

National regulation: construction products

In January 2021, the government announced that the Office for Product Safety and Standards (OPSS) would take on responsibility for the national regulation of construction products. This is in line with a recommendation made in the [Independent Review of Building Regulations and Fire Safety](#) led by Dame Judith Hackitt following the Grenfell Tower fire.

OPSS started work to establish the new Regulator in April 2021 and has begun to lead and coordinate work that will set a new regulatory approach for construction products. The intention is that the National Regulator for Construction Products (NRCP) will become fully operational once the [Building Safety Bill](#) and subsequent secondary legislation have been approved by Parliament. This new legislation would give OPSS all the necessary legal powers to carry out its duties as the Regulator in full.

The challenge

Evidence given during the Grenfell Tower Inquiry demonstrates that there is a clear need to confront poor practices in the construction products industry and to establish new norms that will restore public confidence in it. While the NRCP will encourage good practice, enforce the law, and educate the industry, the system cannot be fixed by regulatory intervention alone. All industry stakeholders have a part to play in changing the operational culture and must accept this responsibility, including:

- manufacturers
- distributors
- product installers
- warranty providers
- standards makers
- test houses

First steps

In the interim, OPSS is:

- establishing its leadership within the sector
- developing an evidence base
- recruiting staff with appropriate skills and knowledge
- engaging with stakeholders to build its capacity and understanding
- reviewing the regulatory system to highlight any gaps
- liaising with the sector to set expectations

It is also supporting local authorities in the enforcement of the current construction products regulations, drawing on existing legal powers and OPSS' expertise in areas such as intelligence gathering, risk assessment and

investigation.

Operational arrangements

The Department for Levelling Up, Housing and Communities (DLUHC) is the lead Department, responsible for construction products. OPSS, in its role as the NRCP will act on behalf of and be funded by DLUHC. OPSS will continue to act as the national regulator for consumer products within the Department for Business, Energy and Industrial Strategy (BEIS).

The operational arrangements that apply while OPSS prepares to carry out the functions of the NRCP are contained in an interim Memorandum of Understanding agreed by DLUHC, BEIS and OPSS. Once it is fully operational, the NRCP will work closely with other regulators to co-ordinate regulatory action, particularly the new [Building Safety Regulator](#), within the Health and Safety Executive, which will oversee the safe design, construction and occupation of high-risk residential buildings.

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