

# **FAQS: BUILDING SAFETY ACT**

**1. DO THE GATEWAYS CATER TO DESIGN AND BUILD CONTRACTS?**

**Mark Turner:** Yes, the gateways do not dictate specific procurement routes. There may be challenges to how early contractor engagement is achieved in a Design & Build (D&B) process, specifically when considering providing value for money certainty, but these challenges can be resolved in my view, with involvement from the correct procurement and Project Manager (PM)/Quantity Surveyor (QS) stakeholders.

**2. WHAT IS BEING DONE TO GET CONTRACTORS TO INVEST IN THIS NEW ATTITUDE IN THE SAME WAY AS THEY HAVE FOR SITE SAFETY?**

**Dame Judith Hackitt:** This conference is one of many taking place and the makeup of the audience varies at different events. I am confident that contractors are getting the messages as are others.

**3. DO YOU HAVE WORKED EXAMPLES OF FIREie IN ITS CURRENT DEVELOPMENT TO SHOW? AND DO YOU THINK THAT THIS WILL BE INCORPORATED INTO A CONSTRUCTION OPERATIONS BUILDING INFORMATION EXCHANGE (COBie)TAB IN THE FUTURE?**

**Steve Rudge:** COBie and FIREie should be treated separately, COBie is for Maintainable assets and FIREie is for fire stopping and safety materials. As BS 8644 gets re-issued next year, this will become clearer. Currently, we have projects where we have a defined asset in the [Autodesk Construction Cloud](#) (ACC) and have structured data linked to this, aligned to the fields required for FIREie. These are then populated by the various trades as they install and signoff the firestopping elements.

**4. YOU MENTION A RACE TO THE BOTTOM, HOW IS THIS CULTURAL CHANGE BEING DRIVEN FORWARD WITH CONTRACTORS, PARTICULARLY QS TEAMS AND THEIR LEVEL OF COMPETENCE?**

**Dame Judith Hackitt:** There are competency frameworks in place now for just about every role in the system. Many are being driven by professional bodies, but the reality is that as the new regime takes full effect, it is the supply chain who will demand proof of competence in order to enable them to demonstrate and provide proof to the regulator that they have met their obligations.

**5. WILL IT BE ACCEPTABLE TO RESOLVE BUILDING AND FIRE SAFETY MATTERS AT GATEWAY 2 AND FOLLOW UP WITH OTHER INFORMATION TO CATER FOR D&B CONTRACTS?**

**Richard Brayshaw:** No, full and complete designs must be submitted to pass through Gateway 2. Any changes to submitted designs will result in a requirement to resubmit.

**6. IT WAS NOTED THAT INNOVATION WOULD BE WELCOME BUT IS IT UNREALISTIC TO EXPECT THAT IT WILL NOT BE STOPPED/STIFLED DUE TO ALL DEFAULTING TO KNOWN PRODUCT/PROCESS?**

**Dame Judith Hackitt:** There is no evidence to suggest that this will happen. The many conferences I am attending include other presenters talking about the innovations they are making driven by the new regime.

**7. DO YOU AGREE THAT FOR PROJECTS THAT HAVE BEEN RUN CORRECTLY, THE CHANGES WILL BE MINIMAL, AS THE INFORMATION IS ALREADY THERE, AND COMPETENCY IS ALREADY CHECKED?**

**Dame Judith Hackitt:** Yes. Those who get it have been doing the right thing and have nothing to worry about from the new legislation.

**8. HOW DOES THE GATEWAY PROCESS ACTUALLY TIE-IN WITH THE ROYAL INSTITUTE OF BRITISH ARCHITECTS (RIBA) STAGES? HAVE WE MADE CHANGES TO IT BECAUSE OF THIS NEW REGULATION?**

**Mark Turner:** There are no changes to the RIBA Plan of Work at the moment. The Plan of Work is procurement agnostic and is flexible enough to incorporate the requirements of the new regime.

**9. WHAT'S YOUR RECOMMENDED DIGITAL PLATFORM FOR THE GOLDEN THREAD?**

**Steve Rudge:** As [ACC](#) is part of the Autodesk Architecture, Engineering and Construction (AEC) suite of products, adoption and standardisation across the industry will be key in the design stage. Then going forward, the clients need to standardise across their portfolio on how they are to maintain the data and the golden thread during OpEx (Operational Expenditure). Whatever platform is selected, the key point is ensuring an open Application Programming Interface (API) is available so that data can be pushed and pulled between the platforms, regardless of what happens in Construction.

**10. HOW WILL DESIGN AND BUILD CONTRACTS BE AFFECTED BY THESE CHANGES? PARTICULARLY IF THE PROJECT WAS DONE AS A TRADITIONAL PROJECT AND THE VARIOUS APPROVALS GAINED.**

**Dame Judith Hackitt:** Design and Build contracts in future will have to operate differently with many more people involved early in the process and working together in collaboration throughout the project. The part of this question which relates to D&B contracts which are already in place is best answered by the regulator in terms of how they will view these during the transition phase.

**11. ARE WE LOOKING AT THE DEATH OF THE D&B PROCUREMENT ROUTE WITH A LIKELY MOVE BACK TO A TRADITIONAL ROUTE?**

**Dame Judith Hackitt:** This change does not need to mean the end of D&B but they will need to be done differently – see above answer.

**12. WHAT IS THE EXPECTED IMPACT ON THE DEVELOPMENT PROGRAMME? HOW ARE CLIENTS BEING EDUCATED / ADVISED ON THIS AS IT WILL IMPACT ON FUNDING ROUTES AND RETURN ON INVESTMENT (ROI)?**

**Dame Judith Hackitt:** There is no reason to believe this will reduce ROI. Given the level of waste which is part of the current process(es), there is an opportunity here to become more efficient and more productive. I know of companies who are already evidencing this.

**13. ARE THERE ANY TOOLS FOR ENTERING FIRE, SIMILAR TO THE INTEROPERABILITY TOOLS?**

**Steve Rudge:** This will depend on how you collate the data, if the ACC platform is utilised then this data can be extracted out of the system through the open API to the data. The main question is where we collate it, in the model or separately in a cloud-based system.

**14. WILL THIS CHANGE ACTUALLY SUBDUCE INNOVATIVE DESIGN? E.G., RAAC WAS HERALDED AS INNOVATIVE BUT IS NOW BEING LAMBASTED. SO, WILL DESIGNERS STICK TO WHAT THEY KNOW WORKS?**

**Mark Turner:** The new regime will document and make transparent what decisions have been made, and why. This shouldn't impede innovation any more than pre the new regime. If it can be proven to be a safe solution, then it can be used. Evidence based decisions should always lead the direction of travel regardless of legislation.

**15. DO YOU FORESEE CLIENTS AND CONTRACTORS ACCEPTING A HIGHER FEE VALUE FOR OUR SERVICES? THE OVERARCHING GREATER PROJECT COSTS TO COVER SERVICES DELIVERED.**

**Richard Brayshaw:** In order to deliver a High Risk Building, these requirements must be satisfied. If additional costs need to be incurred to make these buildings safer and reduce risk of danger or loss of life, these costs must be paid. Ideally, no additional costs will be incurred as savings will be made from adopting better design, construction and evidencing practices.

**16. WHO SHOULD BE DOING AS BUILT? DESIGNER OR CONTRACTOR?**

**Mark Turner:** A robust process should be in place on all projects, whereby the installer/contractor advises where changes from the design intent occur in reality, including the physical positions of elements of the building. The liability for correcting information contained on drawings, schedules, and other datasets should be clearly laid out in that process.

**17. HOW WOULD A CONTRACTOR BE APPOINTED VIA A TENDER PROCESS WITH NO COMPETED BUILDING DESIGN?**

**Steve Rudge:** This cannot really happen as early contractor engagement is key, so any value engineering, procurement, materials and supply chain can all be considered before the submission of gateway 2. If the contractor is appointed following Gateway 2 certification, then a series of major and notifiable changes will need to be issued to the regulators.

**18. PROFESSIONAL BODIES ARE ALL TRYING TO BE THE EXPERT AND ENFORCE THEIR OPINIONS, WHICH OFTEN DIFFER. SHOULD THEY NOT BE TALKING AND JOINING UP THEIR MESSAGES?**

**Dame Judith Hackitt:** Yes, they should and some are. But there is always room for improvement. The Building Safety Regulator's (BSR) new competency committee will help in this respect.

**19. HOW IS FIREie INFORMATION CAPTURED AND LATER PRESENTED?**

**Steve Rudge:** In the easiest and lowest common platform, so a structured Excel sheet would be great.

**20. ARCHITECTURAL INFORMATION IS PRIMARILY DRAWN/MODELLED. HOW CAN COBie/FIREie CAPTURE THIS IN A SPREADSHEET?**

**Steve Rudge:** COBie will be captured as we deliver this today through the Autodesk Interoperability tools or a structured Industry Foundation Classes (IFC). Now we need to look whether the fire stopping elements will be modelled, as much of the required detail is traditionally captured in the detail drawings, not the model. So, if they are modelled by introducing a structured FIREie shared parameter file, a schedule of the fire/safety materials can be easily extracted out of the system into Excel.

**21. HOW WILL THIS AND PARTICULARLY COLLABORATION BE VIEWED BY THE INSURERS FOR PERSONALLY IDENTIFIABLE INFORMATION (PII) ETC.?**

**Dame Judith Hackitt:** Some parts of the insurance industry are already saying positive things about the new regime. My hope is that in time we will see the emergence of new products as a result of this – specifically project based insurance - rather than each individual player seeking PII to protect their own backs.

**22. WHAT IS BEING DONE WITH FUNDERS & CONTRACTORS TO ENGAGE AND COMMIT EARLIER? MODERN METHODS OF CONSTRUCTION (MMC) HAS BEEN CRYING OUT FOR THIS WITH LIMITED SUCCESS, GATEWAYS WILL UNDENIABLY NEED THIS.**

**Dame Judith Hackitt:** We are talking to funders and expect them to play a role in being more discerning about the projects they invest in. Such market behaviour will support the new regulatory regime.

**23. DO YOU THINK WE NEED NEW TYPES OF CONTRACTS TO SUPPORT THE CHANGES BROUGHT WITH THE BUILDING SAFETY ACT AND GATEWAYS?**

**Mark Turner:** There is a significant opportunity to reset how we procure and administer contracts going forward. The Integrated Project Insurance (IPI) / Integrated Project Delivery (IPD) model offers a new and culturally different approach to collaboration. I do believe that the industry needs to be more open to these types of routes.

**24. EXISTING BUILDINGS HAVE VARIOUS UNKNOWNNS UNTIL STRIPOUT/DEMO. THIS WOULD RESULT IN MULTIPLE CHANGES WHICH MAY PROVE CHALLENGING FOR GATEWAY 2 APPROVAL?**

**Mark Turner:** Indeed. However, the ideal scenario is that more detailed and intrusive surveys take place to ascertain the true existing state of an existing building so that detailed design can be carried out correctly, before starting work on site.

**25. WE KNOW ALL BUILDINGS WERE DUE TO BE REGISTERED BY OCTOBER 1ST, HAS THIS HAPPENED?**

**Dame Judith Hackitt:** We shared the data on the day. 14,000 registered by deadline – not everyone but there is good intelligence available that will help the regulator to chase those who have yet to register.

**26. GOLDEN THREAD MENTIONS DESIGN AND CONSTRUCTION BUT WHAT ABOUT MANUFACTURING?**

**Dame Judith Hackitt:** If this means construction product manufacturing, testing, conformance and assurance, there is more work to do on this and it is a work in progress.

**27. DOES THE FIREie CONCEPT APPLY TO EXISTING BUILDINGS? AND IF SO, WHAT IS THE IMPLEMENTATION STRATEGY FOR INTEGRATING IT INTO BUILDING MODELS THAT HAVE ALREADY BEEN DESIGNED AND CONSTRUCTED?**

**Steve Rudge:** For existing buildings, we need to supply data aligned to the following requirements, and no FIREie is stated - <https://www.gov.uk/government/publications/giving-bsr-structure-and-fire-safety-information-key-building-information/building-safety-regulator-giving-us-structure-and-safety-information-key-building-information>

**28. WILL THE RULES FOR NEW BUILD HIGH RISK BUILDINGS APPLY TO EXISTING CHANGE OF USE HIGH RISK BUILDING BUILDINGS?**

**Dame Judith Hackitt:** Yes.

**29. THERE WAS A MENTION OF THE BUILDING SAFETY ACT (BSA) PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR. WILL THIS BE SEEN AS A NEW COMPETENT PERSON'S ROLE?**

**Dame Judith Hackitt:** They are new roles in one sense with clear responsibilities as outlined in the Act but the principle is not new – these roles are already well understood by industry in relation to Construction Design & Management (CDM) regulations.

**30. IS THERE A POSSIBILITY THAT THE 19650 STANDARDS MAY BECOME OBLIGATORY IN THE FUTURE?**

**Richard Brayshaw:** This is not currently a requirement. We would not like to speculate on any unknown future state.