

# **Explained: The Draft Building Safety Bill**

## **Background**

The government is bringing forward fundamental changes in the Draft Building Safety Bill that will improve building and fire safety, so that people will be, and will feel, safer in their homes.

The Grenfell Tower fire in West London on June 14, 2017 claimed 72 lives. The tragedy exposed serious failings across the whole system of building and managing high-rise homes.

We took immediate steps to make residents safer, and asked Dame Judith Hackitt to carry out an independent review of building regulations and fire safety to understand the causes of the fire. The review concluded that the whole system needed major reform and that residents' safety needed to be a greater priority through the entire life cycle of a building – from design and construction, through to when people are living in their homes.

The government accepted the review's recommendations and this draft Bill, which, alongside the existing Fire Safety Bill and fire safety consultation will set out how we are bringing forward those proposals to provide the biggest improvements to building safety in nearly 40 years.

## **What is a draft Bill?**

A draft Bill is published to enable consultation and scrutiny before the Bill is introduced to Parliament. The Draft Building Safety Bill will be examined by a Parliamentary committee who will report with feedback and recommendations before the Bill is finalised. We will also work with stakeholders on areas that need refinement or further consultation to finalise measures.

The Bill will then be introduced formally in the House of Commons or the House of Lords. If it progresses through all stages in Parliament, the Bill will then be presented to the Queen for her formal agreement where it then becomes an Act and the powers come into force.

## **What does it mean for residents?**

We are putting measures in place to make people safer in their homes. The Draft Bill will ensure that there will always be someone responsible for keeping residents safe in high rise buildings – those 18 metres and above. They will also have to listen and respond to residents' concerns and ensure their voices are heard – they will be called the 'Accountable Person'.

Residents and leaseholders will have access to vital safety information about their building and new complaints handling requirements will be introduced to make sure effective action is taken where concerns are raised.

To oversee all this and make sure that Accountable Persons are carrying out their duties properly, there will also be a new national regulator for building safety, within the Health and Safety Executive. It will ensure that high rise buildings and the people who live in them are being kept safe and will have new powers to raise and enforce higher standards of safety and performance across all buildings. The regulator will appoint a panel of residents who will have a voice in the development of its work.

We are committed to making sure that leaseholders won't pay unaffordable costs for historic repairs to their buildings. We will continue to engage with stakeholders, including leaseholders, on this issue while the draft Bill is being scrutinised. A new 'building safety charge' will make it easy for leaseholders to see and know what they are being charged for when it comes to keeping their building safe. But, to make sure that these costs are affordable, we have deliberately included powers to limit the costs that can be re-charged to leaseholders.

For the first time, new build homebuyers will have their right to complain to a New Homes Ombudsman, protected in legislation, and developers will be required to be a member of the scheme. The New Homes Ombudsman will raise hold developers to account, including the ability to require developers to pay compensation.

Together, measures in the draft Building Safety Bill, Fire Safety Bill, and Fire Safety Order Consultation will improve safety standards for residents of all blocks of flats of all heights, with even more stringent approaches and oversight for buildings in scope.

## **What does it mean for the industry?**

The draft Bill will make sure that those responsible for the safety of residents are accountable for any mistakes and must put them right. It will fully establish the regulator that will enforce new rules and take strong actions against those who break them.

The regulator will have three main functions: to oversee the safety and standard of all buildings, directly assure the safety of higher-risk buildings; and improve the competence of people responsible for managing and overseeing building work.

It will operate a new, more stringent set of rules for high-rise residential buildings. The new set of rules, contained in the draft Bill, will apply when buildings are designed, constructed and then later occupied. At each of these three stages, it will be clear who is responsible for managing the potential risks and what is required to move to the next stage enabling a 'golden thread' of vital information about the building to be gathered over its lifetime.

When residents move into a building that falls under the new set of rules, it will need to be registered with the Building Safety Regulator and apply for a Building Assurance Certificate. The Accountable Person will then need to conduct and maintain a safety case risk assessment for the building and appoint a Building Safety Manager to oversee it day to day.

Building inspectors who are responsible for signing buildings off as safe for people to live in will also have to follow the new rules and must register with the regulator.

The draft Bill will also give the government new powers to better regulate construction materials and products and ensure they are safe to use.

## **What else has the government done?**

The government is doing its part in bringing forward the legislation but the industry, which has fed into these reforms from the start, must now lead the way.

However, we have not stood still and the work we are doing so far is already improving the safety of buildings so people are safer in their homes.

We have banned the use of combustible materials on the external walls of high-rise buildings, published clearer guidance on existing regulations that buildings owners must follow, and we are making it mandatory for sprinklers to be fitted in all new blocks of flats over 11m high.

We identified buildings with unsafe Aluminium Composite Material (ACM) cladding and are providing £600 million to remove and replace it in both private and social-sector homes over 18 metres high. We are also providing £1 billion to remove and replace non-ACM cladding materials from high-rise residential blocks.

As part of our response to the report from Phase 1 of the Grenfell Tower Inquiry, we have introduced the Fire Safety Bill to Parliament. This gives local fire and rescue services the power to make sure building owners deal with potential fire risks in their building.

## **Next steps**

The draft Bill will be published on Monday 20 July as the government is keen for it to receive further views from parliamentarians, residents and industry via the Parliamentary process of pre-legislative scrutiny, before the Bill is then introduced to Parliament.