



**Solihull**  
Community Housing  
Shaping our neighbourhoods

# Building Safety Strategy

## 2024

# Building Safety Strategy (2024-2025)

<b>Who's this for?</b>	All Residents, Staff and Stakeholders
<b>Document status</b>	Final
<b>Date created</b>	September 2024
<b>Last updated</b>	September 2024
<b>To be reviewed</b>	September 2025
<b>Policy Owner</b>	Head of Building Safety and Compliance
<b>Other related documents</b>	<p>Safer Homes Standard</p> <p>Fire Safety Management Policy</p> <p>Complaints Policy</p>

## Introduction

Solihull Community Housing (SCH) provides a managed housing service on behalf of Solihull Metropolitan Borough Council (SMBC). As landlord, SMBC ultimately remains accountable for overall tenant safety and is responsible for ensuring SCH fulfils its responsibilities in managing building safety.

We place the highest priority on resident safety, it is a core value of the organisation and core competency of our staff. Our first operational priority is to ensure residents are safe and feel safe in their homes and we will engage with them throughout the time they occupy their home.

This Building Safety Strategy sets out how SCH will comply with the legal duty under the requirements of all applicable building and fire safety legislation.

Its intended audience is:

- Residents who live in a higher risk residential buildings managed by SCH.
- SCH staff and contractors who work day-to-day in delivering the strategy.
- Stakeholders who have a role and interest in building safety, including SMBC, ward councillors, the fire service and the police.

## Scope

Building safety principles apply equally to every building we manage, however this strategy predominantly focuses on mitigating building safety risks within **Higher-Risk Residential Buildings (HRRBs)**, as defined in the **Building Safety Act 2022 (BSA)**, as a building of least 18 metres in height or has at least 7 storeys, with at least two residential units.

SCH manages [37] buildings that meet the BSA definition of higher risk because of their height.

A building safety risk is defined as one where the safety of people in or about a building is put at risk arising from the following occurring:

- Spread of fire.
- Structural failure.
- Any other matter prescribed in regulations (none currently).

This strategy sets out how we will meet the legal duty under the BSA to make sure everyone living in a SCH managed building, defined in law as 'higher risk', is kept safe, informed and able to participate in decision making about the safety of their building.

Within our approach to compliance with current regulation, we will however anticipate the expected regulatory direction of travel, that the scope of the building safety regulation will be extended to include all higher risk buildings - low-rise blocks,

independent living and temporary accommodation, and supported housing schemes in time.

This strategy covers the period from April 2024 to March 2025, and is focused on embedding the SCH operational response to strengthened regulation and scrutiny. It will then be reviewed and updated to reflect an embedded operational system focused on ensuring rolling compliance with regulation.

## Context

**The Building Safety Regulator (BSR)** is empowered to oversee compliance with building safety regulation and will expect SCH to evidence:

- Strong partnership working with residents to keep our building safe through transparent engagement and effective complaints handling.
- The Director of Economy and Infrastructure at SMBC is the nominated **Accountable Person** has been designated with statutory responsibility for managing building safety risk and to prevent and reduce the severity of building safety incidents relating to fire or structural failure.
- The Chief Executive of SCH is the nominated **Responsible Person** and has a set of duties for ensuring fire safety within a building.
- Registration of all in-scope residential buildings.
- A **Building Safety Case Report** that demonstrates how building safety risks are identified, mitigated and managed on a building-by-building basis and against which a **Building Assurance Certificate** is awarded.
- A 'golden thread' of building safety records is maintained for the life of a building within a **Building Safety File**.
- The competence of people managing, maintaining or refurbishing a high-risk building.
- Accountability and processes to identify and report to the Regulator, fire and structural safety occurrences which could cause a significant risk to life or safety.

Through the **Safety and Quality Standard (2024)** the Regulator of Social Housing has set expected outcome of landlords to take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.

With specific the expectations to:

- Identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.
- Ensure that all required actions arising from legally required health and safety assessments are carried out within appropriate timescales.
- Ensure that the safety of tenants is considered in the design and delivery of landlord services and take reasonable steps to mitigate any identified risks to tenants.

## Objectives

The strategy will achieve three straightforward objectives over the next year:

1. Building safety regulation accreditation.
2. Ensure building safety.
3. Ensure resident voice and experience is at the heart of building safety.

A Building Safety Strategy Action Plan is presented at the end of the strategy.

### **Achieve building safety regulation accreditation**

As required SCH has registered all occupied higher-risk buildings with the BSR, and every building now has a unique registration reference number.

When invited by the Building Safety Regulator we will now submit of a Building Safety Case Report for each building to demonstrate compliance with their ongoing duty to take all reasonable steps to prevent a major incident arising from the building safety.

Once the regulator is satisfied with the case report, a Building Assessment Certificate will be issued, which must be displayed in the building and renewed every five years.

We will also ensure that our operational processes and systems are fit for purpose to:

- Meet the BSA requirement to maintain a Building Safety File and demonstrate a 'golden thread' of record keeping.
- Meet the BSA requirement to demonstrate organisational competency, by implementing a competency framework for key staff working on building safety and compliance related matters, to establish and monitor individual competences to ensure the organisation and its workforce remains competent in its function to deliver safety and manage risks effectively.
- Determine how we meet requirements for mandatory occurrence reporting.
- Define clear roles, responsibilities and reporting lines that will provided assurance to residents, stakeholders and the regulator.

### **Manage building safety hazards**

The BSA requires the examination of the whole building for potential safety hazards in addition to focusing solely on building and fire safety matters.

SCH has undertaken structural surveys of HRRBs to ensure they are structural safe and where necessary remedial actions are undertaken. In scope residential buildings are inspected regularly and maintained in accordance with industry standards and regulations

- A robust process to enable early identification of building safety risks.
- Staff, residents and third parties understand their duties and the consequences of not fulfilling them.

We will work to bolster safety and risk management process and the use of risk management tools in identifying hazards and assessing and mitigating risk.

### **Meet landlord health and safety compliance obligations**

SCH has a duty of care and a legal responsibility to ensure that all buildings and properties under its control are maintained so that they remain safe places for residents to live. A robust inspection-based approach to housing compliance through which we proactively identify risks and ensure resulting action eliminates, mitigates or manages risk:

- Inspection cycles are in place covering the core areas of landlord compliance - gas, asbestos, fire, electrical, water hygiene, and lifts.
- Follow-up actions are tracked to ensure completion and records updated.
- Compliance management systems are in place to deliver accurate record capture and keeping, to create a single version of the truth for each home and building.
- Staff, contractors, and other partners are clear about their roles and responsibilities for managing compliance, and health and safety obligations.
- Assurance processes evidence levels of compliance with statutory legislation and flag any breaches of compliance or non-conformity with codes of practice.

### **Enable the delivery of a Building Safety Resident Engagement Strategy**

The BSA requires the production of a Building Safety Resident Engagement Strategy for all residents living in a higher-risk residential building. The strategy must:

1. Describe the information that we'll provide residents about decisions relating to the management of their building.
2. Say when residents will be consulted about those decisions.
3. Include arrangements for consulting with and finding out the views of residents.
4. Show how we will measure and keep under review the methods set out in this strategy.
5. Be shared with residents and owners of flats who live elsewhere.

We recognise that residents have a right to be heard on building safety decisions affecting them and want residents to feel informed and empowered to challenge decisions and take part in any discussions about their building and will therefore always consider the impact on residents, both financially and disruption to daily lives, when taking decisions about building safety issues.

We will work with residents to co-produce a Building Safety Resident Engagement Strategy based on the insight and 'lived experience' of residents, to ensure:

- Every resident understands how building safety risks and decisions affect them.
- Every resident knows how to access building safety information, that is accurate and up-to-date, and that is reviewed regularly and meets regulatory requirements

- It is clear what types of building safety decisions residents will be asked for their views.
- It is clear how feedback will be taken into account following engagement.
- Residents understand their responsibilities in making sure their homes remain safe.
- Residents know how to raise a building safety concern or a complaint if they feel their concerns are not being listened to.

### **Provide accessible building information**

Residents require access to building information to make informed decisions on building safety matters for their buildings and to understand the protective measures that are in place to keep their building safe. For each in scope building we will provide information on:

- The measures we have in place to prevent and mitigate potential fire and building safety risks, including the fire strategy for the building, and details of preventive measures such as smoke alarms, and fire protection measures in place, such as fire doors.
- Sprinkler systems in every flat all communal areas and fire doors in communal areas and individual flat entrances.
- Information for residents detailing how they can reduce the risk of fire in their home.
- How buildings are managed, the current fire risk assessments for their building, and a process for reporting risk of fire or a structural safety issue.
- Procedures to follow where a fire occurs in the building.

### **Ensure access to dwellings in high rise buildings**

Where we need to access a dwelling to assess or manage building safety risks, or to determine non-compliance with section 95 of the Building Safety Act, we will write to the resident, giving at least [48 hours' notice].

If access is not provided by a resident or owner over the age of 16, we will attempt to revisit the dwelling at [least twice].

If access is still not provided, we will apply to the County Court or First Tier Tribunal to issue an order to allow access.

### **Control resident alterations to buildings**

Residents and visitors are not permitted to make unauthorised changes to life saving building or dwelling components without permission from us.

- A resident or visitor must not do anything which creates a significant risk to the building's structural safety or creates a significant risk of causing or spreading fire in the building. This includes damaging, removing or interfering with any of the building's fire safety measures, such as smoke detectors, fire alarms, fire doors, and fire extinguishers.
- Residents should contact us if they identify any damaged, removed or faulty fire safety measures.

- Residents are expected to comply with our [Home Improvements Policy] if they plan to make alterations to their home. Non-compliance with our policy may result in a contravention notice being issued and costs for repairs being recovered. We may take legal action and terminate the tenancy in extreme circumstances.

### **Put leaseholder protections in place**

For leasehold properties, landlord responsibility is defined within the terms of each lease but will generally cover communal areas up to the front entrance door, with the leaseholder being responsible for the front entrance door and interior of the property.

Where SCH undertakes building safety defect remediation on relevant buildings, the following limitations on costs passed on to leaseholders are applied (subject to any additional limitations set out in individual leases):

- Limitations have been placed on the permitted maximum cost that can be charged to relevant leaseholders for defects, based on their lease value and location.
- Leaseholders are protected outright from paying any costs associated with the remediation of external cladding defects.
- Defect remediation costs must first be applied to those responsible for the defects, such as the developer or client who instructed the building works.
- Any remediation funding costs covered by the building safety fund must also be deducted from costs before they are passed on to leaseholders.

### **Manage building safety complaints**

A 'relevant complaint' regarding building safety under the BSA may result from:

- A building safety risk to a specific building.
- The performance of an Accountable Person in fulfilling the duties of the BSA.

We will communicate with residents to ensure they are fully aware of our responsibilities with regard to building safety, and how to complain should they feel we are not meeting them.

All complaints relating to building safety will be submitted and managed through our [two stage] complaints process, which allows a resident to challenge the decisions on a complaint and comment on any findings during an investigation. A complainant will be kept informed of expected timeframes for handling and investigating a complaint.

If a resident remains unhappy with the outcome of a complaint after [Stage 2], they may escalate the complaint to the Building Safety Regulator, or the Housing Ombudsman.



## Equality Impact Assessment

It is a key objective of this strategy that residents are at the heart of building safety including the identification of vulnerable resident's needs.

We [have carried out an Equality Impact Assessment] to ensure that this strategy is accessible and effective for all residents, whatever their needs, backgrounds or characteristics (for example ethnicity, sex, age, disability, religion or belief).

For each building we manage we will use survey data, tenancy audits, tenancy and lease sign-ups and other sources to help us understand whether there are any households, individuals or other stakeholders who may be at a greater risk from fire, or disadvantaged if information or engagement is not provided or offered in alternatives ways. We will act on this analysis to make sure we adapt our activities and opportunities to meet everyone's needs.

We endeavour to maintain a record of every adults aged 16+ in each property so that we can meet our legal obligations to share this strategy with them. We will make sure that important information is provided in a way that is understandable and accessible. We will review this information regularly through tenancy sign-ups, tenancy audits, surveys, and by acting on information we receive. Where an individual may need additional support to be safe, we undertake a [person-centred fire risk assessment].

## Oversight, measurement and monitoring

SCH has been delegated authority for health and safety management of residential buildings by SMBC, but as landlord, they are ultimately the accountable party.

The SCH Chief Executive has the overall accountability and responsibility for health and safety, including building and fire safety. Senior level oversight of building safety governance is provided through the Building Safety Group, Executive Leadership Team (ELT) and SCH Board.

The SCH Board is responsible for ensuring that adequate resources are made available to the Chief Executive and ELT to ensure there is adequate building safety management implemented and embedded across the organisation.

We will develop a range of performance measures that will reflect the effectiveness of this strategy:

- Overall satisfaction that SCH keeps residents safe in their home.
- Number of reports of building safety issues reported.
- Number of complaints received about building safety.
- Number of residents stating that they know what to do in the event of a fire.

- The Board is responsible for monitoring compliance with this Policy.

The Board will analyse quarterly performance reports to ensure that issues of significant risk are actioned appropriately.

The ownership of this falls under the remit of the Assistant Director of Assets and Development and the Head of Building Safety.

## Linked Strategies and Policies

Fire Safety Management Policy (2022)

Complaints Policy (2023)

## Relevant Legislation and Guidance

Building Safety Act 2022

Higher Risk Buildings (Key Building Information etc.) (England) Regulations 2023

The Building Safety (Registration of Higher Risk Buildings and Review of decisions) (England) Regulations 2022

The Building Safety (Leaseholder Protections) (England) Regulations 2022

The Building Safety Act 2022(Commencement & transitional Provisions) Regulations 2023

The Higher Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023

The Higher-Risk Buildings (Key Building Information etc.) (England) Regulations 2023

The Building etc. (Amendment)(England) Regulations 2022

Building Regulations – Fire Safety Approved Document B (inc. 2020 & 2022 amendments)

The Building Regulations (Amendment) (England) Regulations 2023

The Building (Approved Inspectors etc. and review of Decisions) (England) Regulations 2023

The Building Safety (Leaseholder Protections) (Information etc.) (England) Regulations 2022

The Building Safety (Leaseholder Protections etc.) (England) (Amendment) Regulations 2023

The Building Safety (Responsible Actors Scheme and prohibitions) Regulations 2023

Fire Safety Act 2021

Fire Safety (England) Regulations 2022

Regulatory Reform (Fire Safety Order) 2005



Regulator of Social Housing Safety and Quality Consumer Standard (2024)

# Building Safety Strategy Action Plan

<b>SCH Building Safety Action Plan (2024-25)</b>		
<b>Action</b>	<b>Approach</b>	<b>Complete By</b>
<b>Building safety regulation accreditation</b>		
Prepare Business Safety Case Reports		
Develop Building Safety File framework		
Develop a competency framework		
Embed roles and reporting mechanisms		
<b>Hazard, and health and safety management</b>		
Risk management tool implementation		
<b>Building Safety Resident Engagement Strategy</b>		
Develop BS resident engagement strategy		
Develop and provide BS information		
Embed BS complaints within SCH process		
Ensure equality of access		
<b>Oversight, Monitoring and Review</b>		
Embed governance structure (incl. SMBC)		
Define performance metrics		
Embed performance review		