



# BRICK BY BRICK: HOW COLLABORATION BUILDS SAFER BUILDINGS

Insights from Frameworks, Contractors, Consultants  
and Clients on how to work better together to meet  
the Building Safety Act regulations

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## FOREWORD

**Meeting the Building Safety Act requirements is not a fire safety process, but a change management programme, affecting all corners of the industry. It is a legislative lever to ensure quality, but at its core is a shift in behaviours.**

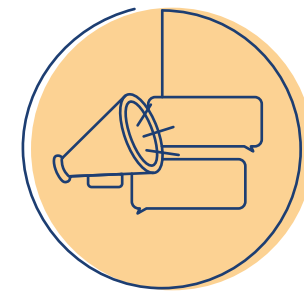
Many of our clients have asked us to help them understand the Building Safety Act, uncertain how best to navigate it and when to engage consultants and contractors.

We hosted a roundtable debate which brought together contractors, consultants and clients to listen to their experiences, ask questions of each other and share knowledge. This paper covers some of the most common issues covered in the discussion including:

- ▶ How can we work better together?
- ▶ What do we mean by value management?
- ▶ Who takes on the Principal Designer role and when?
- ▶ How do we ensure competence to reduce risk?
- ▶ Does the Procurement Act help or hinder with the Building Safety Act?
- ▶ Where can I find up-to-date information on the Building Safety Act?

The unanimous agreement was that open conversations like this are invaluable. They engender collaboration, give an understanding of others' issues and concerns and crucially how that can impact our own roles.

Meeting the Building Safety Act regulations is an evolution, but it also requires us to get it right first time, so we can build a safer future.



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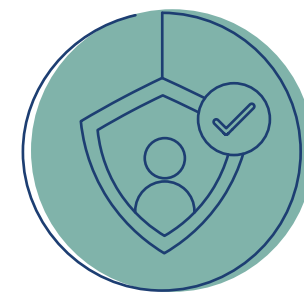
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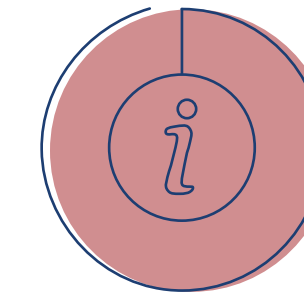
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“None of us are experts in the field – we are happy to share what we know and discuss what we don't know.”

Ed Baverstock, C&W

## WHAT'S NEW

It was important during the discussion to stress the importance of considering the Building Safety Act holistically to cover all buildings. There is some complacency in the industry that the regulations are not relevant to those building low-risk or normal buildings. This mindset needs to change to view the regulations not as a tick-box exercise, but as a means to ensuring that all buildings are designed and built to be safe. It's our duty and responsibility as an industry.

The Health & Safety Regulator plans to amend the regulation from as early as May 2025 to incorporate non-high-risk buildings. 80% of the projects in the industry are non-high-risk and therefore education for all building developments needs to start now.

Much of what's required of the industry in the Building Safety Act isn't new. It does however set out a clearer process, encourages collaboration and gives a timetable to deliver against.

### How can all parties support each other?

Clients stress the importance of building interpersonal relationships at the concept stage that explore different perspectives and views. Issues can then be mitigated early. The quality of the information created at the outset needs to be right to move to the next stage - there's no margin for error further down the line that doesn't come at a cost.

Clients have to navigate colleagues internally, a challenge which can often be overlooked by other parties. Gaining concept certainty from the outset can prove difficult with multiple internal stakeholders with individual agendas. Clients see huge value in having the right expertise at their fingertips to support them in navigating the brief development with colleagues. It can make all the difference to internal negotiations and advancing a project.

Contractors must consider bringing in the supply chain as part of this group. A common issue cited by clients is that the supply chain is often first introduced at the end of the design stage when they haven't had an opportunity to input as a crucial part of the delivery.

**“In reality while the legislation differs slightly, we should be treating all buildings in the same way because it's just good practice.”**

**Kingsley Clarke, SCF**

**“The challenge for us as contractors is at stage 2. We want it to be quick and out on site but pre-con is now going to take longer. There will need to be more investment up front for clients but less risk at the end.”**

**Richard Davis, Kier**



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## ACHIEVING VALUE

The pressures on the industry are significant and cost is often the default focus. Everyone wants cost certainty but they want the product yesterday. The Building Safety Act is about the development of safe buildings not cost, but often striving for value can be lost in the race to the bottom.

We must remind ourselves that budget restraints played a part in the Grenfell disaster and led to the Building Safety Act being introduced. A combination of a change or lack of flexibility in cost and also scope are the two primary factors that can jeopardise a build.

### How do we achieve value within the Building Safety Act?

Defining value in a project and how that is managed should be the starting point of a project at brief stage. Clients admit that they can overlook value management at this stage due to a lack of understanding of how to define it. Clients are facing budgetary pressures from their CFO and procurement teams, who want a fixed budget. We want to be avoiding value engineering part way into a build when budgets are running out of control.

Consultants and contractors cite unrealistic budget and time expectations from clients as a barrier. Often these come from comparisons made with previous similar scope projects, without taking into consideration the changing economic conditions and Building Safety Act requirements. A clear strategic project brief with benchmarking incorporated, that includes regulation milestones, is fundamental to be very clear on the project parameters and goals.

### How do we handle contingency in budgets?

The critical success factor of any project is value management. With early collaboration and a transparency on budgets, whereby the client lays out the full budget at procurement stage to the contractor, including contingency, all parties are better able to create a scheme that also considers wider value measures, such as social value.

Contingency can often be a closely guarded secret, but is essentially about risk. With a clear and quantifiable risk register that incorporates building regulations, to define that contingency, it is possible to work collaboratively with the contractor to test that budget and quantify the risk over time.

By being open and transparent, it is possible to get the best from the skills around the table and mitigate the risk and quantify any non-financial risks, so there are no surprises. As we navigate the complexities of the Building Safety Act, this level of transparency can make the difference between a successful or abandoned project.

**“Contingency is about risk. We need to be really open to get the best from the skills around the table and mitigate the risk.”**

**Chris Browne, Mace**



# WHO IS ACCOUNTABLE FOR MEETING THE BUILDING SAFETY ACT REGULATIONS?

One of the primary drivers of the Building Safety Act is about engendering accountability, but across the industry responsibilities remain unclear. Establishment of these is paramount and early engagement is a way to establish roles and responsibilities from the outset. Key roles are now siloed for clear distinction, but that does demand more considered communication through collaboration to ensure that projects are joined up.

## What is the Principal Designer role?

The Principal Designer is a case in point as a pivotal role with a profile and visibility not held previously. They can't be an expert in all 23 stages of the building regulations, so alongside being a designer, they become a project manager, liaising with all the various specialists. They will need to ask questions like, 'what is your route to compliance?' 'Does it align with everyone else's?' 'Have you coordinated your design?' Issues can occur when elements of design are siloed due to time constraints or different parties are not talking to each other.

## Who should take on the Principal Designer role?

It is a demanding and complex role and understandably the most discussed role in the introduction of the Building Safety Act. Different parties around the table have views on where this role sits.

There is some legacy miscommunication in the industry as to the experience needed for the Principal Designer role. Under the CDM regulation introduced in 2015, a Principal Designer role was often given to a planning supervisor who in turn moved-up to a CDM supervisor role and then a Principal Designer. In this role under CDM regulation, they were not expected to be an active designer.

The Building Safety Act says that only architects that are active designers can be Principal Designer under the Building Safety Act.

Contractors have an absolute obligation to deliver a project in-line with the building regulations and confidently sign a compliance statement. So for them, the risk of not taking the Principal Designer role inhouse is high. But this also adds cost to the business and requires a new set of skills that they may not necessarily have at present, despite having a highly skilled workforce.

Under the Building Safety Act, the Principal Designer role was intended to hold contractors and clients to account to ensure safe buildings. Taking on that role internally mitigates some of the risk but does not give the third-party accountability.

Alternative scenarios include an early appointed lead designer transferred over from the architect to the contractor and becoming Principal Designer, who can then own the design. For a contractor taking on a project at a later stage and being asked by the client to be Principal Designer, they may need to bring in a new resource, which adds time and cost. In this scenario, a contractor will want full visibility of the project to date and the route taken, which could require costly repurposing and/or a project delay.

For architects and consultants, there is a question mark over whether they can still be the Lead Designer when a contractor takes on the Principal Designer role. Ultimately, the Principal Designer owns the design and process with the Lead Designer providing support, but there is some duplication of responsibilities between them that needs to be discussed to make best use of resource.

At feasibility stages, with the importance of meeting building regulations as early as possible, clients say that they are starting to appoint the consultant as Principal Designer. This is about setting the tone for the rest of the project, choosing the right site and layout. It's also about establishing roles from the outset so you have the right consideration and coordination built in.

## When is it too late to appoint a Principal Designer?

If you ask a contractor to take on the Principal Designer role at Stage 4, there is a risk of having to redesign to ensure that they can deliver on the project. By taking on a Principal Designer late, you can expect additional due diligence for an assurance of quality.

Conversely, there is the view from consultants that if the right team is in place before the Principal Contractor comes on board, risk should be minimal. Clients want to bring the whole team in early wherever possible to access the expertise and help them to manage their clients internally.

**“For non-high-risk, the key thing is to make sure we have all the right duties and responsibilities and I see the act as trying to make sure all those good practices are put into force through the regulations.”**

**Oliver Roberts, Bristol City Council**

## WHAT IS THE CHECKLIST FOR COMPETENCE?

As mentioned previously, the Building Safety Act asks us to work collaboratively from day one, clear on strategy, budget and on programme. Who has the required skills to make that happen? What's the checklist for 'competence'?

### How do we get the right skills on our teams?

Some contractors are upskilling all operations staff with building regulations training internally, in the absence of many external trainers in this field yet. It is only a matter of time before all parties involved in a project will be asked what relevant training they've had.

All parties realise that accepting minimum standards as an industry is not enough and that building regulations is the lowest minimum legal standard. To protect reputation, you should be going above and beyond.

For architects, RIBA and CIAT both have a Principal Designer register and as an employer of architects and technologists, they will train their staff under those guidelines. CIOB also runs relevant courses, but for all three organisations, training is only available to members, excluding people that aren't members of professional organisations. Perhaps it is time to open these courses up to a wider group.

“BSA talks about the responsibilities of the architect team but it is about the whole design team...make sure you have all the right expertise and the ethos of the team is about collaboration and cooperation.”

Andrew Nichols, Devon & Cornwall Police

“We're going through a change in process management more than anything and educating our team to bring them up to a certain standard.”

Ceri Roberts, Vinci

## IS THE PROCUREMENT ACT A HELP OR A HINDRANCE?

There is widespread agreement that the Procurement Act and Building Safety Act go hand in hand as complementary pieces of regulation. The change in the method used to assess public sector contracts from Most Economically Advantageous Tender (MEAT) to Most Advantageous Tender (MAT) as part of the Procurement Act sits comfortably alongside the Building Safety Act's prioritisation of quality and a revisioning for the concept of value in a project, away from the classic CapEx versus OpEx debate.

### How do the Procurement Act and Building Safety Act complement each other?

Both pieces of legislation give public sector bodies the opportunity to think longer-term and prioritise areas such as social value. But culturally, there is some way to go for procurement departments to move away from the race to the bottom line, especially given the tough economic conditions of recent years. Both legislation make those conversations a little easier and ensure a level of accountability, but mindsets also have to evolve.

### How do we move them both forward together?

The industry is looking to the leadership in the Heads of Estate and Head of Procurement across public sector bodies to push the agenda for both legislation and to be the loud voice needed to accelerate change. Clients acknowledge that they need to lead by example, but they are operating under tight finances. Their focus is on delivering few things well.

The risk is that the pressures of budget mean that some systematic behaviour may still continue. The result may be the same but branded differently. That is a concern and stresses the importance of stress testing projects from the outset.

**“It can take the Public Sector a long time to change direction, but it has to change and I think the Procurement Act, together with the BSA will drive that change.”**

**Andrew Nichols, Devon & Cornwall Police**



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## WHERE CAN I GET INFORMATION ON THE BUILDING SAFETY ACT?

It's a fluid situation and changes constantly, which makes it even more important to have trusted sources of information to guide us through. Many clients struggle to find information in a digestible format and there can be misinformation on the internet that can be conflicting.

### Where do we go for quality information?

The Health & Safety Executive, as the building regulator, is the first point of call for many and there is agreement that its newsletters and other publication resources have a track record of giving good and up to date advice.

Some consultants are also creating their own information, a dynamic suite of documents that they proactively share with partners on projects.

As mentioned at the beginning of this paper, there is a job to do to change the mindset on differentiating between a high-risk or low-risk/normal building and where the legislation is relevant. Public information needs to stress that ultimately all buildings are high-risk and should be treated as such. It will save time and money for when the regulations cover both next year.

### How best can we share knowledge?

It is this knowledge sharing amongst peers that is recognised as the most practical and impactful way to get a handle on the Building Safety Act. Peer-led discussions such as the roundtable are invaluable and all voiced that they will readily share what they know and discuss what they don't know. There is acknowledgement that no-one is an expert in this field yet and whilst we can source information, discussion that focuses on on-the-ground experience and learnings is where the value lies.

Clients value the opportunity to get a better understanding of the position of the contractors and their obligations. But also the consequences of how a client or design team doing the work before the contractor's appointment can impact the contractor's confidence and review process.

**“We’ve done a lot of internal work producing our own documents, roadshows, incorporating use of third parties like CIOB, HSE, to deliver further building safety act training.”**

Ceri Roberts, Vinci

**“It won’t be long before everyone working on a project will be asked what training they have had recently in the BSA?”**

Richard Davis, Kier

**“We created a suite of dynamic documents that cover the whole of the BSA - each time we do something we change them.”**

Ed Baverstock, C&W





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## CONTRIBUTORS

**Thank you to the roundtable guests for their time and contribution.**

Andrew Nichols, Devon & Cornwall Police

Oliver Roberts, Bristol City Council

Graeme Whitty, Willmott Dixon

Chris Browne, Mace

Ceri Roberts, Vinci

Ed Baverstock, C&W

Richard Davis, Kier

Kingsley Clarke, SCF

### Get in touch:

 03707 790 304 (SE/London) | 01392 382 444 (SW)

 [info@scfframeworks.org.uk](mailto:info@scfframeworks.org.uk)

 [southernconstructionframework.gov.uk/](https://southernconstructionframework.gov.uk/)