

# Building Safety Management Policy

Department Policy: Health Safety and Environment

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## 1. Purpose

The aim of this policy, the associated risk specific policies and control documents is to ensure Riverside and subsidiary organisations provide 'safe houses' to our customers and a 'safe working environment' for our colleagues, contractors and those affected by our activities, and ensures we meet our statutory and regulatory obligations. This policy details the overarching legal requirements, regulatory requirements, identifies and defines the key specified risks for Riverside, which will allow risks to be managed effectively and support the business plan objectives.

This document should be used by all colleagues, customers, and stakeholders of Riverside to understand the legal obligations placed upon the group to maintain a safe environment for colleagues, customer's homes and within all communal areas of properties. This document should also be used to maintain a safe environment for customers and colleagues within all non-domestic Riverside properties.

This document sets out key policy objectives, control measures and accountabilities to protect customers, colleagues, and contractors from harm.

This document sets out key policy objectives, control measures and accountabilities to protect residents, staff and contractors from harm.

The legal framework is provided by the Health and Safety at Work etc. Act 1974 (HSWA), the main principle is that those who create risk from work activity are responsible for the protection of workers and the public from any consequences, so far as is reasonably practicable. A wide range of subordinate regulations have been made under powers introduced by the HSWA.

The Act places specific responsibilities on employers, self-employed people and those in control of workplaces, employees, designers, manufacturers, importers and suppliers and associated legislation places additional duties on owners, licensees, landlords, managers and people in charge of premises and occupiers

Some regulations clarify aspects of the general duties and are mandatory; others introduce requirements for specific hazards and sectors. They do not add to the scope of general duties but may impose a higher standard of duty – 'practicable' or 'absolute' requirements.

This policy operates within the context of regulatory legal frameworks in relation to the following legislation:

- The Health and Safety at Work Act 1974
- The Building Safety Act 2022
- The Fire Safety (England) Regulations 2022
- Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations
- The Building (Appointment of Persons, Industry Competence and Duty holders) (England) Regulations 2021
- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health Safety & Welfare) Regulations 1992
- Defective Premises Act 1972 and Environmental Protection Act 1990
- The Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) 2013
- The Control of Substances Hazardous to Health (COSHH) Regulations 2002

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- Landlord and Tenant Act 1985
- The Provision and Use of Work Equipment Regulations (PUWER)1998

The application of this Policy ensures that Riverside meets compliance with the outcomes of the Regulatory Framework for Social Housing in England introduced by the Homes and Communities Agency as outlined below:

(Registered Providers must) meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

...and the Scottish Housing Quality Standard for social rented housing in Scotland.

Riverside acknowledges and accepts its responsibilities under the applicable regulations and legislation and that failure to properly discharge these responsibilities may result in prosecution/s, fines, or statutory notices.

## 2. Scope

This policy applies to all buildings owned or managed by Riverside and subsidiary organisations and places of work for Riverside colleagues. This includes general needs houses, flats, any rented accommodation, communal areas, and garages. Non domestic buildings including offices, shops, schemes, commercial units, community centres. The obligation extends to buildings we manage including leasehold, shared ownership and all tenures including social, affordable, market rent and privately rented accommodation.

## 3. Principles

UK regulations have an explicit duty on owners of buildings under various legislation, the key requirements are as follows.

**The Health and Safety at Work Act (HSWA) 1974** places a duty on every employer, so far as is reasonably practicable, to.

- protect the health, safety, and welfare of employees at work (this includes providing safe systems of work, providing instruction supervision, and training and providing and maintaining a safe workplace and safe working environment with safe means of access and egress); and
- Protect people other than people at work against exposure to risks to health and safety arising from or in connection with the activities of people at work.

**Building Safety Act 2022** imposes duty to manage high risk buildings (currently defined as those above 18m or 7 storeys and above) during design, construction, and occupation of buildings, we have a duty to.

- Define Accountable Person
- complete an assessment of the building safety risks (the spread of fire; and / or structural failure)
- take all reasonable steps to prevent a building safety risk happening; and reduce the seriousness of an incident resulting from such a risk if one happens.
- introduce measures to manage building safety risks
- Ensure anyone assisting in managing fire safety is competent

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- provide residents in higher-risk buildings with information about relevant fire safety matters and keep a register of all such matters
- register their building with the Building Safety Regulator (BSR) and apply for Building Assessment Certificate before the higher-risk building can be occupied. (April 2023 and October 2023)
- prepare a safety case report for their building to give to BSR on request
- to undertake and pay for remediation works for defects in “relevant buildings” and introduced restrictions on service charges for remedying defects under “qualifying leases” and recover costs for a specified list of “building safety measures”.

### Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations

- (at least 18 metres in height or with at least 7 storeys and containing two or more dwellings.)
- clarify that height measurement will be from ground level to the top floor surface of the top storey of the building, excluding any storey which is a roof-top machinery or plant area

### The Building (Appointment of Persons, Industry Competence and Duty holders) (England) Regulations impose legal requirements on Riverside to ensure

- Any works covered by the Building Regulations are properly monitored and that any appointees are compliant.
- Appointees are also required to ensure that their work complies with the Building Regulations
- on any person carrying out any building or design work that they have the skills, knowledge, experience, and behaviours necessary, and the organisational capability where the appointee is a company, to carry out their work

### The Management of Health and Safety at Work Regulations 1999 (MHSWR) require Riverside to carry out a suitable and sufficient assessment of:

- the risks to which employees are exposed while at work; and
- The risks to people not in their employment arising from the conduct of their undertakings, i.e., to any third parties, such as tenants, to identify measures they need to have in place to comply with their duties under health and safety law.

### The Workplace (Health, Safety & Welfare) Regulations 1992 cover a wide range of basic health, safety and welfare issues and apply to most workplaces. They place a duty on every employer to ensure.

- That workplaces meet the health, safety and welfare needs of the workforce, which may include people with disabilities
- The workplace and the equipment, devices and systems be maintained in an efficient state, in efficient working order and in good repair
- The equipment, devices and systems have a suitable system of maintenance.

The common parts of a building, even if there are no employees based on site, are considered a place of work as it is used by tenants, visitors and contractors employed by the group, therefore not only do the general requirements of the Health and Safety at Work etc. Act 1974 apply, but also the Workplace (Health, Safety and Welfare) Regulations 1992.

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**Defective Premises Act 1972 and Environmental Protection Act 1990** require building owners to

- Take reasonable care to see that tenants and other people are safe from personal injury or disease caused by a defect in the state of the premises. Where the condition of any materials is in a state as to be prejudicial to health, this constitutes a statutory nuisance under section 79 Environmental Protection Act.

**The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)**, place a legal duty on:

- employers.
- self-employed people; and
- people in control of premises.

To report work-related deaths, specified injuries, over seven-day injuries, work related diseases, and dangerous occurrences (near miss accidents) to the relevant enforcing authority.

**The Control of Substances Hazardous to Health Regulations (COSHH) 2002**,

Substances hazardous to health as defined by the COSHH Regulations 2002 cover virtually all materials capable of causing ill health in a work environment. The COSHH regulations require employers to

- prevent,
- reduce or
- Adequately control exposure to hazardous substances by applying principles of good control practice.

**The Provision and Use of Work Equipment Regulation (PUWER) 1998** places a duty on every employer to ensure equipment provided for work.

- is suitable for the intended use
- is safe for use, maintained in a safe condition, inspected to ensure it is correctly installed and does not subsequently deteriorate
- is used only by people who have received adequate information, instruction, and training
- has up to date machinery maintenance logs, where maintenance records are kept

**Landlord and Tenant Act 1985** require the Group to keep in repair and proper working order the installations in the dwelling-house for the ;

- supply of water,
- gas and
- electricity, and for  
Sanitation, space heating and heating water.

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**Scottish Housing Quality Standard 2004** requires Scottish social landlords to ensure their tenant's homes are:

- energy efficient, safe and secure
- not seriously damaged
- have kitchens and bathrooms that are in good condition

Riverside will:

1. Develop Building Safety Framework which defines our strategic priorities and Building Safety management model to reduce our risks to a tolerable level
2. Complete and maintain a strategic risk assessment and define our control measures and assurance
3. Building Safety Management Model
4. Maintain Risk policies, operational management plans and procedure documents which align to our strategic risk assessment areas.
5. Introduce effective risk reduction strategies for each strategic risk
6. Develop effective ICT systems and technology to provide accurate recording and reporting of statutory & regulatory compliance activities.

#### Building Safety framework

<b>Building Safety Strategy</b>	The Building Safety Strategy sets out our Vision, Aims and objectives and strategic priorities.
<b>Building Safety Operational Management framework</b>	This translates our vision, objectives and introduces a compliance management model to provide guidance to staff on managing our risks to ensure we meet our statutory and regulatory obligations
<b>Strategic risk assessment</b>	This sets out our approach to our Landlord Health and Safety Compliance assessment and identifies the key strategic health and safety risk for Riverside.
<b>Building Safety Risk Control Framework</b>	Riverside have developed a risk-based Compliance control framework and monitoring programme to confirm our objectives are consistently met and ensure they continue to be met
<b>Competence framework</b>	Riverside will ensure that any person or organisation appointed to undertake any activity or tasks under our Compliance framework our competent.

**strategic compliance risk assessment.**

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- We have carried out a suitable and sufficient assessment of the asset risks to which employees are exposed while at work; and the risks to people not in our employment arising from the conduct of our undertakings and identified the key risks as follows: -
  - Risk Item 1** – Heating & Ventilation (including Gas Safety)
  - Risk Item 2** – Fire Safety (including FRA)
  - Risk Item 3** - Electrical Safety (including EICR)
  - Risk Item 4** - Asbestos Management
  - Risk Item 5** - Water hygiene (including Legionella)
  - Risk Item 6** - Mechanical & Lifting Equipment
  - Risk Item 7** – Shared Spaces

### Building Safety Management model

- Riverside have introduced a Building Safety Management model under this policy which aims to prevent incidents through a Risk Management process. This is achieved by the identification, assessment, and prioritization of risks. Followed by coordinated and economical application of resources to minimize, monitor, and control the probability and/or impact of unfortunate events. Riverside follow the below Compliance management model which centres on five core areas:



- This Policy will be supported by specific health & safety related policies and procedures for each key risk area.
- We have analysed and evaluated all key risks through a risk assessment. Details of the main risks are contained within the specific risk policies
- The hierarchy responsibility for each key risk is defined in the risk policies, for each risk area we define the following roles and determine accountability.
  - **Duty Holder** – This is the person with overall responsibility within the organisation.
  - **Responsible Person** - This is the person in control of operational delivery.
  - **Competent Persons** – Individuals and companies appointed to implement control measures.
  - **Appointed Persons** - Individuals and companies appointed to undertake Compliance task or activity.

## 4. Further Information & Support

Specific Management Plans for each risk area provide further information regarding Riverside's approach to managing Building Safety and provide further detailed requirements on key roles and responsibilities.

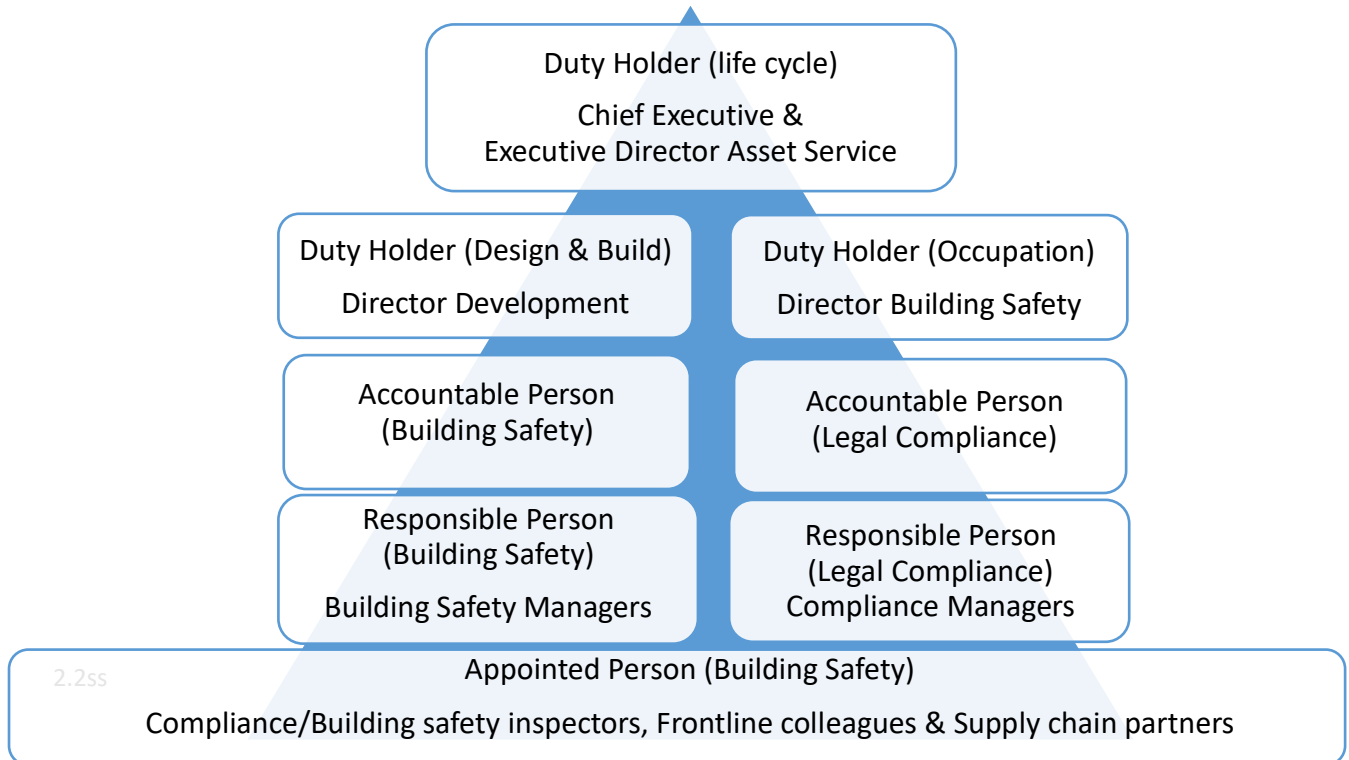
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## 5. Roles and Responsibilities

We have defined the following roles with responsibility under a hierarchy structure as follows:



The following named posts within the Riverside Scotland structure have been nominated for specific tasks allocated under the management plan and who is responsible for completion (or group subsidiary equivalent).

<b>Managing Director for Riverside Scotland</b>	<ul style="list-style-type: none"> <li>Responsible for overall policy implementation</li> <li>Ensure that adequate resources are made available to enable the objectives of the policy to be met, so that the risks associated with building safety are adequately controlled using a risk-based approach.</li> </ul>
<b>Head of Service Delivery for Riverside Scotland</b>	<ul style="list-style-type: none"> <li>the Accountable risk lead with responsibility to appoint a responsible person for buildings in occupation.</li> <li>and to ensure policy and management plans are in place and a strategic risk register is in place which documents the key risks, controls and assurance required.</li> <li>Where required ensures an application to the Regulator for a Building Assurance Certificate is submitted and obtained before the building is occupied.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Approve risk-based management approach.</li> <li>• Produce a residents' engagement strategy.</li> </ul>
<p><b>Head of Service Delivery for Riverside Scotland</b></p>	<ul style="list-style-type: none"> <li>• Liaise with Duty Holder (Design &amp; Build) and ensure "golden thread" of information is obtained and submission to the regulator of prescribed documents and information on the completed building is completed.</li> <li>• Carry out the prescribed building safety measures in relation to HRRB.</li> <li>• Appoint a Building Safety Manager (BSM) with appropriate skills, knowledge, and experience</li> <li>• Implement &amp; review customer engagement strategy and plans.</li> <li>• Register the building and obtain a "building assurance certificate" for all occupied buildings.</li> <li>• Ensure appointed persons have the appropriate skills, knowledge, experience, and behaviours.</li> <li>• Ensure building safety risks are assessed.</li> <li>• Ensure that there is adequate insurance against loss arising because of a building safety risk.</li> <li>• Take steps to prevent a major incident</li> <li>• Establish a system for the investigation of safety complaints.</li> <li>• Give the residents a notice to comply with residents' safety duties.</li> <li>• Co-operate with any other accountable persons for the building in connection with the carrying out of prescribed building safety measures</li> <li>• Apply for any relevant financial support available to the landlord for the costs of carrying out prescribed building safety measures</li> <li>• Monitor building safety charges</li> <li>• Act upon any "compliance notice" or "urgent action notice" issued by the regulator or Fire authority</li> <li>• Submit any relevant appeals / orders against decisions of the regulator</li> <li>• Support and respond to any request from a "special measures manager" appointed by the regulator.</li> <li>• report to the regulator any structural and fire safety occurrences that could cause a significant risk.</li> <li>• The Responsible person for managing legal compliance in relation to fire &amp; structural safety with responsibility for delivery of the key policy objectives, ensure the implementation of the policy, the implementing risk specific policies &amp; management plan, procedures, staff training, and communication to customers and colleagues. (Risk 2)</li> </ul>
<p><b>Asset and Compliance Manager for Riverside Scotland</b></p>	<ul style="list-style-type: none"> <li>• Ensure qualifying building safety works are budgeted for and charged to residents and appropriate consultation requirements have been either complied with or dispensed.</li> <li>• Give the following information to the tenant in relation to Building Safety Charges— (a) details of the accounting period</li> </ul>

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	<p>(b) a budget in respect of the accounting period including an estimate of—</p> <p>(i) the building safety costs to be incurred, and</p> <p>(ii) the building safety charges to be payable by the tenant.</p> <ul style="list-style-type: none"> <li>• Support calculation of building safety charge payable by the tenant, apportion the building safety costs to all dwellings. Ensure any Building safety costs charged only to the extent that they are reasonably incurred on the provision of services or the carrying out of works, only if the services or works are of a reasonable standard.</li> <li>• Support Accountable person and Building Safety matters to resolve any safety concerns and customer engagement.</li> <li>• The Responsible person for managing legal compliance responsible and for delivery of the key policy objectives, ensure the implementation of the policy, the implementing risk specific policies &amp; management plan, procedures, staff training, and communication to customers and colleagues. (Risk 1,3,4,5,6,7)</li> </ul>
<p><b>Asset and Compliance Manager for Riverside Scotland</b></p>	<ul style="list-style-type: none"> <li>• Accountable Person and responsible for policy setting, risk reduction strategy and setting our management response to our legal requirements and acts as the Groups lead advisor.</li> <li>• Management of contractors and ensuring all work is carried out safely and maintaining and updating our compliance register.</li> </ul>
<p><b>Asset and Compliance Manager for Riverside Scotland</b></p>	<ul style="list-style-type: none"> <li>• Assess the building safety risks relating to the building.</li> <li>• Provide customers with key building safety information.</li> <li>• Appoint individuals to be the nominated individual for the building (SBSI)</li> <li>• Take all reasonable steps to prevent major incident occurring because of a building safety risk materialising and reduce the severity of the incident.</li> <li>• Prepare building safety case report that assesses the building safety risk and sets out how the BSM will manage the building</li> <li>• Manage the building in accordance with the safety case report for the building and Management Plan.</li> <li>• Notify the accountable person if the manager has reason to suspect that the assessment is no longer valid, or further steps should be taken.</li> <li>• Keep prescribed information in accordance with prescribed standards and keep such information up to date.</li> <li>• Give prescribed information to the regulator, residents of the building, owners of flats in the building, or any other prescribed person.</li> <li>• Give each resident a copy of the building customer engagement plan and other related safety information.</li> <li>• Manage escalated customer safety concerns, enquiries, and complaints.</li> </ul>

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<p><b>Director Development</b></p>	<ul style="list-style-type: none"> <li>• Ensure works do not commence unless the Regulator is satisfied at gateway stages (Planning &amp; Building control) that the design meets safety requirements.</li> <li>• Ensure that their designers and contractors can discharge the new duty holder obligations, and to ensure that risks arising from any delays from approval by the Regulator in terms of time and cost, are appropriately allocated.</li> <li>• Ensure all the prescribed documents and information “golden thread” of information must be handed over to the accountable person.</li> <li>• Submit to the regulator prescribed documents and information on the completed building.</li> </ul>
<p><b>Riverside Scotland</b></p>	<ul style="list-style-type: none"> <li>• Required to appoint a person with responsibility for ensuring all Building safety and compliance activities are undertaken and uploaded to our compliance register, risk reduction activity is undertaken, and policies and management plans implemented.</li> </ul>
<p><b>Asset and Compliance Manager</b></p>	<ul style="list-style-type: none"> <li>• take <i>‘general precautions</i> to reduce the risk of fire, the risk of spread of fire, measures in relation to means of escape from the premises, including safe escape routes and emergency escape lighting, measures in relation to fighting fire and measures in relation to the detection of fire and the ability to warn of fire.</li> <li>• Take make a suitable and sufficient assessment of the risks to which relevant persons are exposed.</li> <li>• Implement precautions to reduce building safety incidents including undertaking statutory and regulatory inspections, servicing and maintenance and implementing controls to reduce risk.</li> <li>• Provide appropriate guidance, information, and action any safety concerns raised by Building Safety team</li> </ul>
<p><b>Head of Health Safety &amp; Environment</b></p>	<ul style="list-style-type: none"> <li>• Responsible for ensuring the policy is kept up to date with prevailing legislation and statutory obligations and monitoring Enforcement Notices.</li> </ul>
<p><b>Customers</b></p>	<ul style="list-style-type: none"> <li>• Keep in repair and proper working order any relevant resident’s item,</li> <li>• Take reasonable care to avoid damaging any relevant safety item in the common parts</li> <li>• Comply with a request, provide specified information, or do a specified thing, by a specified time, made by the accountable person or regulator</li> <li>• Allow the accountable person, or a person authorised by the accountable person, to enter the premises at a reasonable time on a specified date or within a specified period for the relevant purpose</li> <li>• Avoid actions or interfere with safety features that could pose a risk to the fire and structural safety of the building</li> <li>• Obtain permission to undertake any works within their dwelling which impact on the safety of building.</li> </ul>

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## 6. Risk Thresholds

Whilst the strategic approach to Building Safety is not risk averse in terms of adopting innovation and striving to be a leader in the sector, the safety of Riverside customers and colleagues is a key priority for the organisation. Therefore, there is no appetite for risk in terms building safety and compliance with the law.

There is however a tolerance for risk in adopting a proportionate approach to building safety activities, risk assessment and the controls implemented.

Key risks are monitored through a set of monthly Key Performance Indicators (KPI's). The suite of KPI's is embedded with the executive management and governance reporting structure.

A building safety risk register is maintained and regularly reviewed to ensure a proactive approach to risk identification, reduction, and control.

## 6. Equality, Diversity, and Inclusion

Riverside is committed to Equality, Diversity & Inclusion. We strive to be fair in our dealings with all people, communities, and organisations, considering the diverse nature of their culture and background and actively promoting inclusion. This policy aligns with Riverside's [Equality, Diversity and Inclusion Policy](#) and has been subject to an Equality Impact Assessment.

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