



TENANT ENGAGEMENT EXPERTS

**tpas**

# Framework for Resident Engagement Strategies in Building Safety

July 2021





# Background

## **Under the proposed Building Safety Regulator, the Principal Accountable Person (PAP) is required to produce a Resident Engagement Strategy (RES) for each High-Risk Residential Building (HRRB) they're responsible for.**

The definition of HRRB (i.e. the scope for the requirement) is currently set at 18+mtrs or 7 storeys high. This includes wholly residential buildings and also mixed use (e.g. residential alongside shops, offices or public facilities). The scope includes social rented homes, privately rented homes, leasehold and student accommodation.

At first, the legal requirement will only affect new buildings, but the scope is likely to expand in line with the Hackitt Review recommendations. This would include existing high rise buildings and buildings that are complex – either because of their layout or the needs of the occupants. Details of this are anticipated to be released in Government regulations issued over time following the enactment of the Building Safety Bill.

The requirement is intended to address past failures in both communication and action, particularly building owners' failures to respond to concerns raised by residents.

## **Who is the RES for?**

The RES is for all residents, but it is also an important part of the Building Safety Case, which is submitted to the Building Safety Regulator. For new buildings, it will be illegal to allow a building

that falls in scope of the legislation to become occupied unless the full approved Building Safety Case is in place.

## **What are the requirements?**

Each RES needs to take into account the arrangements for the relevant building, including explaining how residents' particular communication needs will be addressed – for example, if information needs to be provided in community languages, or using an easy read format.

**It is anticipated that the RES will need to show how residents:**

- Can contact the Building Safety Manager (including details of a named individual)
- Can access appropriate detailed safety information
- Are able to engage in 2-way communications with the Principal Accountable Person (PAP)
- Will be consulted in decisions about the management of their building
- Will have their complaints about safety dealt with quickly and in line with Regulations.

Dropping short of being part of the regulatory requirements, it would also demonstrate good practice to show how residents:

- Can support the PAP in keeping the building safe through a range of resident responsibilities
- Can see how well building safety messages are being heard and acted upon

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It is likely that this list of requirements will be amended or added to over time through Government issued regulations, so the Principal Accountable Person will need to ensure that their knowledge remains up to date.

The PAP is usually the freeholder/owner of the building. Where a legal interest in the building has been granted to a lessee, and they obtain an obligation to repair and maintain a common part then this is likely to also include them as an AP.

However, if the landlord and the PAP are different, Tpas recommends that their different responsibilities should be explained clearly alongside or as part of the RES.

#### NOTE

This guide is aimed at PAPs, who are responsible for preparing the RES. If you are the landlord, but not the PAP, then as a 'resident' it would be reasonable that you be involved in developing the RES. In view of your legal powers and responsibilities as a landlord, it would make sense for the PAP to adopt a collaborative approach.

## What's the best format for RES'?

A RES should be concise, clear and up to date.

Strategies have a dubious history of being tedious affairs that rarely see the light of day. It will be essential that the strategies within the context of the Building Safety Bill are truly living documents. You will probably need a written version of the strategy to include in the Building Safety Case. But you should also consider other additional formats such as video or an app, depending on the needs of the building's residents.

We would suggest that organisations steer away from creating a strategy in the traditional sense, to something more akin to an operational agreement, a service level agreement, a local compact or a local offer.

These agreements are more likely to have an effect if they use simple language that shows what will happen, when and where. We would like to suggest the use of active titles or questions for sections rather than passive ones. Phrases such as 'Your Building', 'Our Information Commitment', 'What you can expect from us' and 'How to have your say' are more likely to develop interest and show your commitments.

By using this kind of language your strategy stands a better chance of being understood. It could also avoid the need to create summaries.

#### NOTE

The Building Safety Bill identifies additional information that must be given to all residents, and other information that must be made available on request. Tpas recommends that this information should be shared in the same format as the RES.



# Key principles

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## **Do it together:**

We strongly recommend you develop and review your building safety engagement solutions alongside residents as partners of significant interest. This collaboration ideally would include residents with lived and current experience of high risk buildings and could go some way to ensuring there is a positive culture and legacy of resident engagement. We would not suggest creating a 'Blue Peter' model of engagement options prior to speaking with your residents. Keep the options open and be willing to be creative.

## **Learn from each other:**

With lots of organisations working on RESs, there's plenty to share. Others may not have the perfect solution for your residents, but they'll have something you can use as a starting point. [Tpas will be collecting and sharing good practice as it emerges]

## **Keep it local:**

Although there's a set list of things to include, the actual information will be different for each building, and you may want to add extra information. It's also important to agree a format that works for you and your residents at a local level.

## **Give it time:**

Don't underestimate the time you will need to set aside to ensure that the process is meaningful and not rushed. How long exactly each agreement may take to create will differ and it would be wrong for us to suggest a timeframe, as each situation will be slightly different.

## **Be responsive and transparent:**

It's important to set the expectation levels for residents. Being transparent and accountable as well as providing accessible information and diverse opportunities for residents to become involved will be the foundation to your strategies. Throughout your strategy you will need to consider how you meet those challenges.

# How to use this document

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This framework provides ideas about how you might develop your own building specific RES. It provides key topics that have either been stressed as a requirement by the proposed new Building Safety Regulator, have been suggested through work with our members or resident engagement good practice.

This is a series of suggestions and prompts. It is not meant to identify the only ways in which you should operate, but it is designed to help tease out some of your own thoughts and solutions for your buildings, communities and residents.

Your solutions may be different but we hope that ours have given you a start at least to expand on.

## Framework

When it comes to the structure of a RES, there are clearly topics identified by the Building Safety Bill that need consideration. Whether they form the basis of your strategy is for you and your residents to decide. Here we have picked out those topics and provided some context and suggestions.

## The Local Context

Local context will be a large part of any RES, to make sure that the building, its residents, and the local community, have been taken into account, with all their needs and challenges.

This could include topics and references such as:

- The building – type, size, name, building safety and fire-fighting equipment, access, improvements both planned and historical, CCTV etc.
- You might want to stress your confidence in the building so explanations about its construction, such as compartmentation, could be useful
- The occupants – who lives there, what are their needs, languages, mobility, education, children (remember it's important not to identify individuals)
- The Fire Risk Assessment, which covers shared parts of the building
- The fire strategy for the building [including how it has been developed with residents and the local Fire and Rescue Service]
- Local support staff such as caretakers, concierge, cleaners, housing officers etc.



## How and where you will share information

You will need to consider the ways in which you will share building safety information. This will need to reflect the occupants, the solutions you have in place, and your deliberations with residents when developing the strategy.

This could include:

- The platforms you will use such as websites, customer portals, social media, post, SMS, noticeboards, digital screens, QR codes, tenants' TV etc.
- The frequency of information sharing
- How and where basic information can be accessed and what information needs to be specifically requested and how that should be done
- The groups, both existing Groups (Tenant, Support, Faith, etc.) or any bespoke groups set up specifically for the block that you will engage with
- Resident Block Champions or similar voluntary structures you may have in place

When sharing information, consider co-branding with influential trusted organisations such as the Fire and Rescue services. Their endorsement will add weight to your messages.

Ensure that your information is clear and concise, remove jargon and simplify complex information. The whole point of providing information is for it to be read and understood. It is not the reader's responsibility, which lies solely with the author.

Recognise the importance of the messenger and use all avenues to ensure that your information has the best chance of being read and understood. Local leaders, influential people and groups will help your messages get out into the community as effectively as possible.

Consider alternative communication strategies such as working with local schools and colleges, parent and carer, or faith groups. Your residents may be more involved with these organisations than they are with you.

## What advice and support is available?

Access to advice and support will be essential to develop resident confidence, but also to act as a third-party verification that you are doing the right things. You might want to consider identifying the support both internal and external that is available to residents and how to contact them.

This might include:

- Resident Engagement Staff or Community Engagement Officers
- Access to testing for White Goods/safe replacements and White Goods registers etc.
- Bulky Item removals, costs and contacts
- Local Fire & Rescue Services you may partner with
- National Building Safety organisations
- Resident Engagement organisations you have affiliations/memberships with
- Health & Safety Executive, Housing Ombudsman
- Block/Building Safety Champions or Advocates or similar

If these services are a priority for residents but aren't already in place, your RES might explain how you plan to work with others to get things moving.

Some organisations are looking to set up resident block or community champions to act as advocates for building safety. Whilst we think this is a great idea, we would urge you to consider the potential consequences if, during the course of their duty, they try to stress a resident's responsibilities.

Ensure that any voluntary advocate has access to suitable training and support so they are clear on what their role entails and the potential situations that they could be faced with. It is vital that these roles are not placed unnecessarily in situations where they are challenged either verbally or physically.



## Being up front about different responsibilities

It will be important to stress the role residents, the Landlord, the PAP (if that's someone different) and the Building Safety Manager will need to play to keep everyone safe. Some of these will be set out in tenancy agreements and leases, but the Building Safety Bill will also give the PAP extra responsibilities and powers once enacted into legislation.

Make it clear how serious the implications are for PAPs with a line of sight into the legislative impact and consequences of not carrying out their legal duties.

Alongside this, it's worth highlighting the risks you're tackling together. Thankfully major fires and multiple deaths in high risk buildings are rare, but as humans we can make some important decisions by rationalising away risks and this could be catastrophic.

Some residents may decide that the likelihood of it happening again is not worth worrying about. This may be especially important where there are no direct comparisons available to align your buildings with major disasters such as Grenfell.

So setting out the importance of not only keeping people safe, but helping people to feel safe, rather than focussing on the legal requirements may be a useful angle to consider.

This could include:

- Resident responsibilities information and links to leaflets/videos/guides/tenants' TV etc.
- PAP responsibilities information and links to leaflets/videos/guides
- Building Safety Manager, their specific responsibilities, contact details

You will have to strike the right balance between ensuring that residents are aware of the relevant fire risks and their responsibilities, and how those responsibilities will be enforced through contravention notices. This is going to be down to your local relationships.

Remember that through some eyes, you may not be in a position to be overly officious, so a balanced approach to foster good relationships based on mutual responsibilities may be something to consider. Also, cooperation is always cheaper and more effective than enforcement!



## The consultation mechanisms you will use

The cornerstone of your RES will be setting out how you will engage with residents to make sure they have the information they need, and to keep your RES up to date. This will provide residents with a clear outline of your intentions and culture for effective and meaningful resident engagement.

You may need to be honest about the scale of the issue, what you can do now and what your future intentions are for resident consultation. You could set out a timeframe and frequency for each solution.

Your solutions may include:

- Planned or routine roadshows/visits/drop-ins/walkabouts/coffee mornings etc.
- Specifically developed or existing groups you will interact with
- Periodic or transactional surveys
- Organisational strategic building safety groups you may create
- Learning from complaints panels/groups

You may also retain a building specific group for continuous dialogue that will allow a mechanism for consultation or to gather feedback and suggestions.

How you consult could set the tone for your future interactions. If you are diverse in your activities and attempt to meet the community at their level of need, you stand a chance for that legacy to be positive. The early period will be a learning curve for many organisations and their residents, so all may need to be prepared for it to be an educational activity as well as a consultative one.



## What you will do when things go wrong

It is inevitable that things will go wrong. The Building Safety Bill makes it clear that PAPs will need to operate a complaints process for those living in high risk buildings. The consequences of not doing this will bring it to the attention of the Building Safety Regulator and all their legislative powers.

This process will be especially important where a PAP has contracted in the services of a repairs and maintenance contractor for refurbishments or day to day repairs. It is important that the contractors are fully aware of their responsibilities and that residents know where to go for help.

The success of any organisation could be defined by how it deals with service failures. Providing confidence that your organisation can respond positively and effectively will be vital to breed confidence that you can keep residents safe.

Your approach could include:

- Clarity on how issues can be raised, who to contact and the timescales for response
- A clear and overt commitment that there is no 'wrong door' for issues of building safety and that a report to any member of staff should not determine how successful or seriously it is acted upon
- A clear route to escalate serious issues of building safety – including going outside your organisation
- Any mandatory reporting structures you have in place

## How you will measure the success of your strategy

Being able to assess and evaluate your approach will be an important part of this new regime. Putting information out will not be enough. It will be incumbent upon PAPs to assess how well their approach has been received, especially when it comes to residents' responsibilities.

Here you might use the following as success measures or some of your own:

- Satisfaction that the PAP keeps you safe
- How safe people feel living in the building – maybe using a scale rating
- Numbers of residents that interact with your engagement framework (e.g. the number of times people use an app)
- Number (as well as the change + or -) in reports of building safety issues
- Number of complaints

- Number of contravention notices issued
- Number of (as well as change + or -) in fire brigade call outs
- Fires in bin chutes, clear landing days (number of days since the last incident), etc.
- How the AP can evidence that messaging is getting through

We would suggest that you periodically share your successes with residents as the more this happens, the more confidence you will create in your ability to respond to challenges but also to keep people safe in their homes.

This could be done through reporting the changes you have made after consultations with resident engagement groups, panels, learning from complaints, 'you said we did' type activities.



## How you will carry out reviews of the strategy

Keeping each RES updated and under constant review will be another important element of this new regime. Periodic routine reviews are likely to be a legal requirement, as well as reactive reviews when something material has changed.

This could be:

- Significant turnover of tenancies
- Planned or forced building refurbishment/renovations/remodelling
- Reduction or lack of engagement with building residents

- A major building safety incident
- Material changes in legislation or associated regulations
- A resident call to action where reduced satisfaction with the strategy is highlighted
- No less than every three years (tie into the Tenant Engagement & Empowerment Standard of the Regulator of Social Housing)

The building's RES must show how residents will be involved in any review.

# Appendix 1

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## The information residents should be able to freely access

- **Fire Risk Assessment**

- **(Current and historical)**

- The style and content should be discussed with your residents to ensure that they are meaningful and appropriate for the audience.

- **The building's fire strategy**

- Residents will need to know and understand what the policy is for their building. They will need to know what stay put or stay safe means as well as when an evacuation is necessary.

- **Structural Surveys**

- These could help build confidence amongst residents but would need to be produced in an accessible format and not technically worded.

- **Persons responsible for the safety of the building**

- This would include posts such as Building Safety Manager (BSM), Engagement Staff, Concierge, Housing Officers and provide information such as contact details and working patterns.

- **Risk Map for the building**

- These should outline any identified challenges and mitigations in place and be able to be understood by residents.

- **Planned Maintenance Schedules**

- This could include items such as fire prevention and fighting equipment, lifts, decorating and communal electrical systems.

- **Resident engagement groups schedule and notes**

- Any discussions about the building that happen with residents should be accessible to all.

- **Building safety complaints and learning from them**

- We would not expect to see details of complainants, but issues raised and dealt with alongside any improvements to reduce the likelihood of a repeat.

# Appendix 2

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## How to guide

### Phase 1 – Strategic Development

As the Principal Accountable Person (PAP), you may be aware of landlords with significant number of properties within your building. For example, a housing association or a private individual may own and manage a number of apartments or a distinct part of the building. If this is the case, we strongly advise you to involve them from the outset in developing the whole building safety case and particularly the Resident Engagement Strategy.

#### • Strategic resident involvement

One of the biggest challenges in this will be to get people to not only read any information that you create but understand it and know what to do with it.

Engaging residents in formulating the early stages of your organisational approach will be important to your success. Most organisations will have a strategic resident involvement panel of some kind. This would be a good place, alongside invites to any established resident groups or interested residents, to request their guidance to formulate and iron out any issues especially about initial messaging.

You might also want to work with residents and your strategic managers to create a brand for all your building safety literature. This could be as simple as a series of colours and shapes or it could even be a logo. By doing this and consistently using it in all communications, you will be able – over time – to make it recognisable and instantly show to whoever picks it up that it is about building safety.

### Phase 2 – foundation information for individual buildings

#### • The building in scope

It will be important to gather relevant information about the building in scope. What do you know about the building, are there any gaps in your knowledge around its build, maintenance, and future planned improvements?

#### • The residents of the building

To create a bespoke strategy that is meaningful, it will be vital that you understand the people who live there.

What do you know and where are the gaps, is your data up to date? Are there any established groups or local leaders that you need to know about? What are the local needs, are there any challenges such as languages, disabilities (both physical and mental) and what plans have you got to ensure that the needs will be met to facilitate engagement?

It might also be useful to update your local knowledge of the community your building sits within. This is vital as part of your engagement plans or activities could be more effective by working with that community and its particular nuances.

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- **Information preferences**

Knowing how the local community want their information will be useful in those initial stages. This information can be updated as time goes on and you learn more about the occupants. What do you know about the residents and their preferences? What else do you know from past experience about the best ways residents of this building like to engage?

## Phase 3 – Getting the message out

- **Call to action – Co-creation/Focus Group sessions**

Using the insight you will already have about communication preferences, send invites to a series of sessions designed to start the process of creating the agreement.

In recent times we have made more use of technology so Zoom video calls as well as face to face sessions might be appropriate. The use of electronic and postal surveys, as well as SMS can also help build up a picture of what matters to local people if they are not able to, or do not want to attend sessions.

It might be sensible to eliminate the word strategy as this rarely develops a desire to become involved. Sending out a call to action such as ‘help us to create a resident engagement strategy’ is unlikely to create much interest.

Calls to action that also reference your needs are also unlikely to receive much interest, things like

‘we need to create this strategy, help us do this’ only serve your organisation’s purpose.

We might suggest using some key behavioural insight learning to tap into what might interest residents to become involved.

In some cases, it might be about ‘helping them to feel safe’, ‘giving them the chance to drive change’, ‘being part of a team’, ‘making suggestions to improve’, ‘giving early access to information’, or ‘helping us (landlord/PAP) to understand your (resident) needs’.

- **Format of the sessions – information giving and gathering**

We would suggest that these sessions set out the background to the development of the strategies, provide context both national and local and explain the purpose of any engagement strategy.

The opportunity for residents to ask questions and gain clarity on the topic will be essential before they will be able to properly engage with confidence. Fact sheets and links to national information could be provided for further reading. Ideally this information should be shared prior to any actual session.

It could take several attempts to tease out your strategy but taking time will be essential to ensure that all residents feel able to participate. Reminders and further invites should be made to ensure that all have had the opportunity to become engaged in the process.

Brief notes and agreements reached at each session should be available to all residents and circulated in prominent places.

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## Phase 4 – Your local agreement

### • Creating a draft

Once you feel you have enough information to create a draft you should publicise it as widely as possible using the insight you have gathered through its development. Provide the chance for amendments but keep firm in the knowledge that it will be difficult to please everyone. Robustly check to ensure you have covered all elements and have tackled all the known challenges and barriers.

### • Commit yet keep under review

We know that these strategies and plans will change. The nature of people is that they move in and out and individuals' needs change over time. The requirements of buildings also change over time. Your strategies are likely to change over time so try not to get it perfect but keep your review door open.

## Phase 5 – compliance with regulation

Although anyone would be hard pressed to critique a RES that meets this kind of framework approach, you will still need to ensure that it meets the expectations of the regulator. Meeting the needs of residents is an important part of the Building Safety Bill, but don't forget your legal requirements.

### Regulatory checklist

- ✓ You have a RES
- ✓ You have a clear overview of the building, its occupants and the living community
- ✓ You have set out clearly how prescribed information relating to the management of the building will be provided
- ✓ It is clear how and when residents will be consulted about decisions about the building
- ✓ You have shown how you will assess the effectiveness of the RES
- ✓ You have identified when the RES will be reviewed and the circumstances that would instigate early review
- ✓ You have provided a copy of the RES to all (known) residents of the building
- ✓ You can demonstrate how you have made reasonable efforts to identify all residents over 16 years old living in the building





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