



Berneslai Homes
Building and Fire Safety Project Board
Terms of Reference
May 2023



1. Purpose

Berneslai Homes manages homes on behalf of Barnsley Metropolitan Borough Council (BMBC). This management arrangement means that under the Building Safety Act 2022, Berneslai Homes is an Accountable Person and BMBC is the Principal Accountable Person.

The definition of a Principal Accountable Person is:

Principal Accountable Person (BMBC) - If a building has more than one Accountable Person, the Accountable Person responsible for the structure and exterior of the building will be the Principal Accountable Person.

As well as their duties as an Accountable Person, Principal Accountable Persons must:

- Register existing buildings with the Building Safety Regulator (between 12th April 2023 and 30th September 2023).
- Prepare a safety case report for each building.
- Provide the safety case report to the Building Safety Regulator on request.
- Apply for a building assessment certificate and provide completed building safety cases for each in scope building between March 2024 and March 2029 as requested by the Building Safety Regulator.
- Review and challenge the performance of fire and building safety as necessary on a risk-based approach.

The definition of an Accountable Person is:

Accountable Person (Berneslai Homes & BMBC) – An organisation who owns or has responsibility for the building. It may also be an organisation who is responsible for maintaining the common parts of a building, for example corridors or lobbies.



The Accountable Person will have a duty to take all reasonable steps to:

- Prevent a building safety risk happening, with building safety risk defined as 'spread of fire and/or structural failure'; and
- Reduce the seriousness of an incident if one happens.
- Monitor progress against programmes, overall performance, scrutinise strategic direction and offer constructive challenge to ensure Berneslai Homes' homes are safe and comply fully with the Building Safety Act.

In addition to the Building Safety Act 2022, The Fire Safety Act 2021 received Royal Assent on 29 April 2021 and commenced on 16 May 2022. The Act amends the Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order RRFSO). The Act clarifies that Responsible Persons (RPs) for multi-occupied residential buildings must manage and reduce the risk of fire for the structure and external walls of the building, including cladding, balconies and windows, and entrance doors to individual flats that open into common parts.

The Fire Safety Regulations were introduced under Article 24 of the Fire Safety Order and came into force on 23 January 2023, meaning it is a legal requirement for the Responsible Person for multi-occupied buildings over 11 metres to:

- Carry out quarterly checks of all fire doors in communal areas.
- Carry out annual checks on all flat entrance doors.
- Provide information to residents about the importance of fire doors.

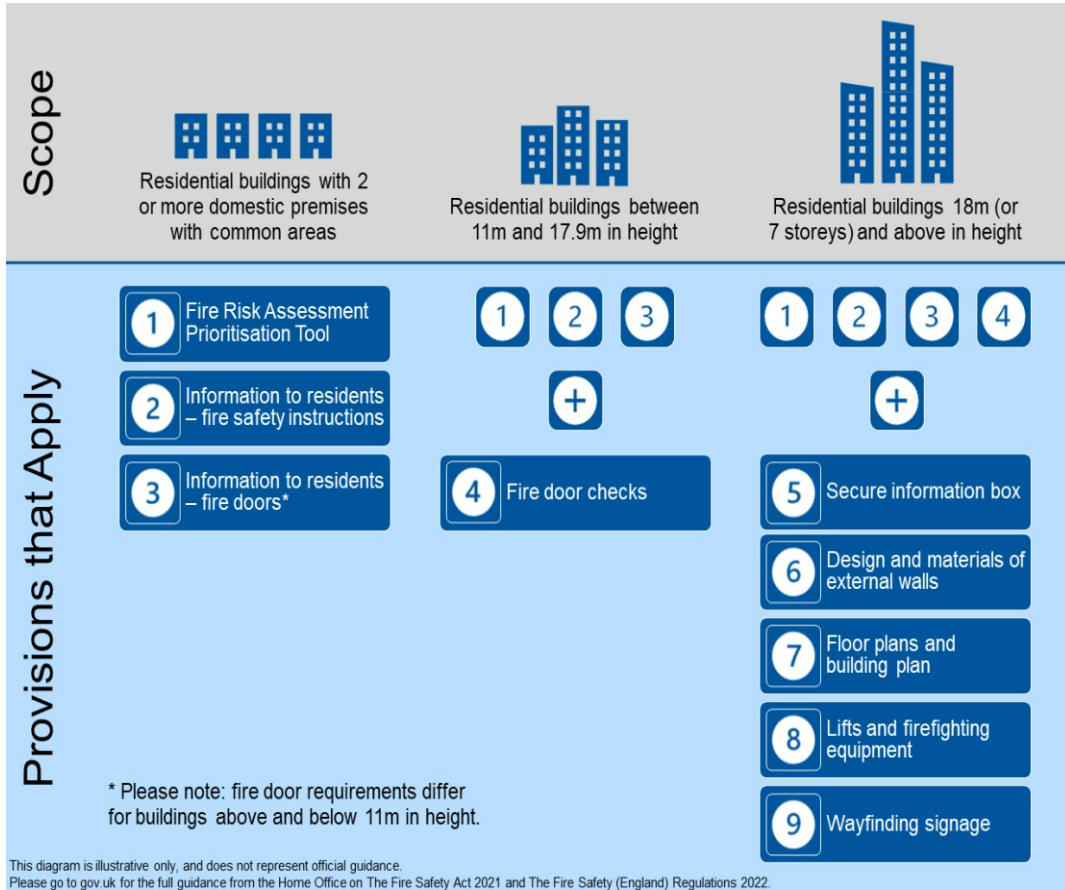
The act will require Responsible Persons of multi-occupied residential buildings with two or more sets of domestic premises to update their fire risk assessment to include an assessment of the building's structure, external walls.

The Regulations apply to England only. The Regulations can be found on the UK Government website.

Most of the requirements set out in the Regulations are imposed on the responsible person (RP), Which RPs need to plan and prepare for.

The Regulations require RPs in multi-occupied residential buildings to take specific actions, depending on height of the building.

The diagram below is a scoping tool which sets out the requirements on a building dependant on its height.



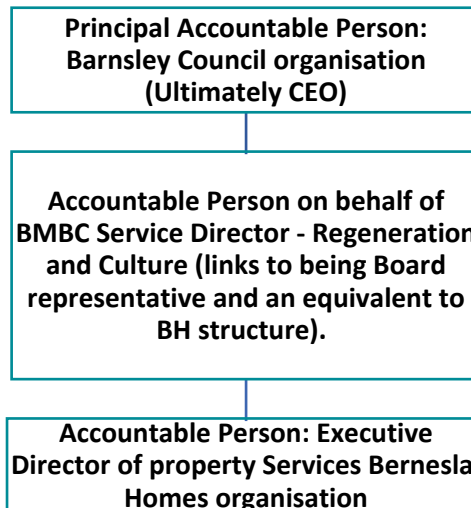
Under the Acts and Regulations, Berneslai Homes and BMBC have Accountable Person duties for the occupied higher-risk buildings which are at least seven storeys or are at least 18 metres in height and have at least two residential unit. Both BMBC and Berneslai Homes have decided to include the Independent Living Schemes.

2. Governance Framework

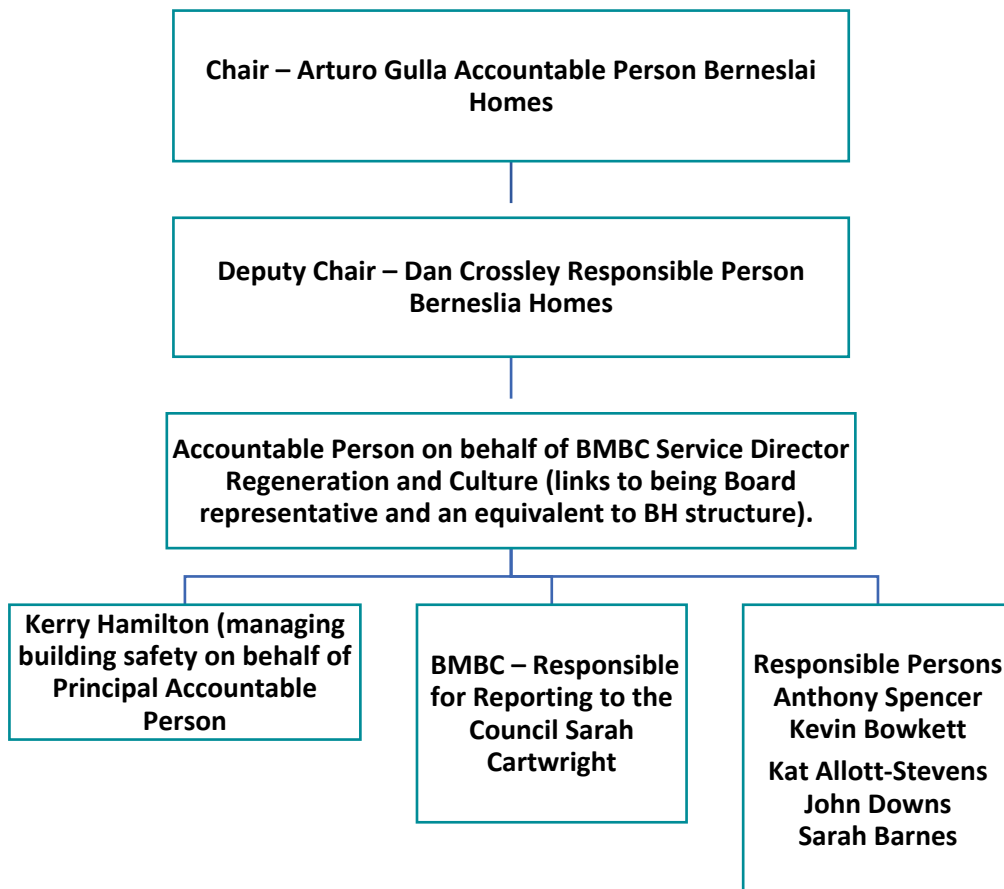
The diagram below sets out the governance arrangements in place between the Council (as Principal Accountable Person) and Berneslai Homes (as Accountable Person) to ensure full compliance with all statutory and regulatory requirements under the Building Safety and Fire Safety Acts.



Governance Framework between Barnsley Council and Berneslai Homes



Building Safety Board – Framework





3. Aims

- 3.1 Ensure that Barnsley Metropolitan Borough Council (BMBC) and Berneslai Homes meets all the regulatory and legislative requirements relating to the Building Safety Act 2022, Fire Safety Act 2021 and Fire Safety Regulations
- 3.2 Provide assurance to the Council and its Members that Council properties are managed and maintained to the highest health and safety standards and in full compliance with the Services Agreement and the requirements of the Regulator of Social Housing (RSH).
- 3.3 To provide a full programme update to the Council's appointed Accountable person/ Responsible person quarterly on all aspects of building and fire safety, including an update on capital/planned works, any areas of concern and tracking of fire risk assessment and other compliance actions.
- 3.4 To provide assurance to both the Audit and Risk Committees within Barnsley Council and Berneslai Homes with regards areas of non-compliance, incidents and/or significant delay in the delivery of essential planned works.

4. Functions

- Appoint to the key roles identified within the Building Safety Act - Developing a robust governance and escalation process
- Build on existing expertise within Barnsley Council and Berneslai Homes.
- To provide assurance to the Principal Accountable Person (the Council) of full compliance with all statutory and regulatory requirements under the fire and building safety acts and regulatory requirements under the Tenant's Charter/Social Housing Regulation Bill.
- To monitor the delivery of building and fire safety programme works and to identify, prioritise and plan future programmes (linked to annual budget setting)
- To establish future costs around implementing further recommendations of the Acts and Regulations.
- Develop best practice in the fields of engagement and communication with tenants to ensure we are tenants at the heart of H&S etc
- Inform future policy development.
- Provide clear objectives, success measures and tangible outputs within the Building Safety Plan which can be tracked and audited.



- Consider the most effective methods of sharing best practice and disseminating important messages on building safety to the wider business in order to foster a culture of resident engagement across all tenures.
- To oversee the establishment of a robust tenant liaison group (including leaseholders) to work with, inform of changes and determine satisfaction levels.
- To ensure that the Building Safety Team structure is adequately resourced and comprises of suitably qualified individuals
- To create a skills matrix for all key roles (including, but not limited to designated Building Safety Manager and Managers responsible for each in scope building).
- To measure progress of the Building Safety Action plan.
- To produce building Assurance Certificates for each in scope building.
- To review and challenge the performance of fire and building safety as necessary on a risk based approach.

5. Specific Functions

- 5.1 The BSPB will monitor progress against programmes, overall performance, scrutinise strategic direction and offer constructive challenge to ensure that all council homes are safe and comply to regulatory compliance standards as set out in the Regulators Home Standard, Building Safety Act and White Paper on Social Housing.
- 5.2 Each compliance/engagement lead will provide updates to detailed actions/PIs included within the wider Building Safety Action Plan.
- 5.3 Formal minutes of each Building Safety Project Board will be produced.

6. Membership

- 6.1 The Building Safety Project Group will be chaired by the appointed Accountable Person with BH (ED Property – Arturo Gulla).
- 6.2 Additional attendees are

Executive Director of Property Service – Accountable Person	Chair
Head of Repairs, Maintenance and Building Safety – Responible Person	Deputy Chair



Members – Responsible Persons	<ul style="list-style-type: none"> • Head of Estate Services • Head of Asset Management • Fire and Asbestos Compliance Manager • Mechanical & Electrical Compliance Manager • Maintenance Manager
Barnsley Metropolitan Borough Council (BMBC) members – Accountable Persons	<ul style="list-style-type: none"> • Service Director • Head Strategic Housing

6.3 As Berneslai Homes manage the housing stock on behalf of Barnsley Metropolitan Council the members will form part of the Building Safety Project Board.

6.4 Co-option – the Building Safety Project Board may, by resolution, co-opt additional members with specialised knowledge for a specific purpose, for as long as the group so decides. Co-opted members may not send a deputy

6.5 Deputies – any member unable to attend a meeting of the Building Safety Project Group should nominate a deputy to attend.

6.6 Where Building Safety Project Group are unable to attend a meeting, any updates should be provided to the Chair. An appropriate representative may attend in their place, in agreement with the Chair

Serviced by:

Name	DESIGNATION
	Administration support for the will be provided by an employee from the Building Safety/ Compliance team.

7. Reporting Mechanisms

7.1 Will be provided to the Audit and Risk Committee and BMBC members

8. Frequency and Timing

8.1 The Building Safety Project Board will meet on a quarterly basic,

8.2 An Extraordinary meeting may be called if the Chair or Vice Chairs determines it appropriate.



9. Date the terms of reference were Approved

Approved May 2023.

10. Review Date

May 2024.