



Building Safety Act 2022

2022 CHAPTER 30

PART 4

HIGHER-RISK BUILDINGS

Engagement with residents etc

91 Residents' engagement strategy

- (1) The principal accountable person for an occupied higher-risk building must—
 - (a) as soon as reasonably practicable after the relevant time prepare a strategy (a “residents’ engagement strategy”) for promoting the participation of relevant persons in the making of building safety decisions;
 - (b) review the strategy at prescribed times, and revise it if they consider it necessary or appropriate to do so;
 - (c) in prescribed circumstances, consult relevant persons and prescribed persons on the strategy and take any representations made on the consultation into account when next reviewing the strategy;
 - (d) act in accordance with the strategy.
- (2) “Building safety decision” means a decision by an accountable person for the building that—
 - (a) is about the management of the building, and
 - (b) is made in connection with the performance of a duty of the accountable person under, or under regulations made under, [this Part](#).
- (3) The strategy must include information about—
 - (a) the information that will be provided to relevant persons about decisions relating to the management of the building,
 - (b) the aspects of those decisions that relevant persons will be consulted about,
 - (c) the arrangements for obtaining and taking account of the views of relevant persons, and

Status: This is the original version (as it was originally enacted).

- (d) how the appropriateness of methods for promoting participation will be measured and kept under review.
- (4) As soon as reasonably practicable after the strategy is prepared or revised, each accountable person for the building must give a copy of the strategy to—
 - (a) each resident of the building who—
 - (i) is aged 16 or over, and
 - (ii) resides in a residential unit in the part of the building for which the accountable person is responsible;
 - (b) each owner of a residential unit in that part of the building;
 - (c) any prescribed person.
- (5) The duty under [subsection \(4\)\(a\)](#) does not apply in relation to a resident if the accountable person—
 - (a) is not aware of the resident, and
 - (b) has taken all reasonable steps to make themselves aware of persons who reside in residential units in the part of the building for which the accountable person is responsible.
- (6) The Secretary of State may by regulations—
 - (a) make further provision about the content of a residents’ engagement strategy;
 - (b) make provision about the preparation, review or revision of a residents’ engagement strategy, in cases where there is more than one accountable person for the building;
 - (c) make provision about the way in which a copy of the strategy is to be given;
 - (d) make provision about consultations under this section.
- (7) In this section—
 - “relevant persons” are—
 - (a) residents of the higher-risk building who are aged 16 or over, and
 - (b) owners of residential units in the building;
 - “the relevant time” has the meaning given by section 85.

92 Requests for further information

- (1) This section applies where—
 - (a) a resident of an occupied higher-risk building who is aged 16 or over, or
 - (b) an owner of a residential unit in the building,
 makes a request to an accountable person for the building to give them prescribed information or a copy of a prescribed document.
- (2) The accountable person must as soon as reasonably practicable give the resident or owner the information or document requested.
- (3) The Secretary of State may by regulations make provision about—
 - (a) the way in which information or a copy of a document must be given under this section;
 - (b) the form in which information must be given under this section (and may in particular require that the information is given in an accessible form).

- (4) The Secretary of State may by regulations provide that in prescribed circumstances an accountable person is not required by [subsection \(2\)](#) to provide a copy of a document or some or all of the information requested.
- (5) Subject to [subsection \(6\)](#), the regulations may provide that the disclosure of information under this section does not breach—
 - (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (6) This section does not authorise a disclosure of information if the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, take into account the powers conferred by this section).

93 Complaints procedure operated by principal accountable person

- (1) The principal accountable person for an occupied higher-risk building must as soon as reasonably practicable after the relevant time establish and operate a system for the investigation of relevant complaints.
- (2) The Secretary of State may by regulations make provision about the establishment and operation of complaints systems under this section.
- (3) The regulations may in particular make provision—
 - (a) about the way in which complaints may be made;
 - (b) about the period within which a complaint must be considered and dealt with;
 - (c) requiring the principal accountable person to refer a complaint to the regulator.
- (4) In this section—
 - “relevant complaint” means a complaint relating to—
 - (a) a building safety risk as regards the building, or
 - (b) the performance by an accountable person for the building of any duty under, or under regulations made under, [this Part](#);
 - “the relevant time” has the meaning given by section 85.

94 Complaints procedure operated by the regulator

- (1) The regulator must establish and operate a system for the investigation of relevant complaints that are made, or referred under section 93, to the regulator.
- (2) The regulator must consult the committee mentioned in section 11 (residents’ panel)—
 - (a) before the complaints system is established or, if the committee has not been established at the time the complaints system is established, as soon as reasonably practicable after the committee is established, and
 - (b) before making any significant change to the complaints system.
- (3) The Secretary of State may by regulations make provision about the establishment and operation of the complaints system under this section.
- (4) The regulations may in particular make provision about—
 - (a) the period within which a complaint must be considered and dealt with;
 - (b) action that the regulator must consider taking in response to a complaint.
- (5) In this section “relevant complaint” means a complaint relating to—

Status: This is the original version (as it was originally enacted).

- (a) a building safety risk as regards an occupied higher-risk building,
- (b) the performance by an accountable person for an occupied higher-risk building of any duty under, or under regulations made under, [this Part](#), or
- (c) the performance by a special measures manager of any function conferred on the manager by a special measures order.