

# The Construction (Design and Management) (CDM) Regulations 2015 as inspiration for the new building safety regime

And the impact on  
facilities management



Institute of Workplace  
and Facilities Management

# Agenda

- Introduction
- CDM principles
- Ministry of Housing, Communities & Local Government (MHCLG) proposals
  - Scope of regime
  - Building safety manager (BSM) and accountable person (AP)
  - Golden Thread
  - Competency
- Impact on workplace and facilities managers
- What is IWFM doing?

# Introduction



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# An overview

We'll discuss how CDM principles have inspired Building a Safer Future proposals to ensure buildings in scope are safe for residents, including:

- clear responsibilities
- a system of registration and building certification
- the safety case approach and how it should be applied in design and construction, and for buildings in occupation

Throughout, we'll keep returning to the questions:

- How has CDM inspired the proposals?
- How does this impact facilities managers?
- What's the expectation of a building safety manager?

We will also consider how culture change and competence are essential to the proposed changes being successful.

# CDM principles

The main CDM principles include:

**culture and behaviour change**

**clear dutyholder roles**

**health and safety filing**

**client duties and resources**

**risk assessment and management**

**organisational responsibility**

**competence**

# Building a Safer Future

Two consultations launched 6 June 2019



Home Office

**The Regulatory Reform  
(Fire Safety) Order 2005  
Call for Evidence**



Ministry of Housing,  
Communities &  
Local Government

Building a Safer Future

Proposals for reform of the building safety  
regulatory system

iwfm

# Building a Safer Future

## Spanning four broad areas

The consultation covers:

1. the scope of buildings
2. the concept of dutyholders
  - the new building safety manager (BSM) and the accountable person (AP)
  - Golden Thread of information, building safety certificate and safety case
3. giving residents a stronger voice in the system and ensuring their concerns are never ignored
4. plans for a new building safety regulator
5. strengthened inspection, enforcement and sanctions

Building types	Regulatory regime
Multi-occupied Res. Buildings 18m+	Building a Safer Future (AP, BSM, Safety Case, Golden Thread, resident engagement) (+ Housing Act 2004)
Multi-occupied Residential Buildings under 18m	Housing Act 2004 (residential parts + common parts) + Regulatory Reform (Fire Safety) Order 2005 (RRO) for common parts – how to clarify overlap? + new statutory duty to co-operate (F&R serv. & LA)
Mixed use buildings under 18m	Housing Act 2004 (risks residential parts) + Regulatory Reform (Fire Safety) Order 2005 for commercial areas and common parts
Mixed use buildings 18m+	Residential area: BSF+ Housing Act 2004 + Regulatory Reform (Fire Safety) Order 2005 + a potential new duty to cooperate and coordinate for the new Accountable Person and the Responsible Person
Non-domestic premises	Regulatory Reform (Fire Safety) Order 2005
Higher risk workplaces	<ul style="list-style-type: none"> <li>• Is the Regulatory Reform Order sufficient?</li> <li>• Should the principles of BSF regime apply?</li> </ul>

# Building a Safer Future

## Accountable person (AP)

This individual must:

- register buildings
- appoint a competent and registered BSM
- puts measures in place to manage building safety, including access to funding and resources for the BSM
- comply with building safety certificate requirements
- provide a safety case every five years

**Will this person need to meet competence requirements?**

# Building a Safer Future

## Building safety manager (BSM) functions

This will be a new statutory role – an FM first! This individual will:

- carry out the day to day functions of ensuring that the building is safely managed
- promote the openness, trust and collaboration with residents fundamental to keeping buildings safe by being the contact point for residents
- Oversee safety works and others employed in management, maintenance or checks of the building

**Is there organisational responsibility?**

# Building a Safer Future

## BSM suitability criteria before registration

This includes:

- availability of necessary team and funding
- relevant competence, experience and qualifications to undertake functions in compliance with the building safety certificate
- if an organisation, the nominated individual within the organisation is required as competent BSM

# **Building a Safer Future**

BSM preconditions for success

**Access to occupiers' premises**

**Necessary and up to date building information**

# Building a Safer Future

## Building safety certificate

The AP must register a building and obtain building safety certificate prior to occupation.

This provides:

- clarity on roles, the building and the obligations/conditions for ensuring the building is safe for residents
- control over the building
- compliance with certificate obligations and conditions
- BSM criteria (competent and suitable)
- conditions (mandatory/voluntary/special)
- mandatory display of summary

# Building a Safer Future

## Golden thread of information

### What information will be part of Golden Thread?

- New buildings: information collected through gateway points, which will feed into safety case
- Existing buildings: information collected during building safety registration process and information required to build and evidence the safety cases

### Other points to note:

- digital format and standards
- key data set for every building – format requirement
- openness and transparency
- mandatory occurrence reporting of building safety critical issues

# Building a Safer Future

## Safety case

hazards and risks  
identification and  
assessment

describes how risks  
are controlled

**Evidence-based  
safety case**

describes the safety  
management system  
in place

tailored and  
proportionate

Five-year review

# Building a Safer Future

## Resident engagement

The BSM will need to support the AP to deliver resident engagement, which includes:

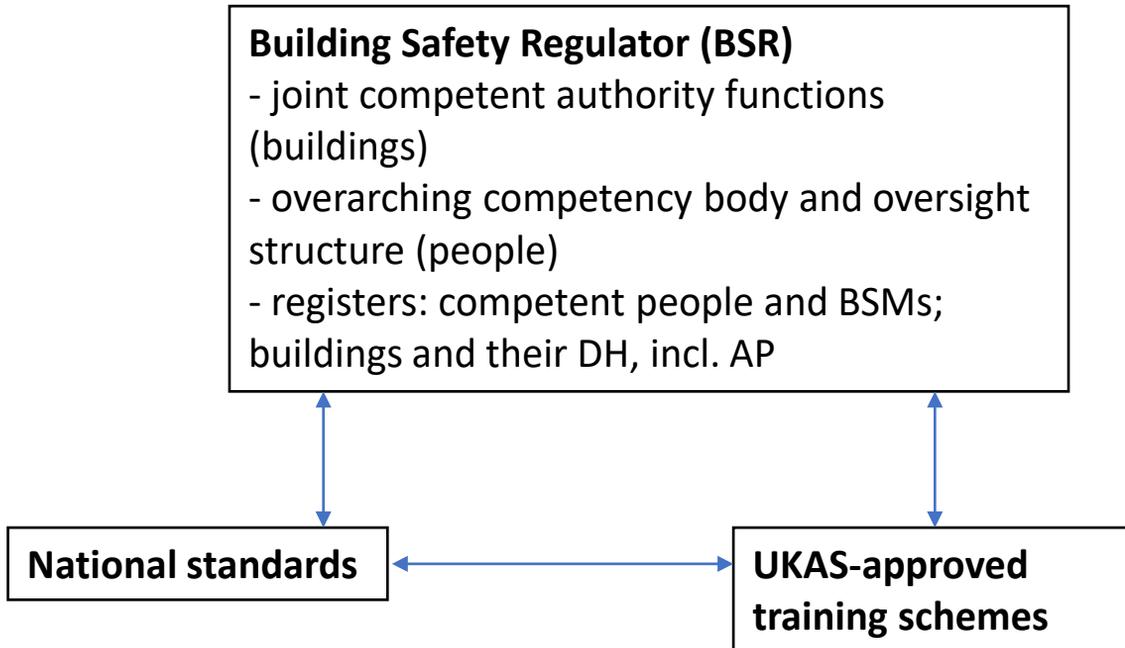
- sharing building and fire safety information
- developing and implementing a 'resident engagement strategy'
- providing a clear escalation route

The BSM is explicitly responsible for:

- delivering engagement plan on day to day basis
- providing the engagement plan to all residents
- providing residents with updates to the plan

# Building a Safer Future

## Regulation and competence



# Building a Safer Future

## Competence



**What are we doing?**

Consultation response

Fed into Dame  
Hackitt's report and  
presented

Life Safety Working Group

Ongoing MHCLG and  
Home Office  
engagement

**Our engagement**

Working Group 8  
(WG8) and the  
Competency Steering  
Group of the Industry  
Response Group

Draft competency framework

Consultation surveys  
to members

Collaborating with stakeholders  
on a competence

**Time for action**

**iwfm**

Engage with the IRG consultation document, including WG8 competence framework, which is in progress, to find out how to better prepare

Get in touch with us!

**What can you do to prepare?**

Digital and strategic preparedness

Make sure you're able to demonstrate your organisation has resources and funding in place to support the BSM role

Look at your BIM strategy and wider competences to support the fulfilment of the statutory requirements

# Thank you

Have further questions? Please contact

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The logo for IWFM, consisting of the lowercase letters 'iwfm' in a teal, sans-serif font.