



Llywodraeth Cymru  
Welsh Government

# ***Safer Buildings in Wales***

## The Future of Building Safety in Wales

*An update from Welsh Government on building safety and plans for future reforms to ensure residents feel safe and secure in their homes*

# *Resident Engagement*

We would expect that all Accountable Persons provide a minimum level of information to residents to promote safety in their buildings including:

- Fire safety measures within the building e.g. fire doors, sprinklers, fire breaks, escape routes
- Advice on what to do in the event of a fire/if the fire alarm is activated.
- Information on the roles and responsibilities of the Accountable Person and residents; but also the expectations on residents
- Information made available on request e.g:
  - Fire Risk Assessments
  - Maintenance and repair schedules
  - Inspection outcomes

- General fire safety advice for residents – for example this might include where to access general information on fire safety (e.g. electrical safety, storing dangerous materials, etc).

The level and detail of information provided to residents should reflect the complexity of the building. We want to promote a culture of openness and transparency, our expectation is that the Accountable Person is proactive, providing information to residents and updating them as and when appropriate.

The Accountable Person should be mindful of the needs of residents. Information should be provided in a way that is accessible and understandable. For example, proportionate provisions will need to be made for vulnerable residents and those with additional needs. We would also expect the language profile of residents to be taken into account.

# *Resident Engagement*

For Category 1 buildings there will be additional requirements to develop, and, more importantly, deliver resident engagement.

This engagement should be genuine and ongoing. It is not sufficient to merely create a strategy and issue information on a regular basis; that is lip service and will not be acceptable.

Working in partnership with residents to ensure the safety of the building.

- How the Accountable Person will deliver resident engagement
- How the Accountable Person will establish effective two way communication including:
  - Setting out what information will be shared with residents, when and how.
  - How residents can get more actively involved.
  - How residents can access additional information on request.
- How the effectiveness of resident engagement will be assessed.
- How residents can raise concerns and issues.
- How residents can escalate concerns to the regulator.

# *Resident Complaints*

The Accountable Person would be required to have a formal complaints process for residents to raise concerns about the building.

This would include how and where to escalate a complaint where a resident felt that a concern had not been addressed.

The internal process for raising concerns would need to set out:

- The process for raising a concern
- How information and data will be recorded
- How responses to concerns and complaints will be provided
- How the assessment of the concern and decision making around any action taken and rationale for that action (or inaction) will be recorded.
- How information on all concerns and complaints will be reported back to residents and leaseholders.

# ***Resident Responsibilities***

The roles and responsibilities of residents should not be underestimated. In the vast majority of fires, regardless of setting, it is the unsafe behaviour of people that can lead or contribute to fires and their severity, or the efficacy of for example evacuation procedures.

In all multi-occupied buildings we believe that additional responsibilities for residents should be introduced in order to support the safety of the building for all. This could include for example:

- Providing access to their property for safety check or work to be carried out (subject to reasonable notice to the resident).
- Providing reasonable information on works undertaken within their properties.
  - E.g. Not Replacing fire doors with doors which do not adequately resist the spread of fire;
  - Modifying fire doors by installing letterboxes, cat flaps and so on which do not adequately resist the spread of fire;

# ***White Paper Consultation: next steps***

- ***Currently reviewing responses (approx. 100)***
- ***Summary and Government response Autumn 2021***

# ***Legislation Update***

- ***UK Building Safety Bill***

UK Government Bill that we are working on to include enabling powers for Ministers in Wales which will allow us to introduce some aspects of these reforms more quickly.

- ***Senedd Bill***

Welsh Government Bill that will focus predominantly on the occupation phase and will complete the reforms required to bring in the new Building Safety Regime in Wales.

- ***Fire Safety Act 2021***

Interim measures confirming responsible persons have a duty to reduce risk of fire for the building's structure and external walls (including cladding, doors, windows and balconies) and all doors to individual flats that open into common parts.

# ***Building Safety Bill***

## **Design and Construction phase – So what is changing.....**

- Past 12 months Welsh Government have been negotiating of the application of Design and Construction aspects of the 'Building Safety' Parliamentary Bill to Wales, with UK Government
- It was clear that many areas of the Bill were also very relevant to Wales as the building regulations in both administrations have not changed since devolution
- This will see the most significant changes to building legislation since Building Act 1984 came into force
- Radical improvements to the building control system specifically mainly aimed at higher risk residential buildings
- Will also include changes to the BA 1984 outside high risk building



# ***Building Safety Bill***

## **Key elements of the Bill for Wales:**

- New application process for high risk buildings – Gateway process
- Additional enforcement functions and additional time to take enforcement
- Liaise with policy counterparts in UK Government and other devolved administrations to coordinate developments in relation to industry competence
- New Homes Ombudsman
- UK Construction Products Regulator
- Defective Premises Act changes – extension of the action period from 6 to 15 years and now includes refurbishment of existing buildings

# ***Building Safety Bill***

## **Occupation phase:**

### **Fire Risk Assessments**

All fire risk assessments must be:

- Undertaken by a qualified person, if not by the RP personally
- Permanently recorded
- Provided in summary form to residents

<https://gov.wales/safer-buildings-wales>

***For further information:***

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