

5 priorities for Building Safety Act 2022 compliance

It is key for everyone in the industry to understand their legal obligations under the Building Safety Act 2022.

Here are the core areas to consider as a first step to ensuring compliance with new legislation.

Contact:

Neil Badley
neil.badley@sweco.co.uk

Learn more:

sweco.co.uk/bsa

1

Checking your obligations

Any involvement on any project brings with it a legal requirement to undertake the role you are performing competently and to ensure compliance with Building Regulations.

You should understand how you are going to establish and document your competence. In addition, if you are a Client, Principal Designer or Principal Contractor, you must understand how you will verify the competence of people you bring into the team to assist in the design or construction of the building.

Question to consider:

Are you a Client, Principal Designer, Designer, Principal Contractor or Contractor?

Note:

The Building Safety Act applies to all building projects – any scheme that did not make an application before 1 October and not sufficiently progressed before 6 April 2024 must meet the new legal requirements.

2

Managing information

The Act establishes that the design and construction phases serve the occupied phase of the building and critical to this is the provision of information so the building can be managed in the manner for which it was designed and constructed.

Question to consider:

If you are a Client, Principal Designer or Principal Contractor, how are you going to plan, manage and monitor your project to ensure compliance with the regulations – throughout the design and construction process?

3

Checking the scope

Understand if your project is in scope and comes under the control of the Building Safety Regulator.

Is the building:

- Over 18m in height?; or
- Seven or more storeys with two or more residences; or
- A hospital?; or
- A care home?

Question to consider:

Has your project had a notice served and accepted prior to 1 October 2023, with work starting (sufficiently progressed) before 6 April 2024?

4

Understanding the Gateways

If your project is in-scope and you need to go through the Gateway Process, you must ensure your programme allows for the hard stops at Gateway 2 and 3.

Question to consider:

Do you fully understand the Prescribed Documents that are essential to getting approval at Gateway 2 and a Completion Certificate at Gateway 3?

5

Ensuring Duty Holder compliance

For building work not controlled by the Building Safety Regulator and the Gateway Process, the Building Safety Act and revised Building Regulations have new processes requiring appointment of Duty Holders (the organisation or person who owns or has responsibility for the building) on ANY project.

Question to consider:

Are you prepared to provide information and declarations of compliance by Duty Holders, in order to obtain a completion certificate?