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# What you need to know about the registration of higher-risk buildings with the Building Safety Regulator

April 2023



## Introduction

On 6 April, new legislation came into force in England on the registration of higher-risk buildings with the [Building Safety Regulator](#) ('the Regulator'). Under the legislation, all existing occupied higher-risk buildings will need to be registered with the Regulator by 1 October 2023. Failure to do so will constitute an offence. The Regulator estimates that around 12,500 buildings will be within scope of the registration and must all be registered by 1 October. The register is one of the outcomes of the [Building Safety Act 2022](#).

Registration opened via a digital portal on 12 April 2023. The portal can be accessed [here](#), and the government has published some guidance [here](#). In this What You Need To Know guide, we breakdown who needs to act and what information needs to be provided through the portal, as well as guidance on how to prepare for registering your buildings if you haven't done so already.

## Who needs to act?

The Building Safety Act introduced two new roles, accountable persons (APs) and principal accountable persons (PAPs). The precise definitions of an [AP](#) and [PAP](#) as defined by the legislation are complex, but [recent guidance](#) released by the government summarises the role of an AP as an individual or organisation that owns or has a legal obligation to repair any common parts of the building.

Each building must also have one clearly identifiable PAP. When there are multiple APs, whoever owns or has a legal obligation to repair the structure and exterior of the building is the PAP. If there is only one AP, they are automatically the PAP. Finally, if the PAP is an organisation, such as a social housing provider, then someone within the organisation must be named as the single point of contact for the Building Safety Regulator.

The PAP is responsible for registering higher-risk buildings with the Regulator. APs and PAPs can also subcontract an individual or organisation to carry out registration. If they do so, the regulator requires confirmation from that subcontractor that they are authorised by the PAP to act on their behalf. Irrespective of whether registration is subcontracted or not, the PAP remains accountable for ensuring the requisite duties are carried out. They also remain liable if the duties are not carried out. PAPs should therefore take steps to ensure that anyone acting on their behalf to register buildings has done so properly and correctly.

## Which buildings have to be registered?

The meaning of 'higher-risk building' is defined in the [Building Safety Act 2022](#). It refers to a building in England that:

- Is at least 18 metres in height or has at least seven storeys, and
- contains at least two residential units.

Some clarity on the legislative definitions of [building height](#) and [storeys](#) has subsequently been [provided](#). The height of the building needs to be measured in metres from the ground level to the highest floor surface (excluding the roof), and all floors from the ground level to the top floor need to be counted, whether they contain residential units or not. Mezzanine floors need to be counted if they are 50 per cent or more of the area of other floors; if it is less than 50 per cent, it does not need to be counted.

[Some buildings are also exempted from this definition](#). Specifically, buildings that are comprised entirely of secure residential institutions, hotels, and different kinds of armed forces accommodation (e.g. military barracks) are exempt from registration.

# What information is required?

Several pieces of information are required by the application portal. Firstly, the regulations require a simple description of the building, specifically:

- The address, postcode and, if applicable, name of the building
- The number of residential units
- The height, in metres, of the building
- The number of storeys on or above ground level
- The year in which the building was completed
- If the building is a single structure or not.

For existing higher-risk buildings, the notice number of the building control certificate, the date of its issue, and the name of the building control body that issued it, must be provided.

Lastly, information on the identity and contact details for the PAP must be provided as part of the registration process. A fee of £251 must be paid to complete and submit the application.

# What happens after the registration?

After the building has been through the initial registration process, further information will be required on the safety features and structure of the building. Although this information has not been published on the portal or as part of the guidance, the regulations require a significant amount of information about the building to be provided, referred to as '[key building information](#)', specifically:

- Building use (primary and secondary uses and uses of basement levels)
- Structure (frame type and material; connections to other blocks)
- Roof (structure and material)
- Number of staircases
- External wall system (all materials and percentage of each), insulation (primary material and percentage of each)

- External features and attachments to the building (type and material)
- Types of energy supply to and within the building
- Fire evacuation strategy
- List of fire and smoke control equipment
- Number of fire doors and their fire rating
- Certain building works carried out on the original building.

Key building information needs to be submitted by 30 September 2023, or within 28 days of applying to register the building. The PAP must also notify the Regulator of any change to the key building information within 28 days of the PAP becoming aware of the change.

# What should I be doing now?

The first and most essential step is to be clear about the responsibilities of the PAP and the requirements of the registration process. The second step is to ensure that you are registered to receive updates on high-rise building registration, which can be completed [here](#), and ensure that you have noted the location of the [registration portal](#).

From this point, if you haven't done so already, it is advisable to begin identifying which of your occupied buildings are defined as higher-risk and require registering. You can then begin collating the necessary information about each one. While some of the information, such as the address and postcode of the building, will probably be relatively straightforward to access, some may be more difficult to acquire. In particular, the 'key building information' may be located across different internal asset management systems or not available at all. In the latter circumstances, new assessments may have to be made to identify them and survey work may need to be commissioned. Ensuring that you therefore have an early checklist of what you do know and what you do not know about each building will be critical and will give you the requisite time to track down any information that you do not readily have to hand.

There is plenty of time between now and October, and due to the preparation required, the Regulator does not expect the majority of applications to arrive until later in the window.

Finally, if you haven't got them in place already, as part of the collation and submission of information it is also advisable to build the processes and systems to ensure that you can continue to comply with the regulations in the future. Although the window from April to October 2023 only applies to existing occupied higher-risk buildings, any new buildings will also need to be registered with the regulator in due course. Having a process in place for collating and handling the information will ensure that you can quickly and smoothly register any new buildings from October 2023 onwards.

## How will CIH help?

CIH is aware that several aspects of the registration process, especially the definitions and the collation of key building information, may be challenging for social landlords and housing organisations. More widely, CIH is also aware that building safety cases, and the type of information required, remains complex, with minimal guidance released to date. We are fully committed to keeping a watching brief on the development and functionality of the process, and we welcome feedback from CIH members on any issues or practical problems that they might encounter. To share any comments or questions, please contact our [policy team](#).

