

## SCHEDULE 1

Regulation 4

### Golden thread information

#### Information to be kept by accountable persons

1. The information described in paragraphs 2 to 14 is prescribed under section 88(1) of the 2022 Act.

#### Building compliance: scheme work

2. In relation to work to the higher-risk building that consists only of scheme work, the fire safety information which the client of that scheme work is required to give to any RP for that higher-risk building pursuant to the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023(1).

#### Registration

3.—(1) Where a higher-risk building has been registered(2), the most up to date registration information for that building.

(2) The information prescribed in sub-paragraph (1) is only prescribed for the AP that is also the PAP for the higher-risk building.

(3) In sub-paragraph (1) “registration information” has the meaning given in regulation 1(3) of the Building Safety (Registration of Higher-Risk Buildings and Review of Decisions) (England) Regulations 2023(3).

#### Key building information

4.—(1) Where an application for registration in relation to a higher-risk building has been made and 28 days have elapsed since that application was made, the key building information for the building that is given by the PAP to the regulator pursuant to regulations 19 and 21 of the Higher-Risk Buildings (Key Building Information etc.) (England) Regulations 2023.

(2) The information in sub-paragraph (1) is only prescribed for the AP that is also the PAP for the higher-risk building.

#### Building assessment certification application

5.—(1) Where an application has been made for a building assessment certificate in relation to a higher-risk building—

(a) the information that is contained in the most recent application made, pursuant to section 80 (applications for building assessment certificates) of the 2022 Act or regulations made under that section, and

(b) any information that the PAP provides further to a request by the regulator, following receipt of that application, to support the regulator’s assessment under section 81 (building assessment certificates) of the 2022 Act.

(2) Any information prescribed in sub-paragraph (1) is only prescribed for the AP that is also the PAP for the higher-risk building.

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(1) [S.I. 2023/909](#).

(2) See section 78 of the 2022 Act as to the registration of higher-risk buildings.

(3) [S.I. 2023/315](#).

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### **Fire safety management**

6. A list identifying each fire safety management measure, and a record of where each of those measures is located.

### **Evacuation**

7.—(1) Where an evacuation strategy has been produced in relation to a building—

- (a) the evacuation strategy and evacuation information for the part of the higher-risk building for which the AP is responsible; and
- (b) only where the AP is also the PAP for the higher-risk building, the evacuation strategy and evacuation information for the higher-risk building as a whole.

(2) In sub-paragraph (1)—

“evacuation information” means information for a person in a higher-risk building about the steps to take to prevent and mitigate risks to themselves and other persons in relation to the spread of fire or structural failure in any part of that building which includes—

- (a) a description of the procedures to be followed and steps to be taken by persons in the building,
- (b) a description of when and in what circumstances a person should evacuate the building, and
- (c) information about any fire safety management measure that may assist a person to evacuate the building;

“evacuation strategy” has the same meaning as in regulation 9 of the Fire Safety Regulations<sup>(4)</sup>.

### **Fire Safety Regulations information**

8. Where regulation 4 of the Fire Safety Regulations imposes a requirement in relation to a higher-risk building, any information required under regulation 4(3)(a) and (b) of those Regulations.

### **Structural risks**

9.—(1) A list identifying each structural safety measure in the building.

(2) In sub-paragraph (1) “structural safety measure” means, in relation to a building safety risk of a type referred to in section 62(1)(b) of the 2022 Act in respect of the building or any part of it, anything that—

- (a) has been put in place for the purpose of preventing or reducing the severity of any structural failure in the higher-risk building, and
- (b) has not been provided by a resident for their own use.

### **Management of building safety risks**

10. In relation to the management of any building safety risk where it relates to the part of the building for which the AP is responsible—

- (a) the schedule of any maintenance and repairs that are planned in relation to any equipment, device or materials (whether or not a fixture or part of the fabric of the building), by or on

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(4) For an explanation of “evacuation strategy” see paragraph “What we have done” in the “Fact sheet: information to residents (regulation 9)” at <https://www.gov.uk/government/publications/fire-safety-england-regulations-2022/fact-sheet-information-to-residents-regulation-9>.

behalf of any AP for the building pursuant, whether in full or in part, to complying with section 84(1) (management of building safety risks) of the 2022 Act;

- (b) where an inspection has been undertaken in relation to any building safety risk to the higher-risk building and a report of the outcome of the inspection has been produced, the most recent report.

### **Building design**

**11.** Any information recorded as part of the planning, design or construction of the higher-risk building (or part of the building), which relates to the approach taken in designing the building (or part of the building), including in particular—

- (a) any design code applied, as provided for in the National Planning Policy Framework (published on 27 March 2012 and as updated on 20 July 2021<sup>(5)</sup>);
- (b) any British or International building standard applied to and complied with in its construction;
- (c) any description as to the intention of the design used in its construction.

### **Mandatory reporting requirements**

**12.** In relation to a report under a mandatory occurrence reporting system<sup>(6)</sup> for the higher-risk building where no more than 7 years have passed since the day that the AP created or received the report—

- (a) any information provided to the regulator by the AP in accordance with section 87(1) (mandatory reporting requirements) of the 2022 Act or regulations made under that section, and
- (b) a description in summary of any steps taken by the AP in response to that report.

### **Resident engagement**

**13.** Any information which an AP is required to give to a resident of the higher-risk building or an owner of a residential unit in the higher-risk building, pursuant to regulations 7 or 8 and Schedule 2.

### **Complaints**

**14.** In relation to a relevant complaint<sup>(7)</sup> made to a PAP where no more than 7 years have passed since the day that the PAP received the complaint, a description, in summary of—

- (a) the information contained in the complaint,
- (b) any steps taken by any AP for the higher-risk building in response to the complaint,
- (c) any involvement of the regulator in relation to or in response to the complaint, and
- (d) the outcome of the complaint.

### **Documents to be kept by accountable person**

**15.** The documents specified in paragraphs 16 to 31 are prescribed under section 88(2) of the Act.

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(5) A copy of the National Planning Policy Framework is available from <https://www.gov.uk/government/publications/national-planning-policy-framework--2> or is available for inspection at the principal office of the Department of Levelling Up, Housing and Communities at 2 Marsham Street, London SW1P 4DF during normal office hours.

(6) See section 87(6) of the 2022 Act for the definition of “mandatory occurrence reporting system”.

(7) See section 93(4) of the 2022 Act for the definition of “relevant complaint”.

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### **Completion and partial completion of works**

16.—(1) Where a completion certificate application by a client has been approved by the regulator, the documents are—

- (a) the completion certificate application and any document which accompanied the application, and
- (b) the completion certificate.

(2) Where a partial completion certificate application by a client has been approved by the regulator, the documents are—

- (a) the partial completion certificate application and any document which accompanied the application, and
- (b) the partial completion certificate.

(3) In sub-paragraphs (1) and (2) “completion certificate application” and “partial completion certificate application” have the same meanings as in the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023<sup>(8)</sup>.

### **Building compliance: scheme work**

17.—(1) Subject to sub-paragraph (2), in relation to work to the higher-risk building that consists only of scheme work, the document is any certificate that the person carrying out the work is required to give to the client as “the occupier”, in accordance with regulations 20(3)(a) and 20A(4)(a) of the 2010 Regulations.

(2) Where the work to the higher-risk building updates previous work of the same nature to the same part of the building, the certificate which is given in relation to that updating work is the prescribed document and the previous certificate is not.

### **Registration**

18.—(1) Where a higher-risk building has been registered, the document is any certificate that the PAP for the building is required to give to the regulator pursuant to regulations 4(b) and 18(1)(d) of the Building Safety (Registration of Higher-Risk Buildings and Review of Decisions) (England) Regulations 2023.

(2) For the purposes of sub-paragraph (1), where more than one certificate has been given for the same part of the higher-risk building, only the most recent certificate is prescribed.

(3) The document prescribed in sub-paragraph (1) is only prescribed for the AP that is also the PAP for the higher-risk building.

### **Building assessment certification application**

19.—(1) Where an application has been made for a building assessment certificate in relation to a higher-risk building, the documents are—

- (a) any document that accompanied the most recent application made in accordance with section 80 (applications for building assessment certificates) of the 2022 Act or regulations made under it, and
- (b) any document that the PAP provided further to a request by the regulator, following receipt of that application, to support the regulator’s assessment under section 81 (building assessment certificates) of the 2022 Act.

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<sup>(8)</sup> See regulation 40 (completion certificate applications) and regulation 45 (partial completion applications).

(2) Any document prescribed in sub-paragraph (1) is only prescribed for the AP that is also the PAP for the higher-risk building.

### **Refusal of building assessment certification application**

**20.**—(1) Where the regulator has given a notice in relation to a higher-risk building under section 81(3)(b) (building assessment certificates) of the 2022 Act and no more than 7 years have passed since the day that the PAP for the building received it, the document is that notice.

(2) The document in sub-paragraph (1) is only prescribed for the AP that is also the PAP for the higher-risk building.

### **Building assessment certificate**

**21.** Where the AP is also the PAP for a higher-risk building, the document is the most recent building assessment certificate in relation to the higher-risk building.

### **Fire safety management**

**22.** The documents are the most recent version of any document created or received by an AP, in relation to the part of the higher-risk building for which it is responsible, where that document was created for the purpose of—

- (a) complying with article 9 of the Regulatory Reform (Fire Safety) Order 2005, and
- (b) managing the risk of fire spread in any part of the higher-risk building.

### **Fire Safety Regulations information**

**23.**—(1) Where regulation 5 or 6 of the Fire Safety Regulations imposes a requirement in relation to a higher-risk building, the documents are—

- (a) the record of the design and materials of the external walls required by regulation 5 of those Regulations, and
- (b) the floor plans (including the single page building plan) required by regulation 6 of those Regulations.

(2) Where a new version of a document referred to in sub-paragraph (1) is produced the previous version ceases to be prescribed under sub-paragraph (1).

### **Structural risks**

**24.**—(1) The documents are—

- (a) any statement or report giving an assurance that an assessment of structural risks for a higher-risk building, whether for the whole or any part of the building is not necessary;
- (b) any statement, assessment or report evaluating the structural risks to the higher-risk building, where any assessment of structural risks to a higher-risk building has been undertaken, whether for the whole or any part of the building.

(2) For the purposes of sub-paragraph (1), it is sufficient to keep only the most recent statement, assessment or report where—

- (a) there is more than one report in relation to the same part of the higher-risk building, and
- (b) the most recent report contains all the information necessary to enable any AP for the higher-risk building to identify, assess or manage building safety risks under Part 4 of the 2022 Act in respect of that building.

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### **Building safety risk assessment**

**25.** Any report that contains an up to date assessment of any building safety risk to the higher-risk building as a whole or to any part of that building for which the AP is responsible.

### **Management of building safety risks**

**26.** In relation to the management of any building safety risk that relates to the part of a higher-risk building for which the AP is responsible, the documents are—

- (a) the safety case report<sup>(9)</sup> for the building,
- (b) a record of any maintenance of and any repairs undertaken to any equipment, device or materials (whether or not a fixture or part of the fabric of the building), which were planned by or on behalf of any AP for the building to comply with section 84(1) (management of building safety risks) of the 2022 Act, where no more than 7 years have passed since the day on which the record was created, and
- (c) the most recent version of any document, relating to a building safety risk to the higher-risk building, that was created for the purpose, whether in full or in part, of enabling the effective planning, organisation, monitoring, control and review of steps taken with regard to managing building safety risks in the higher-risk building pursuant to section 84(5) of the 2022 Act.

### **Plans**

**27.** Any plan, in relation to a higher-risk building for which the AP is responsible, of—

- (a) the current construction of the building;
- (b) the building when it was first constructed.

### **Mandatory reporting requirements**

**28.** In relation to a report under a mandatory occurrence reporting system for the higher-risk building where no more than 7 years have passed since the day that the report was received or created by the AP, the documents are any document which describes the detailed arrangements for such reporting.

### **Resident engagement**

**29.** Any document which an AP is required to give to a resident of the higher-risk building or an owner of a residential unit in the higher-risk building, pursuant to regulations 7 or 8 and Schedule 2.

### **Complaints**

**30.—(1)** In relation to recurring complaints, where no more than 7 years have passed since the day that the most recent complaint was received by the PAP, the documents are any log that records either or both of the following—

- (a) the subject and nature of the recurring complaint, and
- (b) the date that the recurring complaint was made.

(2) In sub-paragraph (1) “recurring complaint” means any relevant complaint<sup>(10)</sup> made to a PAP that is made in relation to the same person or in relation to the same, or substantially the same, issue as an earlier complaint.

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<sup>(9)</sup> See section 85(1) of the 2022 Act for the definition of “safety case report”.

<sup>(10)</sup> See section 93 of the 2022 Act for the meaning of “relevant complaint”.

## **Contravention notices**

**31.** Any contravention notice given by an AP pursuant to section 96 (contravention notices) of the 2022 Act where no more than 5 years have passed since the day that the notice was given.

## SCHEDULE 2

Regulations 7 and 8

AP provision of information and documents to a resident or an owner of a residential unit

### **Information relating to the prevention and mitigation of building safety risks**

**1.—(1)** A summary, which is to include an evaluation of the level of risk to residents of the higher-risk building, of the most up to date fire risk assessment for each part of the higher-risk building.

(2) A summary of the safety case report which must include the following information—

- (a) a description of any assessment of a building safety risk in the report,
- (b) a description of the steps taken or planned to be taken to manage any identified building safety risk, and
- (c) an evaluation of how effectively any identified building safety risk is being or is planned to be managed.

(3) The following information—

- (a) how a resident and owners of residential units may take active steps in relation to their residential unit to—
  - (i) prevent a building safety risk materialising, and
  - (ii) reduce the severity of any incident resulting from the risk materialising,
- (b) how and to whom a resident or owner of a residential unit may report a building safety risk relating to their building, and
- (c) the duties on residents and owners of residential units under section 95 (duties on residents and owners) of the 2022 Act.

(4) Information in relation to a higher-risk building setting out—

- (a) the location of any fire escape routes, fire doors and other aids;
- (b) a list of the fire and smoke control equipment for that building, save for that provided by a resident for their own use;
- (c) where the fire and smoke control equipment is located;
- (d) instructions for use of the fire and smoke control equipment by residents, where it is intended for use by residents;
- (e) evacuation information for the building.

(5) In this paragraph “aid” means any of the following—

- (a) a fire or smoke alarm;
- (b) emergency lighting;
- (c) a fire alarm activation device;
- (d) any other piece of equipment provided by an RP or AP for the higher-risk building and kept in the building for the primary purpose of assisting evacuation of the higher-risk building in the event of a building safety related emergency.

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### **Information relating to the duty-holders, regulator and other persons**

2.—(1) A summary explaining the role and duties of each relevant person in relation to the higher-risk building.

- (2) An explanation of how the responsibilities of each of those relevant persons differ.
- (3) The name and telephone number of each of those relevant persons.
- (4) The email address and a postal address in England and Wales at which notices (including notices in proceedings) may be served on each of those relevant persons.
- (5) For the purposes of this paragraph, the following are relevant persons—
  - (a) the regulator,
  - (b) the PAP for the higher-risk building,
  - (c) the AP responsible for the part of the higher-risk building in which the resident’s or owner’s residential unit is located,
  - (d) any RP responsible for any part of the higher-risk building, and
  - (e) any person the PAP has appointed for administrative purposes as a single point of contact in regard to resident communication.

### **Information and documents relating to the rights of residents and owners of residential units**

3.—(1) The most up to date version of the residents’ engagement strategy<sup>(11)</sup>.

(2) An up to date list of the information and documents that an AP is required to provide to a resident of a residential unit and an owner of a residential unit in accordance with section 89 of the 2022 Act and any regulations made under that section.

(3) Details of the information and documents copies of which a resident or an owner of a residential unit may request in accordance with section 92 of the 2022 Act, including—

- (a) a list of information that may be requested,
- (b) a list of the documents copies of which may be requested, and
- (c) the procedure that the resident or owner must follow when making a request.

(4) Information to explain the AP’s legal duty to provide requested information and requested copies of documents in a form that is accessible<sup>(12)</sup>.

(5) Where information or a copy of a document is requested pursuant to section 92(1) of the 2022 Act but is not provided by the AP, the reason for not providing the information or a copy of the document.

(6) The up to date complaints system procedure established and operated for the higher-risk building by the PAP pursuant to section 93 (complaints procedure operated by PAP) of the 2022 Act, setting out—

- (a) the circumstances in which a relevant complaint<sup>(13)</sup> to the PAP may be made,
- (b) the procedure for making a complaint,
- (c) what steps the PAP is required to take to resolve any issues raised in a complaint,
- (d) how the person making a complaint (“the complainant”) will be kept informed of the steps being taken by or on behalf of the PAP to resolve any issue raised in their complaint, and

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<sup>(11)</sup> See section 91(1) of 2022 Act for the definition of a “residents’ engagement strategy”.

<sup>(12)</sup> See requirements under regulation 11 of the Higher-Risk Buildings (Management of Safety Risks) (England) Regulations 2023 (S.I. 2023/907) and section 20 of the Equality Act 2010 (c. 15).

<sup>(13)</sup> See section 93 of the 2022 Act for the definition of “relevant complaint”.



- (e) what further action the complainant may take if they are not satisfied that the steps taken by the PAP have resolved an issue raised in their complaint.

(7) A summary of the circumstances in which a resident or owner may make a relevant complaint to the regulator and any policy the regulator has published in relation to its complaints procedure established pursuant to section 94 (complaints procedure operated by the regulator) of the 2022 Act.

### SCHEDULE 3

Regulation 14

#### Resident engagement: requests for further information

##### Information and documents prescribed

- 1.—(1) The information prescribed is—
  - (a) where any information is set out partially in the safety case report(14), the full information to which that partial information relates,
  - (b) any assessment in the safety case report of the building safety risks made under section 83 (assessment of building safety risks) of the 2022 Act by an AP for the higher-risk building,
  - (c) any information in relation to steps taken under section 84 (management of building safety risks) of that Act by an AP for the higher-risk building, and
  - (d) a summary of any representations made to the most recent consultation carried out pursuant to section 91(1)(c) (residents’ engagement strategy) of the 2022 Act.
- (2) The documents prescribed are—
  - (a) up to date fire risk assessments for each part of the higher-risk building;
  - (b) the most up to date version of the safety case report for the building;
  - (c) where in the most up to date version of the safety case report—
    - (i) an extract of any evidence is relied on in the report, the document containing the whole of that evidence;
    - (ii) any document is referenced in the report, that document;
  - (d) a copy of any order and written reasons of any determination made by the tribunal(15) in relation to any PAP for the higher-risk building, pursuant to section 75(1)(b) and (2) (determinations by the tribunal) of the 2022 Act;
  - (e) any record of a decision, together with reasons for the decision, about whether to revise the resident engagement strategy pursuant to section 91(1)(b) (residents’ engagement strategy) of the 2022 Act.

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(14) See section 85(1) of the 2022 Act for the definition of “safety case report”.

(15) See section 115 of the 2022 Act for definition of “the tribunal”.