

Mandatory Occurrence Reporting Policy

1. Introduction

- 1.1 This Policy sets out our approach to identifying and managing safety occurrences in occupied high rise residential buildings. This includes our approach to notifying and reporting safety occurrences to the Building Safety Regulator (BSR).
- 1.2 This policy has links to some of our other policies, and we've thought about these links when reviewing the policy. This policy should be read in conjunction with:
 - Accident Reporting Policy and Procedure
 - Repairs Policy
 - Asset Management Strategy
 - Complaints Policy
 - Data Protection Policy
 - Privacy Policy

2. Scope

- 2.1 This policy covers Mandatory Occurrence Reporting of building safety occurrences to BSR. It also covers voluntary reporting of building safety occurrences to the BSR.
- 2.2 This policy applies to Peabody Trust and all subsidiaries (the Group).
- 2.3 This policy must be followed by all colleagues and contractors working on our behalf.
- 2.4 It applies to in occupation higher risk buildings (referred to as high rise buildings in this policy), as defined by the Building Safety Act and its supporting regulations as high rise buildings with at least two residential units and at least 18 metres and/or 7 stories in height. It does not cover reporting in other buildings, although its principles may be applicable to other buildings
- 2.5 This policy is not tenure specific. The Building Safety Act covers all residents of high rise buildings and others who may be affected by building safety occurrences.
- 2.6 This policy applies to residential buildings managed by Care and Support where they fulfil the height criteria, set out in 2.4 above
- 2.7 It does not cover residential buildings that do not fulfil the height requirement or non-residential buildings that fit the height requirement.
- 2.8 Where we are not the Principal Accountable Person in a high rise building we follow the Principal Accountable Person for that building's mandatory reporting system, not this policy.

3. Key terms and definitions

- 3.1 **High rise residential building.** A higher risk building, as defined by the Building Safety Act 2022, has at least:
 - 7 storeys or is at least 18 metres high
 - 2 residential units or is a hospital or a care home

Mandatory Occurrence Reporting Policy

- 3.2 **Accountable Person.** The organisation or person who owns or has responsibility for the building or part of the building. The Accountable Person with responsibility for the external walls will be the **Principal Accountable Person**, responsible for registering the building, applying for the Building Assessment Certificate, the Safety Case Report, Resident Engagement Strategy and operating building's mandatory reporting process.
- 3.3 **Safety Occurrence.** A safety occurrence is something which if not remedied, could cause serious harm to people when the building is in use. A safety occurrence is an incident involving, or a significant risk that could cause:
- Structural failure of the building
 - The spread of fire or smoke in the building

It will normally be an event that has happened or almost happened. For example, a fire.

- 3.4 **Occurrence Reporting.** We report a safety occurrence in line with guidance issued by the Building Safety Regulator. This is reported immediately when an incident has been identified as a safety occurrence.

4. Our approach

Identifying safety occurrences

- 4.1 We take our responsibilities to provide safe high rise buildings for all residents and visitors seriously. To do this, we:
- Regularly inspect high rise residential buildings
 - Undertake regular specialist surveys, fire risk assessments and/or structural surveys etc
 - Make reporting safety occurrences easy for residents and others, quickly evaluate them to determine whether to report them, keeping all relevant people informed at all stages
 - Encourage all colleagues and contractors visiting buildings to notice and report safety issues and/or occurrences
 - Make sure all colleagues and contractors are competent with regard to identifying and resolving building safety issues
 - Respond in a timely manner and engage fully with all regulatory bodies
 - Regularly review safety cases, reassessing risks and hazards in the light of all information.

What should be reported

- 4.2 Residents, Peabody colleagues, contractors and others should report any issue that could affect the safety of people in a residential high rise building. We will review all reports.

How to make a report

- 4.3 Residents and others can report building safety issues by complaining about building safety via our wider complaints processes, directly to colleagues (such as their Building Safety Manager and Neighbourhood Manager and/or Scheme Manager) (for Town and Country Housing, their Building Safety Manager, Neighbourhood Manager, Independent Living Housing Officer, extra care housing officer and/or Housing Officer), or any other contact channels; such as by telephone, email letter, our web portals and/or our contractors.

In the unlikely event of an emergency the emergency services should be contacted.

How and when will the report be dealt with

- 4.4 We take all building safety occurrence related reports seriously.

We identify any communications related to building safety in high rise residential buildings at the point of receiving them and pass them to the Building Safety Manager for expert review.

Mandatory Occurrence Reporting Policy

The Building Safety Manager:

- Reviews all reports that are concerned with the spread of fire or structural safety in the buildings they are responsible for
- Forwards all reports that are not concerned with the spread of fire or structural safety to the relevant team for further action.

Record Keeping

- 4.5 We keep full records of our reviews of reports, including, how they are reported / identified, the information reviewed, our decisions and how we came to them.

How incidents are assessed

- 4.6 A Building Safety Manager reviews all reports that link to the spread of fire or structural safety considering:
- **The factors that make up the report.** We consider the extent of the potential safety incident, the likelihood of it occurring and the potential outcomes.
 - **If the Principal Accountable Person needs to submit a mandatory occurrence notice and report to BSR.** We automatically report all safety occurrences that we consider represent a significant building safety risk and that have happened or were only averted through luck. We check all safety occurrences that are likely to lead to a significant building safety risk to residents with BSR.
 - **If the incident has already been investigated.** We review incidents that have already been reported to see if there is any new information that would affect our previous investigation or resulting actions and take action where there is.
 - **If the report contains additional information relating to a previously raised incident.** We review it to see what new information is available and whether that would affect our need to report the safety occurrence or any action plan resulting from it that we have developed.

Examples of safety occurrences that might require reporting

- 4.7 Examples of safety occurrences that may need to be reported to BSR include, but are not limited to:
- **The spread of fire.** For example, where the building has had a fire that has or is likely to have harmed residents and/or others in or near the building.
 - **Total or partial collapse of the building.** For example, where a structural collapse has or is likely to have harmed residents and/or others in or near the building.
 - **Defective building work.** For example, discovering that compartmentalisation in walls is defective, or major works have damaged compartmentalisation, to the point that it has or is likely to have harmed residents and/or others in or near the building.
 - **Unexpected failure or the degradation of construction materials.** For example, in older buildings where structural steels have become exposed and are found to be suffering long term rusting and lamination.
 - **The discovery of structural defects.** For example, discovering a lack of reinforcement in concrete beams as a result of an incident.
 - **Failure of critical fire safety measures,** such as an automatic opening vent, smoke extraction and fire doors. For example, water ingress causes the electrical connections controlling critical fire measures fails, leaving the building without critical fire safety measures that has or is likely to have harmed residents and/or others in or near the building.

Mandatory Occurrence Reporting Policy

Keeping residents informed

4.8 Where we identify a safety occurrence we inform residents of the building of:

- The nature of the occurrence
- The actions we have taken to ensure their safety
- Any actions we are taking to improve safety and the progress of those actions
- How they can contact us to discuss the matter and/or receive an update. Normally this will be via their Building Safety Manager or a named member of the Building Safety Team.

Data Protection

4.9 We process personal data in line with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018. This means that we only collect the minimum information required for specific and defined purposes, such as reviewing safety occurrences. We hold information securely and confidentially and do not keep it for longer than necessary. For more information about how we collect and store information please see our Privacy Policy on our website or ask to see our Data Protection Policy.

Translation and Alternative Formats

4.10 We can provide translations and alternative formats to help residents understand information about the risk of the spread of fire and structural collapse and what we are doing to remove or reduce the risk in high rise buildings. Although we make every effort to proactively identify people who need support we always encourage residents to tell us if they need help. Residents can directly tell their Building Safety Manager, Neighbourhood Manager and/or Scheme Manager (for Town and Country Housing, their Building Safety Manager, Neighbourhood Manager, independent living Housing Officer, extra care housing officer and/or their Housing Officer), our contact centre or any other channel they prefer to use to inform us of their needs and communicate with us in future.

Major works in occupied high rise residential buildings

4.11 Where we are conducting major works on a high rise residential building the principal designer and principal contractor are responsible for developing a mandatory reporting system for any building safety occurrences linked to the works. However, we take our roles as an accountable person and a client seriously and will always involve residents and others in the building as we develop and oversee major works projects. If residents and others have concerns about building safety or identify safety occurrences they should report those concerns to us as set out in this policy and we will deal with them directly or through the occurrence reporting system set up and operated by the principal designer and principal contractor for the period of the works.

5. Legislation and Regulation

5.1 The key legislation and regulation influencing this policy is:

- Building Safety Act 2022 and 'in occupation' regulations linked to it
- Regulator of Social Housing Regulatory Standards

We also take account of all guidance issued by BSR.

6. Responsibilities

6.1 Building Safety Managers are responsible for coordinating and reviewing building safety occurrences in the buildings they are responsible for, including:

- Being the main contact for building safety related issues for residents, others using the building and other accountable and responsible persons associated with the building

Mandatory Occurrence Reporting Policy

- Receiving all reports of safety occurrences
- Reviewing them and making an assessment of our response to them
- Gaining permission to give BSR notice
- Giving BSR notice of building safety occurrences
- Identifying actions to reduce danger from occurrences and where reasonable and proportionate to fully mitigate them
- Submitting reports to BSR and liaising with BSR over progress of action plans
- Liaising with residents and others about building safety occurrences and progress to reduce the danger resulting from them and / or resolve them
- Updating the safety case and the golden thread for the building to capture building safety issues and works, including details of mandatory reports

6.2 The Head of Building Safety (for Town and Country Housing, the Head of Contracts & Compliance) is responsible for:

- Reviewing Building Safety Managers' decisions regarding safety occurrences
- Actions to reduce and where appropriate resolve risk resulting from safety occurrences
- Recommending informing BSR about safety occurrences and whether to do so formally or informally

6.3 The Assistant Director Compliance and Fire Safety (for Town and Country Housing, the Head of Contracts & Compliance) is responsible for monitoring all building safety mandatory occurrence notices and reports and reporting on the progress of all works associated with mandatory occurrence reports, as set out in the action plan provided to BSR, to the Building Safety Board.

6.4 The Executive Director Property Services and Assets (for Town and Country Housing, the Managing Director) is responsible for approving all building safety mandatory occurrence notices and reports before they are made to BSR and reporting them to the Chief Executive and Executive Committee. In their absence the Group Director Repairs and Maintenance has delegated authority to approve building safety mandatory occurrence notices and reports before they are made to BSR, where appropriate in consultation with members of the Executive Committee.

6.5 Neighbourhood Managers should have a good understanding of our buildings and their residents and are responsible for being the main focus for our work with residents. Working collaboratively with Building Safety Managers they help identify issues and keep residents informed about how safety in buildings is maintained.

In Care and Support schemes Scheme Managers (for Town and Country Housing Extra Care Schemes, Housing Officers) fulfil the role of Neighbourhood Managers.

6.6 For major works projects in occupied high rise residential buildings:

- Project Managers make sure that principal designers and contractors operate an effective occurrence reporting system and respond to safety occurrences
- Resident Liaison Officers work with residents to help them understand the nature of the works, how they can report safety occurrences and to make sure they are updated where they report safety occurrences
- Clerk of Works checks works to identify any potential safety occurrences.

6.7 All Peabody (and Town and Country Housing) colleagues and contractors are responsible for cooperating with the Building Safety Team to support them to reduce and where appropriate resolve building safety risks identified by the Building Safety Team. This includes:

- Acting as our eyes and ears when visiting buildings, identifying possible issues and listening to residents
- Reporting all building safety issues in high rise residential buildings promptly

Mandatory Occurrence Reporting Policy

- Supporting Building Safety Managers by agreeing reasonable and proportionate actions to reduce and/or remove building safety related risks, in particular those that relate to safety occurrences, and taking action to resolve them in a timely manner
- Providing regular updates and, where appropriate, communications to residents of affected persons in high rise residential buildings.

This policy will be reviewed annually or when deemed necessary following any significant changes.

Approval

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Policy owner	Chief Investment Officer