

<b>Building Advisory Committee Terms of reference</b>	
<b>Purpose and authority</b>	<p>The Building Advisory Committee (BAC) is set up by the Building Safety Regulator (BSR) in accordance with the provisions stated within section 9 of the Building Safety Act 2022 and within section 11A of the Health and Safety at Work Act 1974, as provided for by Schedule 6 of the Building Safety Act 2022.</p> <p>Built on an experienced and informed membership, BAC will provide trusted, independent advice, information and insight to the BSR relating to its building functions.</p> <p>BAC's role is to give advice and information solely to BSR and to aid BSR in assisting and encouraging those concerned with matters relevant to its building functions. BAC's duties will include:</p> <ul style="list-style-type: none"> <li>• Delivering the necessary input, including challenge where required, to assist BSR in the delivery of its building functions.</li> <li>• Utilising industry experience and up to date knowledge, including on innovations within the sector, to identify new and emerging issues within the built environment and explore their impact to assist BSR's risk-based approach.</li> <li>• Promoting and improving standards across relevant industries and the underlying regulatory landscape. This will be achieved by providing the necessary leadership and direction, together with appropriate challenge as required, to the relevant sectors.</li> <li>• Providing a source of intelligence regarding the effectiveness of the regulatory regime, including the proportionality of BSR's approach.</li> <li>• Inputting into other work within its remit that BSR may ask it to carry out from time to time in support of BSR's regulatory functions.</li> <li>• Issues BAC will not consider include, but are not limited to, those relating to: <ul style="list-style-type: none"> <li>○ the competence of persons within the building industry or registered building inspectors</li> <li>○ matters within the remit of the Residents Panel</li> <li>○ regulatory or operational decisions made by BSR</li> <li>○ aspects outwith of BSR's building functions, including funding of remediation or the Building Safety Levy.</li> </ul> </li> </ul> <p>BAC will work with the BSR and the Chief Inspector of Buildings (CIB). It will be one of a number of individual committees who ultimately advise the CIB (and consequently the HSE Board) to help inform, or challenge where appropriate, government policy in relation to building safety. This input will be valuable to the BSR to assist it in making the necessary decisions to comply with its duties under section 5 of the Building Safety Act 2022.</p> <p>BAC will not be a decision-making body. BSR may utilise BAC's advice when it undertakes work to inform the Secretary of State for the Department of Levelling Up, Housing and Communities in their role of making Building Regulations.</p> <p>Specific work to be undertaken by the committee will be directed by BSR via the committee chair in collaboration with the secretariat to ensure it aligns with BSR strategic priorities. BAC shall develop, agree and carry forward its own workplan on the basis of BSR's direction. BAC's work may also be influenced by matters brought to the attention of the chair by committee members. The chair will have the necessary discretion to decide their response to such requests.</p>
<b>Constitution</b>	<p>BAC will be composed of a high-level steering group, overseen by a committee chair. The steering group will be representative and comprised of a maximum of 15 members. It will be underpinned by individual working/task and finish groups, overseen by the steering group, that will help formulate BAC's advice and guidance to BSR to assist in delivering the necessary culture change. BAC shall be administered by a secretariat provided for by BSR.</p>

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	<p><u>BAC Chair</u> The position of BAC chair will be held by a representative from the Health and Safety Executive, as determined by BSR, for an initial interim period of 12 months, or for an alternative period as directed by BSR, in order to initiate effective operation of the committee. BSR reserves the right to subsequently appoint an independent chair at such point that it considers appropriate.</p> <p><u>Working/task and finish groups</u> There is an expectation that the focus of BAC's work will vary over time. The working groups, and associated task and finish groups, will be set up on the direction of the steering group to be representative of BAC's work at that moment in time and will be resourced accordingly.</p> <p>These groups will be chaired by a member of the BAC steering group. The member in question will be appointed by the BAC chair at a meeting of the BAC steering group by calling on volunteers from the steering group membership. They will be expected to work alongside departmental officials in appointing co-opted experts from the building industry and other external bodies to the group as required to best fulfil its remit and ultimately to report back to the steering group on the progress/outcomes of their work.</p> <p>The steering group will also be able to establish task and finish groups, as circumstances dictate, for instance to address aspects that fall outside the remit of existing working groups including particular incidents. Appointments to the high-level steering group and individual working groups will be made in accordance with criteria specified in the 'Appointment' section below.</p> <p>As part of the transition to the new oversight structure, BSR retains the right to review existing working groups where relevant. This review will include those groups which are currently set up as part of the Building Regulations Advisory Committee (BRAC) and may consider where they report to and their terms of reference.</p> <p><u>Secretariat</u> The tasks carried out by the secretariat will include, but are not limited to, those relevant to ensure the effective functioning of the committee. It will also work in collaboration with other BSR and external committees and other government departments as appropriate to publicise the work of BAC and its outputs, together with facilitating information sharing as appropriate.</p> <p>The secretariat shall also carry out analogous functions for any related working groups which are set up and will work in liaison with the steering group to ensure that any duplication of effort is minimised. It will also work to assist the chair in the preparation of any information which is required to report into any review of the effectiveness of the committee as requested by the CIB/HSE Board.</p> <p><u>Observers</u> BSR may appoint observers with relevant interests to BAC, including those from other government departments and the devolved administrations.</p>
<b>Appointment</b>	<p><u>Steering group</u> Steering group members are appointed by the HSE Chief Executive for a term of up to 3 years – members may be appointed for the full term of office (3 years) or for a shorter term as determined by the chair of the committee to reflect its requirements. Appointments will be made on a basis of ensuring that BAC functions effectively and provides the CIB with reliable and insightful advice and intelligence across its remit.</p>

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	<ul style="list-style-type: none"> <li>• Appointments may be made on the basis of their ability to influence behaviours in accordance with BSR’s aims and policies and their reach across the built environment sector.</li> <li>• Members may be appointed where they have a demonstrable ability to be representative of stakeholders across the sector, particularly where this provides BAC with the required reach and networking opportunities to operate effectively.</li> <li>• Steering group members will be expected to provide demonstrable experience of their ability to take ownership of problems and devise solutions, together with an ability to drive performance improvements and deliver culture change.</li> </ul> <p>Steering group members can be re-appointed for a maximum of 3 terms, subject to continued compliance of that member with the appropriate code of conduct and for the re-appointment to be meet the requirements of the Committee at the time of re-appointment. BSR retains the right to extend all appointments without re-appointment by a further period of 12 months (maximum) if this helps ensure continuity in committee business.</p> <p><u>Working groups:</u> Working group members may be appointed on an independent basis to provide particular areas of expertise and/or experience across the built environment or specific discipline to a level considered appropriate by BSR. Appointments will be made by members of the steering group, in collaboration with BSR as appropriate.</p> <p>The chair and any members who are appointed to the committee, whether as part of the steering group or working groups, are expected to abide by the ‘Seven Principles of Public Life’ (the Nolan principles).</p>
<b>Proceedings of meetings</b>	<p><u>Frequency of Meetings</u> The committee shall formally meet on at least 4 occasions per year to effectively dispatch the business of the committee, with additional ad-hoc business throughout the course of the year to be addressed via correspondence. This will be subject to review dependent on the needs of BSR at any specific time. In situations where urgent advice is requested by BSR, and an additional meeting of the committee is considered a requirement, then this shall be summoned by the secretariat at the request of the chair.</p>
<b>BAC’s publication scheme</b>	<p>As the Building Advisory Committee is part of the Health and Safety Executive, it will be subject to the Freedom of Information Act (FOIA) as part of the Health and Safety Executive rather than independently (the Health and Safety Executive appears in Part VI of Schedule 1 to the Freedom of Information Act 2000).</p> <p>Papers, agendas and minutes from the committee’s meetings may be requested from the secretariat. Some information may be withheld if an exemption applies under the Freedom of Information Act.</p>
<b>Effectiveness</b>	<p>BSR reserves the right to review the committee’s effectiveness, these terms of reference and/or the membership of the committee at any time that it considers appropriate. A formal review of the terms of reference should be carried out at least once in every two years.</p> <p>The committee, on the direction of its chair, may also arrange for periodic reviews of its own performance and review its objectives and terms of reference to ensure it is</p>

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	<p>operating at maximum effectiveness and recommend any changes it considers necessary to the CIB and the HSE Board.</p>