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Procuring for Building Safety

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Following the Grenfell Tower tragedy, the Government set up an **Independent Public Inquiry** chaired by Sir Martin Moore-Bick to examine the circumstances leading up to and surrounding the fire.

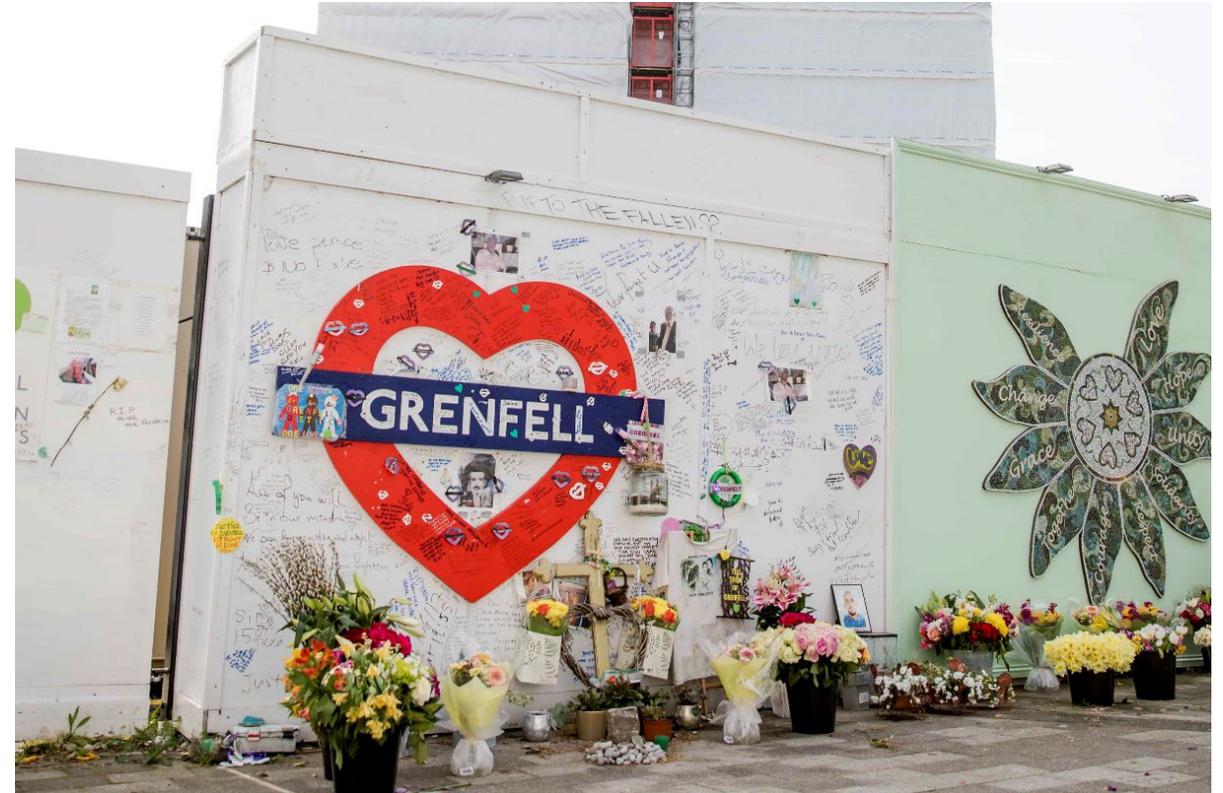
The Government also established a **Building Safety Programme** to make sure that residents of high-rise residential buildings are safe - and feel safe - now and in the future.

The work undertaken to date includes the ongoing replacement of cladding, a ban on combustible materials, testing of fire doors and a review of competencies.

Grenfell
Tower
Inquiry



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Following the Grenfell Tower fire, the Government announced an **Independent Review of Building Regulations and Fire Safety** led by Dame Judith Hackitt.

The final report of the Independent Review of Building Regulations and Fire Safety entitled **Building a Safer Future** was published on 17th May 2018 and identified four issues.

- Ignorance
- Indifference
- Lack of clarity on roles and responsibilities
- Inadequate regulatory oversight and enforcement tools

“These issues have helped to create a cultural issue across the sector, which can be described as a ‘race to the bottom’...there is insufficient focus on delivering the best quality building possible, in order to ensure that residents are safe, and feel safe”

Dame Judith Hackitt





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Building a Safer Future

The report made 53 recommendations and called on Government to;

- Create a more effective regulatory and accountability framework to provide greater oversight of the building industry
- Introduce clearer standards and guidance
- Put residents at the heart of a new system of building safety
- Help to create a culture change and a more responsible building industry

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Building a Safer Future

Independent Review of Building
Regulations and Fire Safety:
Final Report

May 2018

Dame Judith Hackitt DBE FREng

Cm 9607



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Building Safety Bill

In July 2021, the Government published the Building Safety Bill, which sets out a new regulatory regime for building safety.

The Bill includes statutory duties for those who commission, design, construct, own and manage higher risk buildings, a system of gateway approvals during design and construction with a safety case in occupation, and a new Building Safety Regulator with powers of enforcement and sanctions.

The Bill is expected to receive Royal Assent in July 2022.

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"This Government is committed to bringing about the biggest change in building safety for a generation...to ensure that everyone is safe and feels safe in their own home."

Robert Jenrick MP
Former Secretary of State for Housing, Communities and Local
Government



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Background

- In 2020 SEC established a working group to develop practical guidance for their members and the wider housing sector.
- The aim of the guidance was to provide procurement professionals with the tools and knowledge to achieve the right building safety outcomes through the appointment of reputable, competent organisations.
- The group was made up of property professionals, legal advisers, housing providers and academics.
- The final report was published in March 2022 and is free to download*.
- In the coming months we will invite feedback on the report and update it in line with the legislation.

* <https://lp.constantcontactpages.com/su/KcC5XiB/buildingsafetyreport>



PROCURING FOR BUILDING SAFETY

Guidance Document



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Structure of the Guidance Document

Key Principles [Section 1]

- Four Principles (The Four C's)
- Eight Pillars

Guidance [Sections 2-6]

- Legislation
- Competence
- Construction Products
- The Golden Thread
- Contracts

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The Four Key Principles of safe procurement [the Four C's]

- Culture
- Compliance
- Competence
- Control

The Eight Pillars of safe procurement

- Taking responsibility
- Understanding risk
- Strong leadership
- Unique approach
- Competence
- Exceeding standards
- Detailed information
- Early engagement

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The Four Key Principles of safe procurement [the Four C's)

Culture

- Strong leadership, taking ownership with no blame for mistakes
- Not just the policies and procedures, it's the stories we tell
- Early supply chain engagement
- Take time to get it right

Compliance

- Not meeting the minimum standards
- A focus on resident safety not procurement rules
- It is the use of products that do what they say they will
- It is knowing what good looks like and enforcing it

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The Four Key Principles of safe procurement [the Four C's]

Competence

- “Procurement activities are too often being carried out by individuals who are not fully qualified or fully competent, which leads to poor decision-making and focus on price rather than building safety.” *

Know the limits of your competence

- Get the right team of people around you

Control

- Ensure the procurement aims are clear
- Use contract terms that are collaborative and fair, including risk ownership not transfer
- Ensure that the work on the ground matches the aims
- Manage changes through the project carefully

* *Raising the Bar Report – Working Group 11*



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The Eight Pillars of safe procurement

- **Taking responsibility** - Building Safety is everyone's responsibility
- **Understanding risk** – building safety risk should be understood and owned, not transferred.
- **Strong leadership** – building safety requires strong leadership and informed (intelligent) clients.
- **Unique approach** – there is no 'one size fits all' approach i.e. not all buildings carry the same risk.
- **Competence** – individual and organisational competence are key – no one person has all the necessary expertise.
- **Exceeding standards** – aiming for compliance to a minimum standard is not acceptable as a strategy for safety.
- **Detailed information** – ensuring that the information provides enough detail to procure the right building safety outcomes.
- **Early engagement** – early market engagement and sufficient time for pricing and evaluation of bids is essential.



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Conclusion

- The aim of the guidance is to provide procurement professionals with the knowledge and tools they need to ensure that the buildings they procure are safe by enforcing quality through the appointment of reputable, competent organisations.
- It complements the recent 'Guidance on Collaborative Procurement' published by the Department for Levelling Up, Housing & Communities.
- South East Consortium has committed to consulting with members and industry in the year ahead and updating the guidance to ensure that it remains current and relevant in the context of the emerging legislation.
- We must never stop working to ensure that the residents who live in the buildings that we procure are safe, and feel safe, in their homes.



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