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**AVISON  
YOUNG**

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# Tall Building Fire Safety Conference

Co-Ordinating Building  
Management

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Presented by:  
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19 June 2019



# Introduction

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Chair Working Group 8 ( Building Safety Manager)

Chair RICS H&S Advisory Board

Chair IIRPM H&S Working Group

# Welcome

## Agenda for talk

1. WG 8 – Task & Composition
2. Licensing Structure
3. Building Safety Manager
4. The Golden Thread of Information
5. BSC Competence, Integrity and Behaviour
6. Occupier Obligations
7. Insurer Questions?

# Themes for consideration

Themes falling from UK Response to Grenfell Tower Disaster:

- Lack of **consistency of approach** by ‘players’ in Built Environment
- Lack of accredited **Competence** within significant areas of the industry
- Lack of integrity and appropriate **Behaviours**
- Lack of **Verified Information**
- Lack of identifiable **Accountability**

# Consistency of Approach

- A vast number of contractual arrangements
  - Both in Construction and Occupation/Refurbishment phases
- A History of 'Value Engineering' leading to a race to the bottom.
  - Affects behaviour and attitude to work
  - Procurement of goods and services lack safeguards
    - Specification/Labelling
    - Insufficient guidance as to proper use and potentially dangerous combinations
- Works Packages not considered as part of the 'whole' system.
- Self-Certification of works rather than independent verification
  - Potential Introduction of 'Lead Engineer' & 'Independent Construction Assessor'

# Competence & Behaviours

- Many Professional Institutions/Bodies and ‘accrediting’ Trade Bodies
- Many ‘supplier’ organisations not members and not accredited.
- While ‘Organisations’ may be accredited, often individuals are not.
  
- Where there are qualifications and accreditations they are very varied and often not directly comparable to each other and therefore difficult for the employer to assure themselves.
  
- While some schemes have ‘ethical’ components – most do not address whether or not the individuals have the correct ‘behaviours’ for their role.
- Integrity, ‘doing the right thing’, ‘doing it properly’, identifying failures.

# Verified Information

- To operate a building correct and accurate information is necessity
- Significant differences between new build and existing stock
  - Includes information required by Law!
- Significant differences in quality of information
  - As-designed vs As-Built !
  - Ill defined/understood descriptors (eg Fire Strategy )
- Where BIM Used, different models and very few FM organisations/Systems can use
- Future 'smart' buildings will deliver more data – who will read and analyse it?
- Hackitt refers to the need for the 'Golden Thread'

# Accountability

- Today's litigious society has encouraged opaque lines of accountability
- Organisations accountable through contract....
  - but individuals? The 'Controlling Mind' difficult to ascertain.
- During construction final accountability falls to the Principal Contractor and Principal Designer, (not necessarily the 'lead' designer.)
- During refurbishment/maintenance/additions this is less clear
- During occupation, the accountabilities are often shared.
- What are the 'obligations' of occupiers for their own (and others') safety

# What Have UK done?

- Amongst other things.....Set up an Industry Response Group (IRG) with x12 Working Groups July 2018

Engineers	Installers
Fire Engineers	Fire Risk Assessors
Building Standards Professionals	Fire Safety Enforcement Officers
Building Designers	Building Safety Managers
Site Supervisors	Project Managers
Procurement	Products

And a specific Working Group to consider the Regulatory Framework Task – to review and redefine competence within the industry

HMG have issued a Consultation Paper 3<sup>rd</sup> June

IRG will issue their interim report for consultation by the end of June.

# WG8 – Occupation, and the Building Safety Manager

A new Role so we had to consider:

- Who may be the other parties?
  - Owner
  - Agent
  - Occupiers
  - Contractors
- What is the BSM tasked with?
- What information will the BSM receive to work with/be responsible for?
- Where will they come from?
- What competencies/qualifications and behaviours will they need?
- What liabilities will the role attract, will it be insurable?

# WG8's Task

## What were we asked to deliver?

### Remit:

- WG8 was asked to explore the competency requirements for Higher Risk Residential Building's (HRRB) Building Safety Manager (BSM), and any appropriate scheme, governance and potential sanctions for non-compliance.
- Establish how to 'engage' occupiers

**Problem:** A new role so we needed to establish the circumstances and extent of what the perceived role would be expected to deliver.

- What constitutes a 'whole building'?
- How do we deal with access?
- 'Leaseholders' often not the 'occupier'.
- Why should 'high rise' occupiers be better protected than others?
- What affect on residential of mixed-use? (parade of high street shops)

**WG8 Resolved to** create a model that could extend to all residential accommodation, (except owner occupied detached /semi-detached).

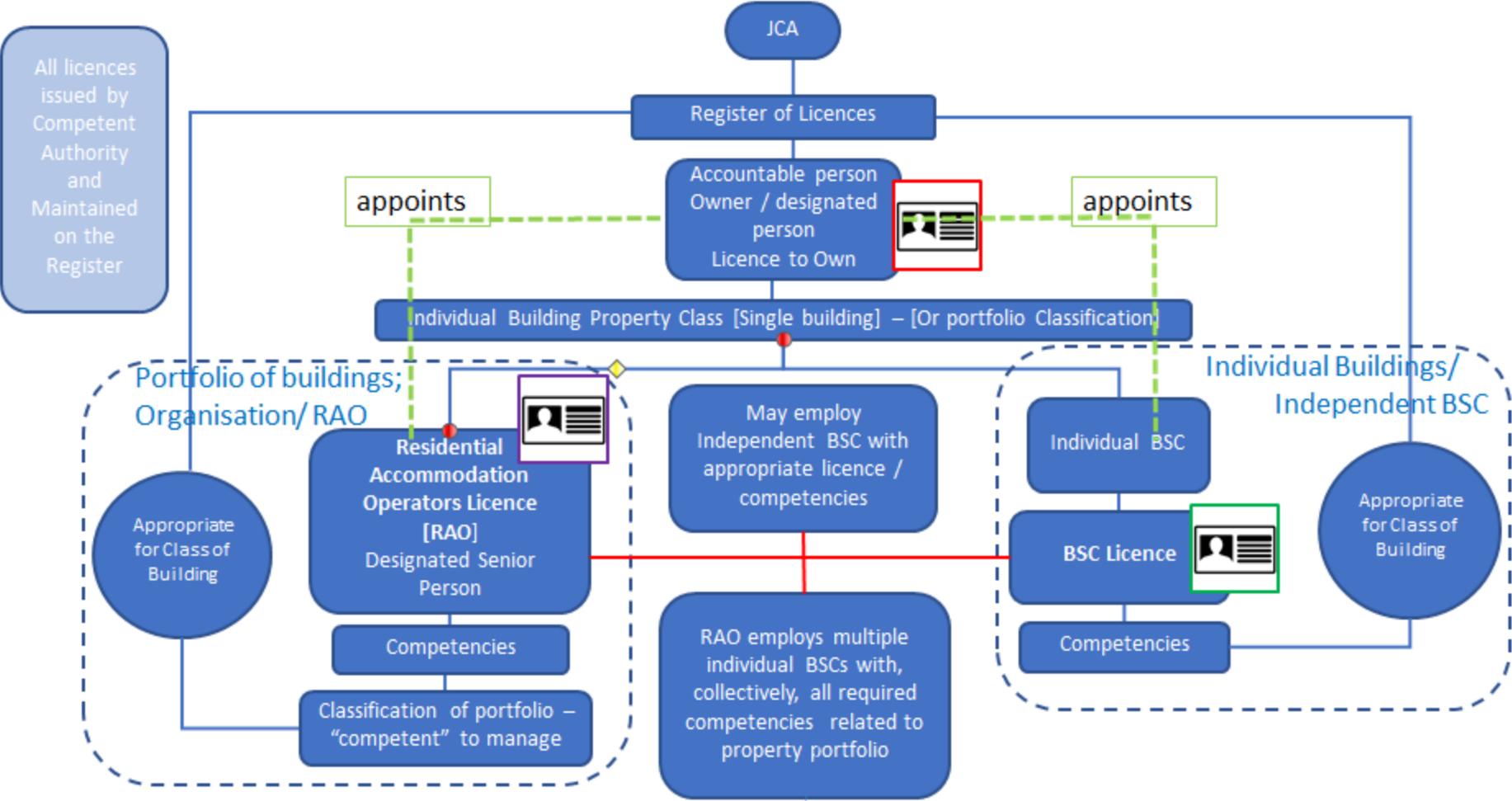
# Licensing Structure

- **Classification/rating of buildings:** In order to facilitate the appropriate competences being applied),
  - MHCLG are considering a 'Licence to Occupy - with conditions'
  - Potential issues in regard to 'labelling' re both insurance and desire to occupy?

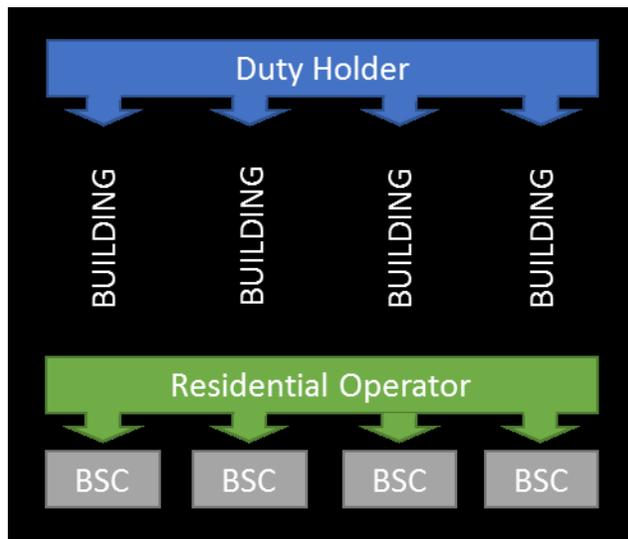
And the following **Duty Holders:**

- **The Accountable Person (AP):** The ultimate owner and licensed Duty Holder. (Must have UK resident individually appointed representative)
- **Residential Accommodation Operator (RAO):** Licensed agent; i.e. managing, letting or other.
- **Building Safety Co-ordinator (BSC)** (Hackitt's Building Safety Manager)

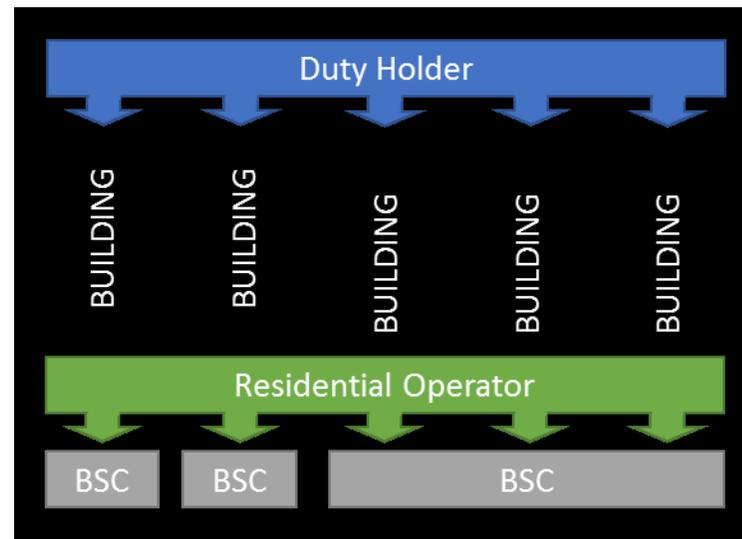
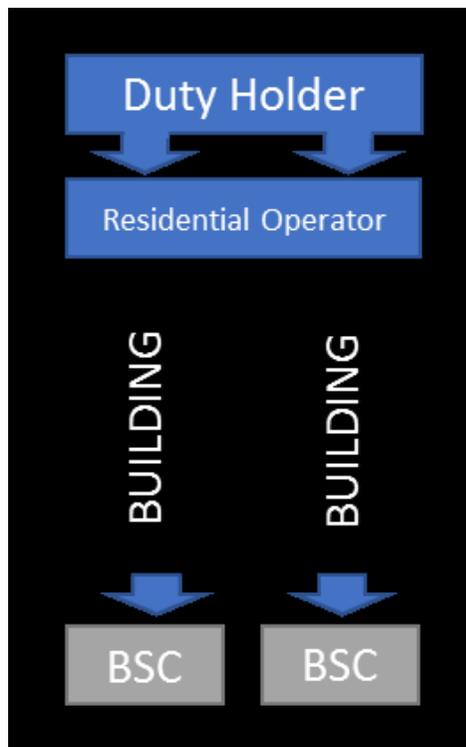
# Licensing Structure



# Management and Accountability



No proposals made re volume of buildings that any one BSC is allowed to oversee. Remains responsibility of the (RAO), giving appropriate consideration to the composition, size and volume of the stock, to ensure the necessary number of **competent** BSCs required to deliver their duties effectively.



## Need also to consider:

Right to Manage (RTM)

Residents Management Company (RMC)

# Building Safety Manager

- Hackitt requires that the Licenced Duty Holder (AP) will be responsible to appoint a 'Natural Person' as the Building Safety Co-Ordinator.
- 'Responsible' but not 'accountable' (Hackitt para 3.17)
- All of fire and life safety
- Responsibilities must be 'fair, just, proportionate and reasonable'
- **Co-ordinator** rather than **Manager** as cannot be competent in all disciplines that will impact their role
- 'Appointed' by AP but 'employed' by RAO

WG8 recommend:

- A 'Permissioning Licence' akin to a UK driving licence
- The BSC could be either a named employee of a RAO (whereby the AP appoints the RAO to provide the BSC) or an independent named BSC providing services to owners/Licenced Duty Holders of single or small portfolios.

# Golden Thread (of Information)

**Safety Case** = H&S File, Fire & Emergency File, Certs:, O&M etc etc...

MUST NOT be as open ended as the H&S File

## Definitions:

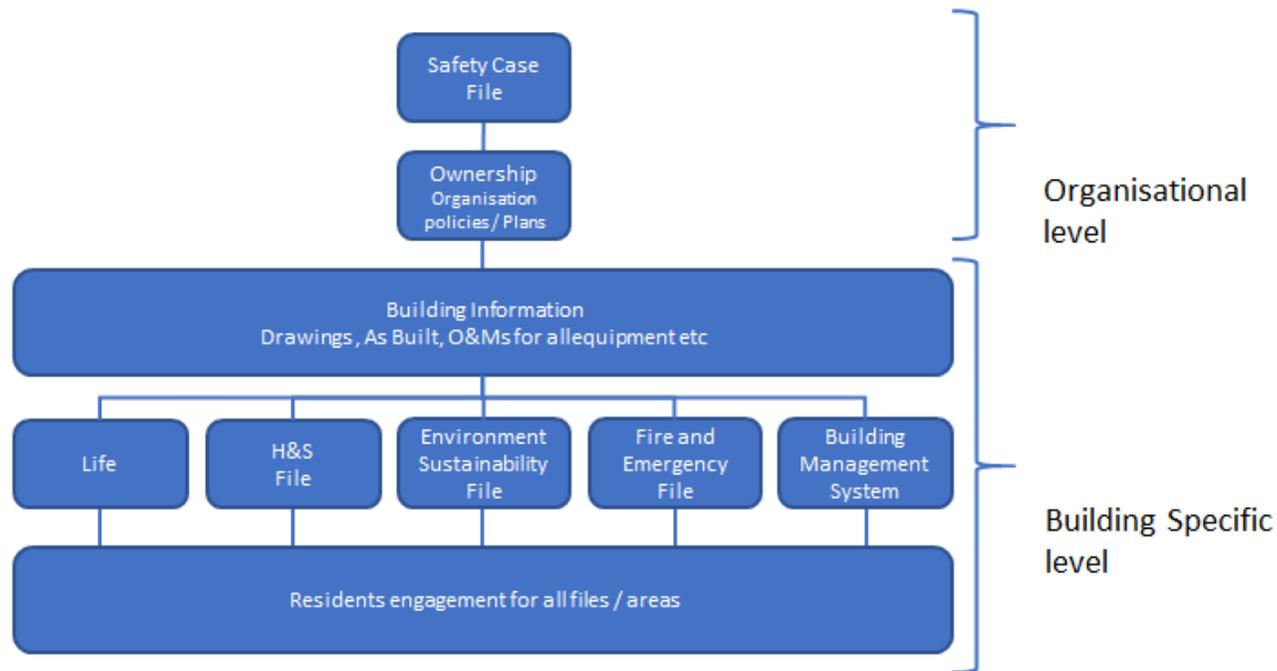
- Fire Strategy/Fire Manual/Log Book etc
- Whole Building

## Fire & Emergency File

- Recommended to be legislated for ALL Residential accommodation.
- Prescribed content (yet to be determined, possibly PAS).
- National Electronic Database. (easy check as complete while conveyancing)
- ONLY competent persons can upload. (no need for 3<sup>rd</sup> Party 'checks')
- Access by need/permission

# Golden Thread (of Information)

- Handed over by PC having been checked by (proposed 'Lead Engineer' and 'Independent Construction Assessor').
- Practical Completion/Occupation not permitted until FEF acceptable



# Fire & Emergency File

**The FEF should contain the following prescribed sections. The [non-exhaustive]**

Section 1 - Building Information, Ownership, Occupiers

Section 2 – Overview of Building Fire Safety Management Arrangements

Section 3 – Fire Risk Management Policy

Section 4 – Occupied Building Fire Strategy

Section 5 – Fire Risk Management and Fire Fighting Operational Arrangements

Section 6 – Fire Safety Manual

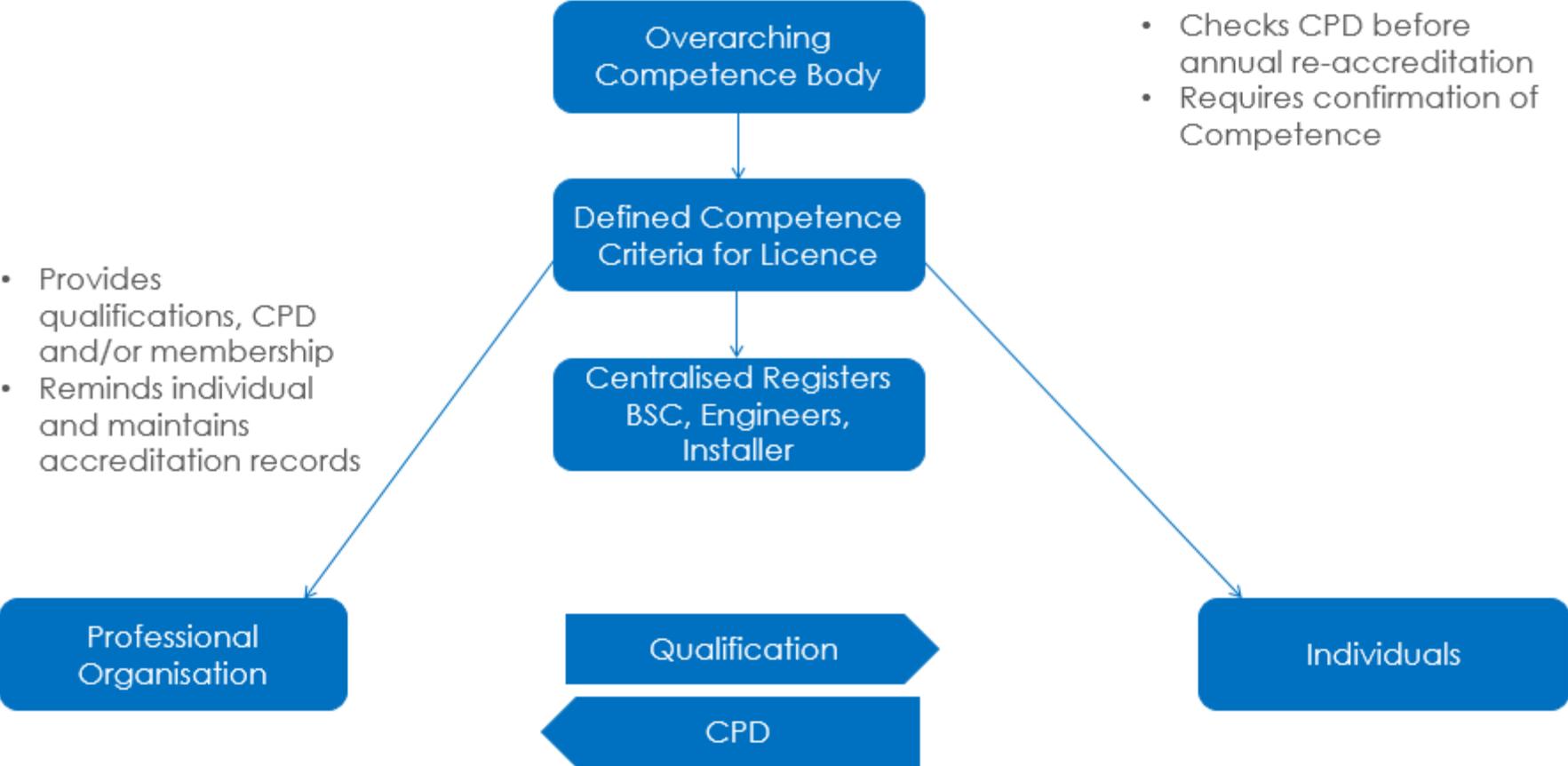
Section 7 – Fire Risk Assessment records

Section 8 – Fire Safety Log Book

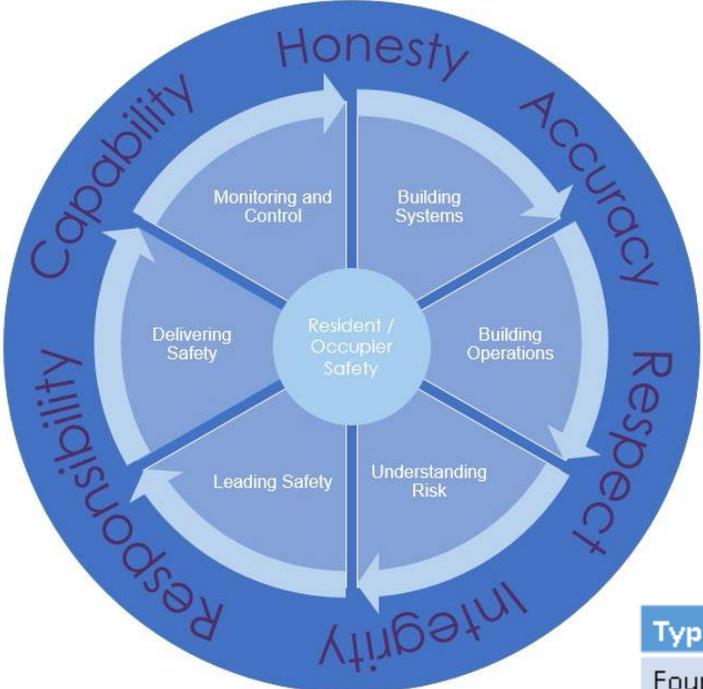
Section 9 – Tenant Engagement Strategy

**Proportionate to the building and occupants for which it is developed, and is to include a description, in layman's terms, (section 2) of how the building's fire safety arrangements are designed and what is necessary to ensure they are maintained effective.**

# Competence and Registers



# BSC Competence, Integrity and Behaviour



Type	Criteria
Foundation	May require guidance and supervision. Start of the learning journey to understand concepts and practices.
Intermediate	Concepts understood, limited supervision, may require guidance. Knows when to seek advice
Advanced	Concepts understood with some technical knowledge. May require guidance. Knows when to seek advice and can identify limits of competency
Specialist	Technical expert. Has a balanced level of technical and non-technical knowledge. Knows limits of competency. Can identify strengths and weaknesses and apply risk management principles.

# Behaviours & Integrity

Behaviour	Areas
Honesty	Reliable and Trustworthy, treat others with equality and fairness, consider behaviours of others, be open, transparent and honest. Communication is clear and unambiguous.
Accuracy	Act with care, perform services competently, keep knowledge and skills up to date, assist in the development of others, identify/mitigate/manage risks and not to mislead. Communication is clear and accurate.
Respect	Safety of others is paramount, ensure work is lawful and justified, recognise the importance of alternative views, respect personal information and intellectual property including confidentiality, protect and aim to improve the built and natural environments.
Integrity	Declare and manage conflicts of interest, avoid deception and take steps to prevent/report corrupt practice or professional misconduct, reject bribery and improper influence.
Responsibility	Take Ownership of actions, deliver an effective service to ensure safety is delivered. Provide direction to others and challenge others where safety is impacted or professional concerns are identified.
Capability	Understanding limits of competency, knowledge and capacity. Recognising that ongoing learning is required to maintain competency.

# Competence

## Key Strands and Competencies

Strand	Competencies
<b>Building Systems</b>	Understand how buildings work, the systems within them and understand fire behaviour
<b>Building Operations</b>	Understand the building operating environment, legal framework and golden thread, applying due diligence
<b>Understanding Risk</b>	Understand key principles of good governance and risk, what it is, how its assessed, how it applies, how to control risk and how that relates to risk profile or organisation factors
<b>Leading Safety</b>	Understand how to lead safety and have adequate oversight of risk, understand the needs of stakeholders, know how to define roles and responsibilities, how to adequately resource risk management and be able to set a framework to monitor risks
<b>Delivering Safety</b>	Understand how to engage and provide effective communication, procure goods or services, project manage, deliver safety, manage stakeholders, maintain information systems and provide adequate emergency response arrangements
<b>Monitoring and Control</b>	Understand what needs to be measured and when, how to identify strengths and weakness, audit/check systems, be able to manage actions and track progress, provide feedback and learn from experiences.

# Occupier Engagement

- Upgraded 'Tenant's Handbook'
  - Multimedia promotion (ie: for students ?)
  - Access to FEF / FRA – but how much of the technicalities will they understand.
  - Tenant Associations
  - Difficulty with those not wishing to engage: 'my Home is my Castle'
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- Therefore WG8 have recommended a long-term national public sector broadcasting program to change social behaviour (Saatchi)
    - Clunk-Click
    - Drinking & Driving
  - Information should be made available to primary schools, Scouts, WI etc