

Question A1: Do you agree with the proposal to require a building which becomes a ‘relevant premises’ (as defined in the Fire and Rescue Services (NI) Order 2006) or a building containing one or more flats with a storey more than 11m above ground level, due to a material change of use, to be subject to the requirements of new regulation 37A?

Answer: Yes. The CIOB’s view is that fire safety regulations should apply as broadly as possible, capturing as many build types as is practicable. This is particularly true for requiring adequate fire safety information, which is a relatively new bar to clear resourcing-wise, notwithstanding the skills implications of obtaining and passing on this information.

Generally, the rate of fire risk is considerably higher in buildings over 18m/six storeys than in high-rise residential blocks of any height (respectively, 43 fires/9 fires per 1,000 buildings) and that evacuation plans are inevitably more challenging the higher the building. However, the new fire safety regime in Northern Ireland must be as broad as practicable, and does cover any buildings that accommodate vulnerable people, including care homes and schools. We acknowledge the practical difficulties of implementation of the new regime, and therefore reiterate the Construction Industry Council’s (CIC) support for a proposal that starts at the narrower definitions, but which is capable of being extended regularly through revisions to secondary legislation, after suitable reviews, to bring a much wider range of buildings into scope of the enhanced regulatory regime.

Question A2: Do you agree with the proposal to require a building which becomes a building on the prescribed list of buildings in regulation 37B due to a material change of use, to be subject to the requirement of new regulation 37B?

We support calls from the Royal Institute of British Architects, for the consideration of the provision of alternative vertical means of escape, or escape safe havens/refuges, for residential buildings over 18m in height when there is currently only one staircase. Additionally, we support the inclusion of a requirement for the retrofit of sprinkler systems in existing buildings. There is already, for example, compelling evidence about the need for sprinkler systems in schools, with analysis from Zurich Municipal finding that the average school posed a fire risk 1.7 times greater than non-residential buildings, and that schools were three times more likely to fall into the “high” fire risk category. The study also found that many schools lack the equipment needed to prevent small fires becoming major disasters. Of more than 1,000 school inspections carried out by Zurich, 66% were rated as having ‘poor’ fixed fire protection systems, such as sprinklers, which are proven to significantly reduce the damage caused by fire.

E1:

Do you agree that as built ‘fire safety information’ should be required to be given under Building Regulations to those responsible for fire safety duties in a building not later than the date of completion of the work, or the date of occupation of the building or extension whichever is the earlier?

The CIOB has done extensive work on building information, including a 2022 survey on the ‘golden thread’. Almost three-quarters of respondents to a CIOB survey on the ‘golden thread’ – the requirement for accurate and up-to-date records of project data – said it should apply to all buildings, not just the higher-risk residential buildings as set out in the UK government’s draft Building Safety Bill.

The research, carried out by the CIOB and software company i3PT Certification, asked industry professionals about their understanding of the golden thread and how it will be delivered in practice.

Initial analysis shows some 74% of respondents felt the draft bill did not go far enough, and that the golden thread should become law for all buildings, while a further 13% said it was 'relevant' to other sectors. Many were concerned about healthcare, care homes and schools. The research indicated that industry culture would be the biggest obstacle to implementing the golden thread. Some 82% of respondents picked this out as a 'blocker' to change, followed by commercial investment (52%), lack of repercussions (48%), unclear requirements (43%) and technology (32%). Furthermore, more than half (54%) agreed with the statement, "the industry understands the need to change but the right culture is not in place to support it". Only 9% disagreed.

The consensus is it will take construction a long time to implement the changes necessary to deliver a golden thread of information on all high-risk projects. Only 7% of respondents thought it would take less than 12 months, while one in five said it would take between one and two years. Some 41% thought it would require two to five years and 23% said over five years. Encouragingly though, 85% of survey respondents said the golden thread will "enable better decision-making and create a clearer chain of accountability across the built environment". The 'golden thread' was identified by Dame Judith Hackitt in her Independent Review of Building Regulations and Fire Safety, published after the Grenfell fire. She highlighted the need for "robust record keeping, with a digital 'golden thread' of key building information running through all phases of design, construction and occupation".

Question E2:

Do you agree with the scope of buildings ('relevant premises' as defined under the FRSNIO and buildings containing one or more flats with a storey more than 11m above ground level) for the new regulation to apply to?

Yes. We agree.

As per question A1, it is appropriate to operate with as broad a scope of buildings as is practicable as as many of the risks to safety are broadly the same regardless of the size of the building. In the wake of the Grenfell Tower fire, it has become clear through evidence heard at the Grenfell Inquiry and the findings of the Independent Review of Building Regulations and Fire Safety that there are systemic and cultural failures within the industry that need to be tackled across the board. These range from procurement and lack of accountability to quality control and competency.

The CIC has backed the measures outlined in the Hackitt review to be applied more widely across construction, rather than limited to higher risk residential buildings, but acknowledges that rapid changes to the scope of the building safety regime will have capacity and logistical implications for industry. However, while we acknowledge the practical difficulties of the implementation of a new building regulatory regime, we are concerned that emphasis on height fails to account for other risk factors such as buildings that accommodate vulnerable people.

As per our response to question A1, In England, the CIC has supported a proposal that starts with the narrower definitions currently indicated in the draft Building Safety Bill but which is capable of being extended regularly through revisions to secondary legislation, after suitable reviews, to bring a much wider range of buildings into the scope of the enhanced regulatory regime.

The number of NI private residential buildings over 11m is 174, 65 of these are over 18m. This compares to approx. 12,500 residential buildings over 18m in England. This suggests that Northern Ireland to expand the scope of the Building Safety Regime to apply to all multi-occupancy residential buildings with minimal difficulty, and we strongly encourage the Northern Ireland Assembly to take this opportunity to apply changes more widely.

Question E3:

Do you agree with the use of the term ‘person carrying out the work’ in the regulation or do you think a more specific individual should be cited in the regulation and hence responsible for providing this information?

The Building Safety Act in England (BSA) puts in place specific dutyholder roles, and we agree with this direction of travel. The skills and knowledge needed to manage and provide information on relevant buildings are non-trivial and the role requirements should reflect this.

To address these issues and support the implementation of the BSA, we have launched a [Level 6 Diploma in Building Safety and Management](#), which is designed for construction professionals moving into this key dutyholder role. The qualification develops the knowledge and skills needed to manage the safety of relevant buildings in occupation, and has been released in conjunction with the CIOB [Level 6 Certificate in Fire Safety for Construction](#), which is designed for a range of professions – including dutyholder roles and those working on higher-risk buildings.

Other organisations have also begun to prepare for the implementation of this new role. We have been working closely with the Local Authority Building Control (LABC) to develop vocational qualifications for the Building Control discipline to improve competency in the sector. There is a range of level 3 to 6 qualifications in Building Control, covering technical administration, domestic building control, high-rise and commercial building control as well as specialisms such as fire safety, legislative compliance, management of building control and safety at sports grounds and other public events. Formal learning content has been academically accredited and validated by CIOB and the University of Wolverhampton. It should be noted that this course is also open to private sector building control professionals, as well as those in the public sector.

We would be happy to provide a more in-depth overview of the other training courses that we offer to members if you thought this would benefit that work that the Directorate is doing to highlight this issue.

Do you agree that a new prescriptive regulation requiring the provision of suitable automatic fire suppression systems in certain types of buildings should be introduced under regulation 37B?

See question A2 response.

Question E5:

Do you agree with the scope of buildings as proposed for now under new regulation 37B?

See question E2 response.

It is appropriate to operate with as broad a scope of buildings as is practicable as many of the risks to safety are broadly the same regardless of the size of the building. In the wake of the Grenfell Tower fire, it has become clear through evidence heard at the Grenfell Inquiry and the findings of the Independent Review of Building Regulations and Fire Safety that there are systemic and cultural

failures within the industry that need to be tackled across the board. These range from procurement and lack of accountability, to quality control and competency.

The CIC has backed the measures outlined in the Hackitt review to be applied more widely across construction, rather than limited to higher risk residential buildings, but acknowledges that rapid changes to the scope of the building safety regime will have capacity and logistical implications for industry.

Question E6:

Do you agree with the height threshold of 11m for buildings containing one or more flats and purpose-built student accommodation as proposed under new regulation 37B?

See comments relating to height throughout this response.

Question E7:

Do you agree with the definition of residential care premises being adopted in building regulations for the application of new regulation 37B?

N/A

Question E8:

Do you agree with a transitional period of 6 months?

It is disappointing that this consultation is silent on the resource and governance implications of the new proposals. Providing clarity and integration through ensuring effective organisational structure, strategic direction, procedural control and implementation of policy which will support an integrated 'end to end process' concerned with design, approval, construction and management of Fire Safety in Northern Ireland is fundamental to any successful new regime. It is also important to ensure that adequate financial and other resources are allocated for the discharge of the necessary functions.

As a contributing member of the Northern Ireland Building Safety Expert Panel, we concur with the Panel's report that the current system of regulation, policy and oversight is currently under-resourced in central and local government. It also recognised that there is still significant work required to ensure that the occupants of buildings are safe. We recommend that this work should start immediately and be carried out by a dedicated and appropriately relevant, skilled and qualified Interim Team, which can identify the next steps, and develop a strategy for establishing an Office for Building safety that can continue the work required to implement all of the recommendations arising from this consultation.

Ultimately, while a new fire safety regime is a welcome and necessary response to recent tragic failings in building safety and quality, the solution going forward must be robust. Key questions around timescales and cost must be considered, including the length of time it will take for developers to get approval under the new regime and the impact this will have, as well as the cost of applications to the regulator and who will pay them.

Question TBE1: Do you agree with the proposed guidance in Section 7 of the consultation version TBE for 'fire safety information'?

Yes.

Question TBE2. Do you agree with the proposed guidance regarding sprinklers given in Section 8 of the consultation version of TBE?

As a member of the Expert Panel - Building Safety Programme Northern Ireland that contributed to the Panel's final report, the CIOB supports the view that the introduction of appropriate fire suppression systems, such as sprinklers, in existing and new buildings to reduce risk, and that a cost-benefit analysis should be completed prior to the implementation of the recommendation. As well as protecting occupants, sprinklers limit structural and other damage to properties, thereby providing assurance to residents, insurers and lenders.

Work is currently progressing with the NIBRAC Part E (Fire safety) Technical Subcommittee on the Phase 2 proposals, which are part of a work programme of amendments to the NI Building Regulations. Automatic Fire Suppression Systems (sprinklers) are currently being considered for new build and material change of use HRRB projects, as part of the Phase 2 amendments. Given the benefits of sprinklers, the Panel agreed that the fitting of sprinklers should be required in new HRRBs and supported the work of the DoF Building Standards Branch in progressing legislation to mandate sprinklers in some residential buildings over 11m.

Question TBE4: Do you agree with the new guidance in relation to fire alarm provision in dwellings subject to an extension and/or alteration work?

Yes – as per Question A1 – as wide a scope as practicable.

Question TBE10: Do you agree with requiring an emergency evacuation alert system to be installed in buildings containing flats with a storey more than 18m above ground level?

Yes.

Question TBE12: Do you agree with the new requirement for a secure information box in buildings containing flats with a storey more than 11m above ground level?

Question IA1: Do you agree with the assumptions, costs and impacts set out in the consultation stage RIA?

Question G1: Please set out any additional comments you have.

Ultimately, while more robust fire safety regime is a welcome and necessary response to recent tragic failings in building safety and quality, the solution going forward must be robust. In terms of the potential skills shortages that could be created as a result of the proposed changes, our concerns include:

- **Accreditation** – In order for both clients and the regulator to have assurance of the safety of buildings, they will need to be confident that those responsible for building safety have the necessary qualifications and competencies, and thought must be given to whether the current educational infrastructure is adequate. A key challenge will be the availability of experts to deliver building safety management training, and the cost of implementing and delivering an accreditation scheme taught by highly qualified professionals.
- **Supply of Building Safety Managers** – Without adequate numbers of qualified individuals, or a lack of supply in the right place at the right time, the availability of Building Safety

Managers will be unevenly distributed and lead to further problems. There is also a risk that other built environment professionals will move into these new roles, creating a shortage in existing roles and moving the chronic skills crisis from one area to another.

- **Qualifications** – Historically, there have been shortcomings in the wider building education landscape around quality, and there are difficulties especially in helping people to differentiate between qualifications and competency. It will be necessary to continue to push the industry to understand that it is more difficult, time consuming and expensive to achieve competency, and that qualifications alone will not be enough to improve building safety.

To address these issues, we have launched a [Level 6 Diploma in Building Safety and Management](#), which is designed for construction professionals moving into this key dutyholder role. The qualification develops the knowledge and skills needed to manage the safety of relevant buildings in occupation, and has been released in conjunction with the CIOB [Level 6 Certificate in Fire Safety for Construction](#), which is designed for a range of professions – including dutyholder roles and those working on higher-risk buildings.

Skills Shortages

Historically, construction has struggled to recruit the numbers of skilled workers to keep up with demand and the use of foreign labour and sub-contracting has enabled gaps to be filled. But these quick fixes, particularly with the new immigration system, do not make for a sustainable business model. Recent data from the Office of National Statistics (ONS) showed that at the end of 2021 the number of self-employed workers in the construction industry fell by 108,000 from the same time period in 2020. Much of this decline can be attributed to the difficulty in finding work during the Covid-19 pandemic as well as by the number of EU migrants returning home post-Brexit.¹ We are calling on Government to implement an educational system that can help inspire and attract talent to the sector.

To do this action must be taken to provide education and training opportunities for young people. The industry has introduced several initiatives to engage and inspire young people to enter a career within construction. We have endorsed the Construction Industry Training Board's (CITB) GoConstruct portal,² which informs children and parents about the array of careers and opportunities in construction and the wider built environment, from trade-based opportunities through to professional careers in construction management, architecture and surveying.

Additionally, our own Craft Your Future³ initiative, which is a construction game aimed at 12-14-year olds that takes place in Minecraft, presents students with a variety of problems focusing on the challenges faced by city-based communities. It is designed to help young learners explore the methods and skills required to become a construction manager, including those central to the new technologies that will define the future construction industry.

The construction industry offers something for everyone, regardless of the qualifications held. There are some entry-level roles that do not require any qualifications at all and for others, there is a need to complete a relevant college course, degree, or apprenticeship – many of which are supported by companies.

¹ Construction News, [Number of self-employed workers hits 18-year low as skills shortage bites](#), 22 February 2022

² GoConstruct, www.goconstruct.org

³ Craft Your Future, <https://minecraft.ciob.org/>

Despite this, there has long been a social stigma attached to the construction sector and are for those who did not achieve the grades required to get into university. Anecdotally, a Past-President of CIOB noted when giving a site visit to school children that a teacher said, “this is where you will end up if you don’t do well on your exams”. This sentiment is unfortunately shared amongst young people, friendship groups, parents, and teachers.

With skills demands growing in the sector – from trades right through to professional careers, the Government should also consider developing built environment related studies at GCSE level. Design Engineer Construct! (DEC!)⁴ is one such learning programme aimed at secondary-school students that has been developed to create and inspire the next generation of built environment professionals. Further information about DEC can be found [here](#).

We would be happy to provide you with further details on these initiatives should you wish to bring them up during any debate on the skills shortages currently facing the construction industry.

⁴ Design. Engineer...construct, <https://designengineerconstruct.com/>