

# Assessment of applications for a building assessment certificate (BAC)

## The Building Safety Regulator

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## Contents

<b>Introduction</b> .....	<b>1</b>
<b>Safety case report</b> .....	<b>2</b>
Criteria assessed by the BSR regulatory lead .....	2
Criteria assessed by the fire assessor.....	8
Criteria assessed by the structural assessor .....	14
<b>Residents engagement strategy</b> .....	<b>20</b>
Assessed by the BSR regulatory lead .....	20
<b>Information about the mandatory occurrence reporting system</b> .....	<b>23</b>
Assessed by the BSR Regulatory Lead .....	23

## Introduction

The Building Safety Regulator (BSR) has started to direct principal accountable persons (PAPs) to apply for a BAC.

Once they have been directed, the PAP has 28 days to submit the application.

The application will then be assessed by a multi-disciplinary team led by BSR. The safety case report will be assessed by a BSR regulatory lead, a fire assessor and a structural assessor. The residents engagement strategy and information about the mandatory occurrence reporting system will be assessed the BSR regulatory lead.

BSR has developed criteria which assessors will use to ensure consistency. The criteria listed in this document are currently being used. BSR will keep these criteria under review and this document will be updated if the criteria change.

# Safety case report

## Criteria assessed by the BSR regulatory lead

### Description and basic information

#### **BSR1**

The safety case report should include a version number and / or date.

#### **BSR2**

The safety case report should provide the building name (where applicable), full postal address and BSR registration number.

#### **BSR3**

The safety case report should provide a brief description of the building, including:

- build date
- height
- number of storeys above ground
- number and type of residential units
- overview of common areas (e.g., community room, bin store, underground parking etc.)
- resident profile
- example floor plans
- other building uses (if mixed-use building)

#### **BSR4**

(If one of a number of blocks) the safety case report should provide a brief description of the wider development – including any shared facilities (such as plant rooms, parking etc.).

#### **BSR5**

The safety case report should provide a map of the location and / or a photo of building.

**BSR6**

The safety case report should provide a brief description of the surrounding area.

**BSR7**

The safety case report should provide details of the principal accountable person (PAP).

**BSR7.1**

(If different from the PAP) the report should provide details of the building owner.

**BSR7.2**

(Where relevant) the report should provide details of any other accountable person(s).

**BSR7.3**

(If the PAP or an AP is a resident management company (RMC) and has appointed a building safety director by virtue of S.111 of the Building Safety Act 2022) the report should provide details of said building safety director.

**BSR7.4**

(If different to the PAP) the report should provide details of the responsible person(s) under the Regulatory Reform (Fire Safety) Order 2005.

**BSR7.5**

(If applicable) the report should provide details of any managing agent(s) for the building.

**BSR7.6**

(If mixed-use building) the report should provide details of details of other relevant parties.

**BSR8**

The safety case report should provide an overview of the services and utilities provided to the block. This should include isolation points where relevant.

**BSR8.1**

(Where gas is provided to a block), the report should provide an overview of the system, including whether gas is supplied to individual flats and, if so, piping routes (internal / external etc.).

## **BSR9**

The safety case report should provide an overview of the efforts made to obtain information about the building.

## **Risk assessment / description of building safety risks and steps taken**

### **BSR10**

The safety case report should provide an overview of the risk assessment process used to identify and assess building safety risks.

### **BSR11**

The safety case report should describe who was involved in the risk assessment process, their competence, and where any specialist expertise (fire, structure etc.) was obtained.

### **BSR12**

The safety case report should provide a description of the possible scenarios of building safety risks identified by each AP, the likelihood of them materialising and the consequences if they do.

#### **BSR12.1**

The safety case report should provide a summary of the significant findings / recommendations from the assessment(s) in terms of the building safety risks for the building.

#### **BSR12.2**

The safety case report should explain how any recommendations for further action are managed and tracked to close out.

### **BSR13**

The safety case report should include a description of how the steps taken by each AP demonstrate compliance with the obligations under section 84 of the Building Safety Act 2022.

## **Safety management system (SMS)**

### **BSR14**

The safety case report should provide a brief description / overview of the SMS.

### **BSR15**

The safety case report should contain a commitment to continuous improvement.

### **BSR16**

A safety case report will usually contain an action or improvement plan.

### **BSR17**

(Where different to information already provided, or specific to the building) the safety case report should describe the key roles in the management of building safety, who (currently) fulfils those roles, and their responsibilities.

### **BSR18**

The safety case report should describe how the competence for key roles is established and maintained.

### **BSR19**

The safety case report should describe the measures in place for managing contractors, including determining their competence.

### **BSR20**

The safety case report should provide an overview of the arrangements in place to manage routine and reactive maintenance and statutory inspections of the measures in place to manage building safety risks.

#### **BSR20.1**

The report should provide an overview of the systems in place to manage, track and progress actions and recommendations identified by maintenance and inspections of the measures in place to manage building safety risks.

**BSR20.2**

The report should provide an overview of how urgent / emergency work – e.g., breakdowns, damage or actions identified by other inspections – is managed.

**BSR21**

The safety case report should provide an overview of the systems in place for managing changes that may have an impact on building safety risks.

**BSR21.1**

Specifically, the report should include information on how APs assure all of the following:

- the competence of designers and contractors appointed
- the quality of materials used
- the assessment and management of building safety risks whilst works are in progress

**BSR21.2**

The report should provide an overview of how residents are consulted / informed about planned changes.

**BSR22**

The safety case report should provide evidence of the proactive and reactive monitoring systems in place for building safety risks.

**BSR22.1**

The report should provide one or more examples of the monitoring measures, together with acceptability criteria / tolerance levels.

**BSR22.2**

The report should provide an overview of how dips in performance are investigated and managed.

**BSR22.3**

The report should provide details of how performance information is reported to senior managers.

**BSR23**

The safety case report should provide a brief description of how and when the effectiveness of the SMS is reviewed, and the arrangements for ensuring that changes to the system are implemented.

## **BSR24 Regulatory judgement criterion**

Does the safety case report demonstrate that the PAP and, where present, other APs have effective arrangements in place to manage building safety risks as required by Section 81(5) of the Act.

## **Emergency arrangements**

### **BSR25**

The safety case report should provide an overview of the emergency arrangements in place for the building. This should include:

- the overall approach (stay put, simultaneous evacuation etc.)
- how resident profile has been taken into account
- an overview of any liaison with the fire and rescue service

#### **BSR25.1**

The overview should include a description of the equipment in place to allow emergency services to respond to an emergency.

#### **BSR25.2**

The overview should include details of the information provided to emergency services to support their emergency planning response.

#### **BSR25.3**

The overview should include a description of the expectations with regard to residents and how they are to respond to emergency situations.

### **BSR26**

The safety case report should describe how emergency arrangements have been communicated to residents.

### **BSR27**

The safety case report should describe any relevant maintenance or testing arrangements in place for the emergency arrangements.

### **BSR28**

The safety case report should describe the arrangements in place for reviewing the emergency arrangements in place.

## Criteria assessed by the fire assessor

### Basic information about the building

#### F1

The safety case report should contain a summary of the building's fire strategy (in respect of spread of fire).

##### F1.1

(If not apparent from the strategy or no strategy is available) the report should include one of the following:

- information about the standards the building was built to (and whether known or inferred)
- if using a fire engineered solution, provide sufficient detail so that the approach can be assessed

##### F1.2

(If it is a mixed-use building) the information provided should reflect the mixture and interaction of uses.

#### F2

(If changes have been made to the building since original construction that may affect fire spread) the safety case report should provide a summary of those changes relevant to spread of fire and an overview of how they were managed.

#### F3

The safety case report should include a description of the building, noting key features relevant to spread of fire. This should include:

- the compartmentation standard (for example of floors, walls, shafts, and load bearing elements), including whether this standard is known or inferred
- external wall systems
- construction details of any balconies
- an overview of prevention and protection measures to manage the risk of fire spread (including any active systems such as smoke control, suppression, alarms etc.)
- structural fire protection
- example floor plans



**F4**

The safety case report should include all of the following:

- confirmation of the building's current evacuation strategy – stay put, simultaneous evacuation etc.
- a justification / basis for the strategy

**F4.1**

(If the current evacuation strategy is different to the original design intent) the report should contain an explanation of the change(s) and the reason(s).

**F5**

The safety case report should include a summary (for that building) of all of the following:

- any incidents involving spread of fire
- any enforcement action relevant to spread of fire (in particular any enforcement under the Regulatory Reform (Fire Safety) Order 2005 (FSO) or by BSR)

**Building safety risk assessment****F6**

If there is one AP (the PAP) for the building:

The safety case report should include evidence to confirm that a suitable and sufficient assessment of the risk of spread of fire has been carried out.

This should include external wall systems / external fire spread to the extent relevant to that specific building.

If there is more than one AP:

The safety case report should contain evidence in respect of each AP's assessment.

**F6.1**

The report should include information about who has undertaken the assessment(s) and their competence.

**F7**

The significant findings of the assessment(s) that relate to spread of fire should be provided in the safety case report.

**F8**

(Where the building safety risk assessment(s) has / have identified either the need for further information and / or additional measures) the safety case report should include an overview of the issues and the relevant AP's response.

**F8.1**

(If any actions identified under criterion F8 have not been completed) the report should include timescales for completion and details of any interim measures put in place.

**F8.2**

(If any actions identified under criterion F8 are not being taken forward) the report should include an explanation / justification.

**F9**

If the assessment(s) have identified control measures or features of the building that would not meet the standard required if being built today, the safety case report should provide evidence that the relevant AP(s) have considered whether there are any additional steps that would be reasonable to improve the safety of the building.

**F9.1**

Do the measures / features identified and the AP's conclusions on additional steps appear reasonable?

**F9.2**

(If no such measures or features have been identified) does this appear reasonable based on the building's age and description?

**F10 Demonstration criterion**

Does the safety case report demonstrate that the PAP and, where present, other APs have undertaken a suitable and sufficient assessment of the risk of spread of fire for the building?

**Compartmentation****F11**

The safety case report should provide information about the compartmentation in the building. This should include information about:

- Firefighting shaft(s) including lift shaft(s) / well(s)
- Fire resistance between floors

- compartmentation between basement (where present) and ground floor
- compartmentation between residential areas and ancillary accommodation / places of special fire hazard such as bin stores, plant rooms and car parks (where present)
- fire resistance between residential corridors and flats, between flats, above false ceilings etc.
- penetrations into flats such as services / utilities
- (where the building is multi-use) compartmentation between residential and non-residential parts of the building

#### **F11.1**

The report should provide assurance as to the condition / integrity of the compartmentation described and how this is known.

#### **F11.2**

(Where an AP has carried out a compartmentation survey) the report should include:

- the scope / extent of the survey
- who has undertaken the survey and their competence
- its significant findings, including the relevant AP's response

#### **F12**

The safety case report should provide evidence that appropriate fire doors are in place in necessary locations – including flat doors, stair doors, lobby doors and cross-corridor doors.

#### **F12.1**

(Where an AP has carried out a fire door survey) the report should include:

- who undertook the survey and their competence
- its significant findings, including the relevant AP's response

#### **F13**

The safety case report should provide evidence that fire doors are regularly inspected to ensure they remain in working order (including door closers).

#### **F14**

The safety case report should provide an overview of how maintenance and / or the work of contractors / third parties that could affect compartmentation is managed.

## **Specific prevention and protective measures (where present)**

### **F15 Methods of smoke control**

The safety case report should detail the methods of smoke control in the building (natural smoke control systems, mechanical smoke ventilation systems, pressure differential systems etc.).

### **F16 Escape routes**

The safety case report should describe the number of escape routes, along with travel distances and the presence of any dead ends.

### **F17 Stairs**

The safety case report should provide information about the staircases in the building, including:

- number of staircases
- whether they are firefighting or escape stairs, internal or external etc.
- whether they serve all floors / flats or just some (including whether they serve areas shared with other blocks such as basements / car parks)
- width (including whether constant or narrows)

### **F18 Detection and warning systems**

The safety case report should include details of any detection and / or warning systems.

### **F19 Suppression systems**

The safety case report should include details of any suppression systems (sprinklers, water mist, gaseous suppression etc.), including:

- locations(s) / coverage
- specification (summary)
- water supply
- power supply

### **F20 Facilities for the fire service**

The safety case report should contain details of the facilities for use by the fire service, including:

- firefighting shaft(s) and any firefighting lift(s)

- risers / fire mains (including type)
- hydrant locations
- fire service vehicle access
- site drawing(s)

### **F21 Demonstration criterion**

Does the safety case report demonstrate that the PAP and, where present, other APs understand the measures in place to prevent and mitigate the spread of fire and have assurance that they will work as intended?

### **Management arrangements**

#### **F22**

The safety case report should summarise the arrangements in place for the effective planning, organisation, control, monitoring and review of the measures taken to prevent and mitigate the risk of spread of fire in the building.

#### **F23**

The safety case report should provide an overview of the arrangements in place (including those involving third parties) for maintenance relevant to the management of the risk of spread of fire.

### **F24 Demonstration criterion**

Does the safety case report demonstrate that the PAP and, where present, other APs have suitable arrangements in place to ensure ongoing management and maintenance of the measures to prevent and mitigate the risk of spread of fire?

### **F25 Demonstration criterion**

Does the safety case report demonstrate that the PAP and, where present, other APs have taken all reasonable steps to prevent and mitigate the risk of spread of fire?

## **Criteria assessed by the structural assessor**

Some of these criteria will be assessed for all buildings, others only for certain types of building.

### **Basic information about the building**

Always assessed.

#### **S1**

The safety case report should state when the building was built / completed.

#### **S2**

The safety case report should describe the current and original (where different) design intent of the building.

##### **S2.1**

(If a building's use has changed since original construction) the report should provide details of that change, including:

- when it took place
- an overview of the changes to the building (relevant to building safety risks) as a result of the change of use

##### **S2.2**

(If a building's use has changed since original construction) the report should show that the PAP has an awareness of the loading design parameters of the building and any measures in place to prevent overloading.

#### **S3**

The report should describe any refurbishments or building work since original construction that could have impacted on building safety risks.

##### **S3.1**

(Where such work has taken place) the report should include the year(s) of completion.

#### **S4**

The safety case report should provide an overview of the building's construction method(s).

## S5

The safety case report should identify the key structural elements of the building. Information required will vary, but may include:

- materials of construction
- type of building (e.g., large panel system)
- primary load bearing system (e.g., pre-cast planks on a steel frame)
- stability system (e.g., concrete shear wall(s))
- secondary systems relevant to building safety risks (e.g., cladding support systems)
- materials used in (for example):
  - building façade
  - wall attachment
  - roofing
- information about any basement / underground levels
- information about foundations / local ground conditions (for example: flood risk, underground tunnels etc.)

### S5.1

Where different materials are used in different parts of the building, this should be made clear in the report.

### S5.2

(Where there are known issues with any of the materials or construction methods used), the report should provide sufficient detail to demonstrate that the PAP understands the implications for managing the risks from structural failure.

## S6

(If the report indicates some of the information about construction / materials is not available) the safety case report should describe the efforts made to source or establish the necessary information and explain the basis of any assumptions.

## S7

The safety case report should state whether there is any history of structural problems with the building.

### S7.1

(Where such problems have been identified) the report should include a description of the problems, the action(s) taken to investigate them, and any remedial measures taken.

**S8**

The safety case report should include an overview of fire protection to structural components of the building.

**S9**

The safety case report should state the compartmentation standard the building was built to.

**S10**

The safety case report should state whether balconies are present.

**S10.1** (If balconies are present), the report should provide information about:

- type (Juliet, cantilever, hung, stacked, internal etc.)
- attachment method(s)
- structural and decorative materials
- dimensions

**S11 Demonstration criterion**

Has the PAP demonstrated that they understand how their building was constructed to the extent needed to prevent and mitigate the risks from structural failure?

**Large Panel System (LPS) Buildings**

Always assessed for LPS buildings, otherwise not assessed.

**S12**

The safety case report should confirm whether the building has been remediated post-Ronan Point.

**S12.1**

(Where it has been remediated) the report should include an overview of the remediation work.

**S12.2**

(Where it has been remediated) the report should include an overview of how this is known.

**S12.3**

(If the nature of remediation is known from documentary records) the report should indicate whether any sample checks have been made to verify the remediation.



**S13**

(If remediation has not been confirmed) the safety case report should include a description of the measures taken to determine the structural condition of the building.

**S14**

(If the building has not been remediated) the safety case report should include a description of the measures taken to prevent structural failure due to LPS inherent weaknesses.

**S15 Demonstration criterion**

Has the PAP demonstrated that they understand the remediation status of their LPS building or taken reasonable alternative steps to manage the risk from LPS?

**Current structural condition of the building**

Always assessed except where all three of the following conditions are met:

- the building is less than 3 years old and is not an LPS building
- criteria S1-S11 (inclusive) have been met (or marked N/A)
- information provided for criterion S7 indicates no history of structural problems with the building

**S16**

The safety case report should include a summary of the current structural condition of the building and how this has been established.

**S16.1**

(Where structural inspections, surveys or assessments have been done), the report should include details of:

- the type and scope of the report(s) (including their invasiveness and any sampling strategy)
- the rationale for that approach
- who has undertaken the survey(s):
  - If in-house, an overview of their competence for working on HRBs
  - If external, how they were selected, their competence to work on HRBs, and details of any checks made
- the brief given to the person(s) undertaking the survey
- the findings of the report (summary)

**S16.2**

(Where the information about the current structural condition of the building has highlighted either the need for further information or actions / recommendations) the report should include an overview of the issues found and the PAP's response.

**S16.3**

(If any actions identified under the criterion S16.2 have not been completed) the report should include timescales for completion and details of any interim measures put in place.

**S16.4**

(If any issues identified under criterion S16.2 are not being taken forward) the report should include an explanation / justification.

**S17**

The safety case report should include a summary of how the PAP (or their representatives) keep up to date with structural developments such as safety alerts or similar.

**S18 Demonstration criterion**

Has the PAP demonstrated that they know their building's current structural condition?

**Building safety risk assessment**

Always assessed

**S19**

The safety case report should include evidence to confirm that a suitable and sufficient assessment of the risk of structural failure for the building has been undertaken.

**S19.1** The report should include information about who has undertaken the assessment and their competence.

**S20**

The significant findings of the assessment that relate to structural failure should be provided in the safety case report.

**S21**

(Where the building safety risk assessment has identified either the need for further information and / or additional measures) the safety case report should include an overview of the issues and the PAP's response.

### **S21.1**

(If any actions identified under criterion S21 have not been completed) the report should include timescales for completion and details of any interim measures put in place.

### **S21.2**

(If any actions identified under criterion S21 are not being taken forward) the report should include an explanation / justification

## **S22 Demonstration criterion**

Has the safety case report demonstrated that a suitable and sufficient assessment of the risk of structural failure for the building has been undertaken?

### **Arrangements for managing the ongoing structural integrity of the building**

Always assessed

## **S23**

The safety case report should include a description of one of the following:

- the arrangements in place for managing the structural integrity of the building
- for buildings less than 3 years old, the future arrangements that are planned

## **S24**

The safety case report should include a description of the arrangements in place to deal with any concerns noted or raised regarding the structural integrity of the building.

## **S25**

(Where there are multiple APs for a building) the safety case report should provide information on how relevant information is shared between APs.

## **S26 Demonstration criterion**

Has the PAP demonstrated that they have proportionate measures in place to manage the risks from structural failure?

# Residents engagement strategy

## Assessed by the BSR regulatory lead

### Section 91(3)(a) of the Building Safety Act 2022

#### **RES1**

The strategy should include a description of the (type of) information that will be provided to relevant persons.

#### **RES2 Regulatory judgement criterion:**

Does the (type of) information to be provided appear reasonable?

### Section 91(3)(b) of the Building Safety Act 2022

#### **RES3**

The strategy should include a description of the aspects of building safety decisions that will be consulted on.

##### **RES3.1**

(If the strategy includes aspects of decisions that will not be consulted on) the strategy should justify the exclusion.

##### **RES3.2**

(If the strategy includes separate arrangements for urgent matters) the strategy should set out the circumstances and arrangements.

#### **RES4 Regulatory judgement criterion:**

Do the aspects that will be consulted on appear reasonable?

### Section 91(3)(c) of the Building Safety Act 2022

#### **RES5**

The strategy should include the arrangements for obtaining the views of relevant persons.

**RES5.1**

It should include evidence of the range of methods and / or that consideration has been given to the ways in which views can be obtained.

**RES6**

The strategy should describe how views received are considered and fed into the decision-making process.

**RES7 Regulatory judgement criterion**

Do the arrangements described for obtaining the views of relevant persons appear reasonable?

**RES8 Regulatory judgement criterion**

Do the arrangements described for taking into account the views of relevant persons appear reasonable?

**Section 91(3)(d) of the Building Safety Act 2022****RES9**

The strategy should set out how the appropriateness of methods of participation will be measured and kept under review.

**RES10 Regulatory judgement criterion:**

Do the arrangements for measuring effectiveness and reviewing them appear reasonable?

**Content required by Regulation 10(7) of the Higher-Risk Buildings  
(Management of Safety Risks etc) (England) Regulations 2023****RES11.1**

The strategy must contain a requirement that the PAP must inform residents when works resulting from a building safety decision will be carried out, and the purpose of the works.

**RES11.2**

The strategy must contain a requirement that, where works taking place for a period of more than one day arising from a building safety decision will limit access to any part of a building, or otherwise cause a nuisance to residents, the PAP must consult relevant persons about:

- i. the days and times when works are to take place, and
- ii. how to mitigate disruption to relevant persons from the works

The regulation provides an exception for urgent works: “*Unless works are required to commence on an emergency basis and it would be impracticable to consult relevant persons*”.

**RES11.3**

The strategy must contain a requirement that the PAP must give due consideration to the responses to any consultation.

**RES11.4**

The strategy must contain provision for the keeping of records of reviews carried out by the PAP.

**RES11.5**

The strategy must contain provision for setting out in writing to residents how consultations are to be carried out on the residents’ engagement strategy and on building safety decisions.

**Review****RES12**

The strategy should be dated or otherwise confirm it has been reviewed in line within the requirements of Regulation 10(1) of the Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023, and in any event within the last 2 years.

# Information about the mandatory occurrence reporting system

## Assessed by the BSR regulatory lead

### MOR1

The information provided should demonstrate that there is a single mandatory occurrence reporting system for the building.

### MOR2

The information provided should demonstrate that the system enables:

- i. the reporting and recording of incidents and situations by individuals to the AP
- ii. the recording of incidents and situations identified by the AP
- iii. the timely assessment of reports or records of incidents and situations to determine whether they constitute a safety occurrence
- iv. the notification and reporting of safety occurrences to the regulator within the required periods

### MOR3

The information provided should demonstrate that the system is accessible to all residents and other users of the building.

### MOR4

The information provided should demonstrate that there are regular reviews of the system to ensure that it remains effective.

