



Chartered  
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Cymru

# What you need to know about building safety white paper



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## Introduction

The Welsh Government is seeking to introduce a wide-ranging set of measures aimed at increasing the safety of all multi-occupied residential buildings (defined as buildings with two or more dwellings) in Wales and providing greater levels of oversight and accountability.

The proposals in the Building Safety White Paper are the result of intensive scrutiny of building safety in Wales in the wake of the Grenfell tower tragedy and subsequent Hackitt review and the views of its own Building Safety Expert Group.

The paper focuses on changes that cut-across the lifecycle of buildings and set-out the desired approach around culture, design and construction.

The introduction of the draft Building Safety Bill by the UK Government has provided the Welsh Government with a timely opportunity to introduce new measures in relation to dutyholders, Gateways on residential buildings and conflicts of interest.

## Building types

The requirements on buildings will differ depending on the type of building.

**Category 1** will be subject to the most intensive requirements – being 18m or more in height or more than 6 storeys and contain two or more dwellings. Measure focus on the lifecycle of the building.

**Category 2** will be subject to a number of requirements – being under 18m in height and a residential property with two or more dwellings. Measures focus mainly on a building during occupation.

## Dutyholders & gateways

The UK Government legislation introduces a system of dutyholders (defined in law) across the lifecycle of a building to include the roles of client; principal designer; principal contractor; designer; contractor.

Gateways provide stop points where work cannot continue until sufficient building safety evidence has been provided. These stop points will be:

- Before planning permission is granted
- Before construction begins
- Before occupation commences

## The 'Golden Thread' (GT)

The GT will be required for all Category 1 buildings (both existing and new) and a basic dataset will be required for all Category 2 buildings.

The white paper sets out the dataset as including the unique building identifier (created by the local authority), its location, size, building type and purpose, years built and refurbished and detail on floor layout, fire doors and other safety measures. For Category 1 buildings this dataset will be expanded to include façade and structural information and dates and outcomes of gateway points and Safety Case reviews.

It is suggested the GT during design and construction will include a fire statement, full plans, digital model of the building, a fire and emergency file and the construction control plan.

The white paper recognises that the GT during occupation may be more complicated for existing buildings where data may be more limited. The minimum expectation would be for the Accountable Person to have a digital model of the buildings, produce accurate plans for the building and along with survey work and fire risk assessment utilise these in creating the Fire safety Case.



## The Accountable Person (AP)

The AP will have a legal responsibility to register their building and provide their details, or the details of the entity managing the building on their behalf. They will be the dutyholder once the building is handed over or occupied.

For Category 1 buildings there will be an additional dutyholder; the Building Safety Manager who will support the AP with the practical aspects of complying with the building safety regime.

As part of the registration an AP would:

- Provide key datasets in relation to the building
- Identify the person or entity that is managing the property
- Undertake or commit to carrying out a Fire Risk Assessment
- Have clear protocols for working and sharing information with others
- In Category 1 buildings create a Safety Case which would set out the fire and structural risks in the building and how these are being managed

Once occupied the AP has a number of ongoing duties:

- Conduct an annual Fire Risk Assessment
- Take steps to maintain adequate compartmentation
- Create and maintaining the Safety Case (for Category 1 buildings only)
- Undertake mandatory reporting of any incidents that would pose a risk to life

The outcomes the AP should seek to attain are categorised under fire prevention; fire protection, escape and firefighting.

For Category 1 buildings an AP will need to undertake a basic level of training and would also need to pass a fit and proper person test. If this test is not passed a licensed Building Safety Manager must be appointed.

## Resident engagement

The White Paper emphasises the importance of meaningful engagement with residents. Dutyholders will need to demonstrate that engagement is proactive, meaningful and collaborative.

An AP will need to provide a minimal level of information to residents about safety in their building. For Category 1 buildings there will be a requirement to deliver resident engagement, going beyond strategy and general information sharing.

For Category 1 buildings an AP will need to set out a process for residents to raise building safety concerns. In Category 2 buildings there is not the same expectation, but consideration should be given to how this process could look.

The White Paper also sets out that the roles and responsibilities of residents should be clearer with requirements on residents to cooperate with an AP and not to breach the compartmentation of their property.

## Regulation

The White Paper outlines that options for regulation requires further consideration but that regulation should consider three broad objectives:

- Oversight
- Collaboration
- Compliance

There are two options under consideration; a single regulator or multiple regulators. It is suggested a new national building safety regulator could be created or a mix of regulators could be used with some additional requirements on authorities.

## Have your say

The White Paper sets out the initial proposals from Welsh Government that will still be subject to further scrutiny in the Senedd. As CIH Cymru we have an opportunity to inform and influence the detail of this work and would welcome views from professionals on the proposals outlined.

CIH Cymru will be arranging a webinar for members in partnership with Welsh Government, to drill down into the detail of the White Paper.

We will be looking to hold further consultative events with our members to inform our own submission to the consultation process prior to the April 12 deadline.

To discuss further please contact [matthew.kennedy@cih.org](mailto:matthew.kennedy@cih.org)