approach to risk management. This is supported by comprehensive individual policies and procedures that offer a detailed framework for health and safety compliance.
- 1.3 Residents in tower blocks in England now have a legislated role in safety decisions which affect their homes and are empowered to voice their concerns. It is therefore recommended that RBC consult with relevant residents about this policy.

2. Report

- 2.1 Runnymede Borough Council has only one building within the scope of the BSA, Surrey Towers in Addlestone.

- 2.2 Building owners are required to manage safety risks in a prescribed way, with clear lines of responsibility for safety during design, construction, completion and occupation of high-rise buildings. The focus of the BSA is on building structural safety and fire safety only.
- 2.3 The BSA requires a 'golden thread of information', with safety considered at every stage of a building's lifetime, including during the earliest stage of the planning process (Gateway 1).
- 2.4 Building owners must demonstrate that they have effective, proportionate measures in place to manage safety risks, and will need to register their buildings. Any incidents will also need to be reported to the Building Safety Regulator (BSR).
- 2.5 The Fire Safety (England) Act 2022 has been implemented, to ensure tougher sanctions for non-compliance. Failure to meet the obligations may result in criminal charges.
- 2.6 The Building Safety Policy is attached at Appendix A; the key elements are:
- 1) **Commitment to Safety:** RBC is committed to ensuring safe living and working environments by implementing the BSA and adopting a best practice approach.
 - 2) **Purpose of the Policy:** Ensure safety for all residents, workers, and the public. Detail RBC's approach to building safety compliance. Implement effective fire safety policies and procedures.
 - 3) **Scope of Buildings:** Identifies buildings over 18 metres (or seven storeys or more, which contain at least two residential units in height) as in scope. Highlights the need to register and complete safety cases for high-rise residential buildings (HRRBs). RBC's only building in scope currently is Surrey Towers, Addlestone.
 - 4) **Legislation & Guidance:** References key laws, orders, and regulations related to building safety. Includes specific guidance on fire safety, building regulations, and health and safety.
 - 5) **Golden Thread:** Emphasises the importance of maintaining digital records securely and making them accessible to relevant personnel.
 - 6) **Roles & Responsibilities:** Designates Accountable Persons and outlines responsibilities for compliance and management. Specifies responsibilities for various RBC stakeholders, including the Chief Executive, Compliance Manager, and Housing Service Leads.
 - 7) **Fire Risk Assessments:** Ensures annual fire risk assessments for buildings in scope. Details roles of Compliance Manager and Compliance Inspector in managing assessments.
 - 8) **Management of Building Safety Risks:** Commits to regularly assessing and mitigating building safety risks.
 - 9) **Mandatory Occurrence Reporting:** Outlines requirements for reporting safety risks to the BSR. Details responsibilities for duty holders and the consequences of failing to report.
 - 10) **Person-Centred Fire Risk Assessment (PCFRA):** Describes assessment of residents at higher risk from fire. Involves developing Personal Emergency Evacuation Plans (PEEP) where necessary.
 - 11) **Fire Door Management:** Requires regular inspections of fire doors and necessary repairs or replacements.
 - 12) **Secure Information Boxes (SIB):** Mandates installation of Secure Information Boxes containing critical building information for emergency responders.
 - 13) **Fire & Rescue Service Liaison:** Establishes cooperation with Fire & Rescue Services and reporting mechanisms for equipment issues.
 - 14) **Fire & Wayfinding Signage:** Approved Document "B" of the Building Regulations now mandates specific Fire and Wayfinding Signage for buildings, including clear Fire

Exit directions and low-level floor number signage in stairwells to aid in smoke-filled environments.

- 15) **Contractor Management:** The BSA mandates that only "Competent Contractors" can work on buildings under the BSA. The Housing Compliance team and contract managers must ensure contractor competence, review and approve Method Statements, and implement specific safety measures like Fire Risk Assessments and restrictions on "Hot Works"
- 16) **Resident Communication & Engagement:** Outlines requirements for resident communication and engagement strategies. Requires regular information updates and resident involvement in safety decisions.
- 17) **Resident Obligations:** The BSA imposes duties on residents to avoid creating significant fire or structural risks, not interfere with safety items, and comply with access or information requests from the Accountable Person.
- 18) **External Wall Assessment:** Mandates intrusive assessments of external walls for safety.
- 19) **Building Safety Case:** RBC must prepare and update a Building Safety Case for Surrey Towers every five years, demonstrating safety measures to secure a licence from the Regulator, which is necessary for building occupancy. The Safety Case, including risk assessments and mitigation steps, must be submitted to the Regulator as needed.
- 20) **Emergency Evacuation Alarms:** Requires installation of emergency evacuation alert systems in new residential properties over 18 meters.
- 21) **Monitoring and Review:** Commits to biannual policy reviews to align with legislative updates and regulatory changes.

2.7 This comprehensive will policy ensure that RBC meets its legal obligations, engages stakeholders effectively, and maintains a proactive approach to building safety management and compliance.

3. Policy framework implications

3.1 A policy is required to ensure compliance with the Building Safety Act 2022 (at present this applies to new or existing occupied buildings over 18 metres high or seven storeys or more, which contain at least two residential units) and to ensure compliance with relevant requirements.

4. Resource Implications/Value for Money

4.1 There are budgets in place for all planned compliance activity, if additional works are required and a supplementary estimate or increased future budget is needed this will be brought to Committee through the normal reporting process.

5. Legal implications

5.1 Relevant legal issues are set out in the body of the report.

5.2 A new provision, section 38 of the BSA is introduced, which enables the BSR to issue:

- Compliance notices – requiring non-compliant work to be remedied by a certain date
- Stop notices – requiring work to be ceased until serious non-compliance is remedied

5.3 Failure to comply with the above notices will be a criminal offence, with a maximum penalty of up to two years in prison and an unlimited fine.

6. Equality implications

6.1 An Equality Impact Screening of the draft policy determined that a full impact assessment was not required, there is no evidence that people with any of the nine protected characteristics will be negatively impacted by this policy. It is therefore considered that the Council will comply with its Public Sector Equality duty when endorsing this policy.

7 Environmental/Sustainability/Biodiversity implications

7.1 None identified.

8. Risk Implications

8.1 Failing to comply with this Building Safety Policy can pose significant risks, including safety, legal and financial consequences:

- **Safety Hazards:** The Building Safety policy is designed to ensure the safety of residents and visitors.
- **Legal Liability:** Failure to comply with building safety regulations can expose RBC, developers, and contractors to legal liability. This liability can include fines, penalties, lawsuits, and even criminal charges.
- **Financial Consequences:** Non-compliance with the Building Safety policy can lead to unexpected expenses. This may include fines levied by regulatory authorities, costs associated with rectifying safety issues, increased insurance premiums, or potential loss of property value.
- **Reputational Damage:** Building safety is closely scrutinised by the public, especially in cases of high-profile incidents. Non-compliance can damage the reputation of RBC or individuals, responsible for the property, affecting their ability to attract tenants.
- **Operational Disruptions:** the BSR can enforce closures or restrictions on non-compliant buildings until safety issues are addressed. This can disrupt business operations, causing financial losses and inconvenience to residents.
- **Non-Compliance Notices:** the BSR can issue non-compliance notices, requiring prompt action to remedy safety issues. Failure to respond appropriately can escalate enforcement actions and penalties.

8.2 RBC has the required processes and checks in place to ensure it meets its regulatory responsibilities for health and safety including regular inspections, contracts in place for the required specialist surveys, remedial works, accurate recording of compliance activity, and promptly addressing any identified safety concerns. This policy ensures the additional requirements of the BSA are identified and incorporated into the Compliance function.

9 Other implications

9.1 The Council has submitted the initial Building Safety Case for Surrey Towers.

10. Consultation

10.1 An 8-week consultation exercise is proposed with stakeholders (including Surrey Fire & Rescue) and residents. The policy will be advertised on our website and tenants across our stock will be notified of the consultation. Letters will be sent to all residents of Surrey Towers regarding the consultation with a variety of methods for them to feed back.

10.2 Following collation of feedback and amendments resulting from the consultation the policy will be brought back to this Committee for approval.

11 Conclusions

11.1 Members are requested to approve a consultation with stakeholders including specific targeted communications with residents of Surrey Towers.

12. Background papers

12.1 None

13. Appendices

Appendix A [Building Safety Policy](#)

Appendix B Equality Impact Screening