

# Building Safety Act 2022

## Principal Contractors New Roles and Responsibilities:

The challenge is no bigger than ensuring that the building, the systems you operate under, and your records of these actions are in order. For this to be done it has been documented that it is appropriate to identify your COMPETENCY. In order to achieve this, a change in culture is required and if this is not already implemented it is necessary for your actions and processes to be documented and recorded.

### Dutyholder

**A dutyholder can be an organisation or an individual. A dutyholder can carry out the role of more than one dutyholder, provided they have the skills, knowledge, experience and, if an organisation, the organisational capability necessary to carry out those roles.**

New dutyholder roles have been introduced into building regulations. All those who have a stake in a project (i.e. the client, the designers and the contractors) hold duties to have arrangements and systems in place to plan, manage and monitor both the design work and the building work to ensure compliance with building regulations.

1. The duty to ensure compliance remains with, those who procure the building work, those who have key roles in the design and construction process, and those who are responsible for ensuring that building work is designed and built to be compliant with building regulations. The dutyholders will be required to cooperate with other dutyholders, coordinate their work, and, communicate and provide information to other dutyholders.
2. Dutyholders need to ensure they, and those they appoint, are competent (i.e. have the necessary, skills, knowledge, experience and behaviours) or if they are an organisation, the organisational capability, to carry out the design work and building work they are engaged to do and only undertake work within the limits of that competence.
3. Clients should carefully consider how their proposed building work will comply with both the procedural and functional building

regulations' requirements. They will be required to explain assumptions about the management and maintenance of the building once in use, as well as the behaviours and characteristics of residents or other users. This approach is to support an industry culture change by moving away from building regulations compliance as a 'tick box' exercise, towards a greater understanding, and, confidence in how to demonstrate compliance with regulations.

4. Principal Designers, Principal Contractors and anyone carrying out any design or building work must be competent for their roles, and organisations must have the organisational capability, competence and capacity to fulfil their obligations.

## **Principal Contractors**

**A contractor appointed by the client to coordinate the construction phase of a project where it involves more than one contractor.**

Main duties:

1. Plan, manage and monitor the design work during the building work.
2. Cooperate with the client, the Principal Designer, and other designers and contractors to the extent necessary to ensure that the work complies with all relevant requirements of the building regulations.
3. Ensure that they, and all those working on the project, co-operate, communicate and co-ordinate their work with the client, the Principal Designer, and other designers and contractors.
4. Liaise with the Principal Designer and share information relevant to the building work.
5. Assist the client in providing information to others.
6. Throughout the new process, BSR will be seeking evidence from each of the dutyholders. BSR will want to know how competence of dutyholders has been established, and how you will ensure competence of those performing design and construction tasks, including how these have been procured (please refer to Collaborative procurement guidance for design and construction to support building safety - GOV.UK ([www.gov.uk](http://www.gov.uk)))?

<b>Contractors Self Assessment</b>		<input checked="" type="checkbox"/> Tick
<b>1</b>	Has a declaration that the works are to be constructed in order to comply with the current Building Regulations in force been provided (See below).	
<b>2</b>	Has the contractor considered improvements in building standards, health, and the safety of people in and about the building and all the works activities, this must be for before, during, and after completion of the works.	
<b>3</b>	Are appropriate consultants already involved?	
<b>4</b>	Are all the correct design documents in place prior to undertaking all work?	
<b>5</b>	Has enough time been apportioned to complete all the tasks?	
<b>6</b>	Was prior planning of the scheme undertaken?	
<b>7</b>	Is there a contract between the procurer of the works and the contractor?	
<b>8</b>	Has the client been made fully aware by the contractor of what tasks are to be undertaken in order to complete the works?	
<b>9</b>	Has the contractor experience of this work on prior projects, is their evidence?	
<b>10</b>	Previous knowledge of good contractors performance?	
<b>11</b>	Are the qualifications of the main contractor suitable for the tasks & work to be completed to the point of operation of the completed building?	
<b>12</b>	Ideas offered by contractor regarding construction issues and dilemmas of construction programme, progress, difficulties in the construction etc?	
<b>13</b>	Good Health and Safety on site, and nearby off site locations separation?	

<b>Contractors Self Assessment</b>		<input checked="" type="checkbox"/> Tick
14	Cleanliness of site good, and is there litter removed?	
15	Are all of the correct tools at the site for the job to be undertaken?	
16	Has storage of building materials been considered?	
17	Are materials for the works stacked appropriately / positioned orderly and during the works correctly positioned?	
18	Does the contractor reply to correspondence if required?	
19	Good attitude of site personnel regarding building related issues?	
20	Good attitude of site personnel other than building related issues?	
21	Any other matters:	
22	Any other matters:	

<b>RISK Analysis</b>		
0 - 7 = High	8 - 14 = Medium	15 - 21 = Low

Consider actions that are not fulfilled by the contractor:

1. Does not turn up for agreed site meeting / visit.
2. Are removal of materials from site prompt? Grab lorry / skip does not arrive to take away debris, leaving the site untidy.
3. Were the specified or designed materials available?.
4. Vans on site are not sign written.
5. No welfare facilities on site.

6. Does not answer phone calls / reply to emails / reply to text / supply photos of work completed that are requested.

<b>RISK Analysis</b>		
0 - 2 = Low	3 - 5 = Medium	6 - 7 = High

### **Risk Profile**

What level and type of guidance is required to be provided to the contractor from the Building Control Approver?

<b>Guidance</b>	<b>Frequency</b>	<b>Impact</b>
Complex	Often	High
Complex	Sometimes	High
Complex	Rare	Low
Minor	Often	Medium
Minor	Sometimes	Low
Minor	Rare	Low

## **The Golden Thread (highlights for contractors)**

The golden thread is both the information that allows you to understand a building and the steps needed to keep both the building and people safe, now and in the future.

1. The golden thread information management approach will apply through design, construction, occupation, refurbishment and ongoing management of buildings. It supports the wider changes in the new 2022 regime to promote a culture of building safety.
2. Building safety should be taken to include the fire and structural safety of a building and the safety of all the people in or in the vicinity of a building (including emergency responders).
3. Be Relevant and Proportionate: preserving the golden thread does not mean everything about a building, and its history needs to be kept and updated from inception to disposal. The objective of the golden

thread is building safety and therefore if the information is no longer relevant to building safety it does not need to be kept. The golden thread, the changes to it and processes related to it must be reviewed periodically to ensure that the information comprising it remains relevant and useful.

### **Contractors Mandatory Declaration:**

- 1. "The Principal Contractor confirms that that it has fulfilled its duties as a Principal Contractor under Part 2A (dutyholders and competence) of the Building Regulations etc. (Amendment) (England) Regulations 2023."**