

## Annex A

### Examples of the FRA/FRS role in the new regime from the [Explanatory Notes to the Bill](#)

1. Clause 13 Local authorities and fire and rescue authorities: provision of assistance etc to regulator; and Clause 14 Provision of assistance etc: supplementary
  - 1.1. When the Building Safety Regulator acts as the building control authority for higher-risk buildings, the Building Safety Regulator can use these provisions to put in place a “multi-disciplinary team” including a fire safety expert from the relevant Fire and Rescue Service and a building control specialist from the relevant local authority. Before taking key regulatory decisions such as agreeing that construction can start after reviewing full plans at Gateway Two, the Building Safety Regulator would be able to take expert advice from the Fire and Rescue Authority and local authority.
  - 1.2. Under its general powers (notably new section 11A Health and Safety at Work etc Act 1974), the Building Safety Regulator could also secure expertise from the private sector (where appropriate) to support the work of the multi-disciplinary team.
  - 1.3. The power to direct would be used in exceptional circumstances. Local authorities and Fire and Rescue Authorities will be under duties to cooperate with the Building Safety Regulator (and it with them) under Schedule 3 in respect of the Building Safety Regulator’s building functions for higher-risk buildings and any relevant function of the authorities.
  - 1.4. It is expected that the Building Safety Regulator will work cooperatively with Fire and Rescue Authorities and local authorities to secure support from them. If the local authority or Fire and Rescue Authority in the area where the higher-risk building is located is unable to provide support, the Building Safety Regulator could seek support from other Fire and Rescue Authorities and local authorities whose capability is less stretched, or from the private sector.
  - 1.5. If there were a consistent problem with a Fire and Rescue Authority or local authority not being able to provide support (e.g. an unwillingness to employ any staff with the requisite competence), the Building Safety Regulator might consider that direction was necessary to secure its ability to effectively regulate higher-risk buildings in that area.
2. Fire and Rescue Authorities and the Building Safety Regulator (p53)
  - 2.1. The Fire and Rescue Authority identifies a breach of the Regulatory Reform (Fire Safety Order) 2005, which indicates the potential for a similar breach in the new regulatory regime in relation to occupation of a higher-risk building. Relying on the duty to cooperate and the power to share information, the Fire and Rescue Authority shares information about the issue with the Building Safety Regulator, and the two organisations would work together to ensure appropriate action is taken to deal with the breach and mitigate any risk to safety, using whichever organisation’s expertise and powers are best suited to resolving this issue.
3. Information sharing re construction products (p166)

- 3.1. If, for example, a Fire and Rescue Authority in England has information about the contribution to the spread of fire of a particular construction product, the Fire and Rescue Authority will be able to share that information with the relevant regulator, who would then be in a position to investigate and take any appropriate enforcement action.