

Spelthorne Building Control Risk Register for April 2025 to April 2026

	Risk	Description of Risk	Risk Mitigation	Consequen	Likelihood	Risk Level
1	Inaction due to future removal of responsibility from Spelthorne to deliver Building Control	<p>Within the next 2 years, the building control function will be transferred out of Spelthorne's control. Any action taken now will likely face corporate and public criticism as a waste of time and resources due to the probability of two events:</p> <ol style="list-style-type: none"> 1. By 2027, all current services will be absorbed into a unitary authority either in a 3- or 6-borough model. 2. The newly formed building control independent panel, due to report in autumn 2025, is highly likely to remove commercial interests from building control and transition to a national model. However, there is a balancing risk of a breach of trust, that the residents within the borough will be required to live with the consequences of our current service delivery for the life of these buildings 	<p>Inspections of Spelthorne's buildings will necessitate local delivery, with a strong likelihood that this will continue in the current format with the same staff for many years to come.</p> <p>To meet this requirement, we are mandated to safeguard the borough's residence, and the most effective means of achieving this is through adherence to the Building Safety Regulator requirements and the implementation of the new Operational Standard Rules (OSR). So, meeting Building Act section 91(2). where LA,s have a duty to enforce.</p>	3	1	3

2	OSR 1.Systems and controls. Noncompliance with operational service rules <u>Operational-standards-rules</u> (under 58Z of the Building Act 1984). Since 6 April 2024	<p>OSR -Noncompliance would lead to censure from building safety regulator / repetitional damage, in an extreme case [Grenfell] custodial sentence. Need to ensure adequate accredited quality assurance processes and documentation in place,</p> <ul style="list-style-type: none"> • Information shared and stored electronically, • QA policy • QA manual • Procedures manual • Enforcement policy 	<ul style="list-style-type: none"> • Accreditation under LABC quality assurance ISO 9001 • Recruit and identify staff to carry out Audits of all operational processes. • Creation and maintenance of risk register • Organisational structure scope and competency assessment. • Conduct Annual management QA review meetings • Monthly team meetings including QA review • Instigate feedback from clients and review responses for inclusion in QA meetings. • Moving to compliance with KPI's and ensure these are deliverable through IT system and reporting. • Evaluate improvements for automating processes and reporting with the Idox enterprise system 	4	3	12
3	OSR 2. Persons. Noncompliance with operational service rules <u>Operational standards rules - GOV.UK (www.gov.uk)</u>	<p>OSR- Requirement that building control functions are adequate resourced (2.1) and surveyors to be registered as building inspectors and for examination every three years, and only act within their roles of competence <u>Building inspector competence framework (BICoF) - GOV.UK (www.gov.uk)</u></p> <p>Consider the requirements for Level 3 building inspectors and the building</p>	<ul style="list-style-type: none"> • All staff are required to have access to development and funded training, as specified in the LABC Competency Matrix. This training must be documented according to the Continuing Professional Development (CPD) requirements set by building safety regulators. The most straightforward method appears to be the option of a £150 annual license fee per member through <u>Professional Development LABC.</u> • Access to up-to-date technical documents, specifically British standards, can be obtained by 	3	2	6

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		<p>safety regulator under section 13 of the Building Safety Act may necessitate support. For more information, refer to the Building Safety Act 2022.</p>	<p>joining the Surrey partnership, which is hosted by Southern Building Control.</p> <ul style="list-style-type: none"> • Ensure surveyors act in accordance with the Code of Conduct and are aware of the whistleblowing policy. Code of conduct for registered building inspectors - GOV.UK (www.gov.uk) • Monthly reporting to balance workload and risk management • Identify occurrences of conflict of interest and create a register. 			
4	<p>OSR 3. Building control Function.</p> <p>Noncompliance with operational service rules</p> <p>Operational standards rules - GOV.UK (www.gov.uk)</p>	<p>OSR -The administration and handling of all applications received including initial notices, dangerous structures, and contraventions. Covering record keeping of such cases, inspections, reports, and interventions.</p> <p>Communicating with duty holders about key decisions and their implications within relevant times.</p>	<ul style="list-style-type: none"> • Ensure that processes and procedures comply with the updated requirements of the Building Act and Building Safety Act. • Site records and inspection notes including photographs are required to be date marked and Geo location tagged. With inspection reports emailed to the applicant as soon as possible (rule 3.11). [investigate use of tablets to show compliance, incorporating mobile working software] • Amend standard letters to comply with process maps and new legislation, including powers for stop notices and non-compliance. • Update the website to clarify the new role of Building Control, seek feedback, outline enforcement procedures, and detail the duties of duty holders. 	4	2	8

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5	OSR 4.Enforcement Noncompliance with operational service rules <u>Operational standards rules - GOV.UK</u> <u>(www.gov.uk)</u>	OSR - Review and adopt a risk-based approach to inspections which is communicated to the duty holder [owner, builder and/or architect]	<ul style="list-style-type: none"> Review and adopt new enforcement process flow charts and standard letters to meet new legislation. Review intended update to Idox software to see if it meets the requirements of the building safety regulator currently unable to accurately respond to required reporting KPIs (Quarterly and Annual returns.) Review if ITC / document management systems are fit for purpose in recording contraventions buildings. 	3	2	6
6.	Competitive market	Competitive Market – Local Authority Building Control has existed in a competitive market for over 40 years. Against this Spelthorne building control team is struggling to deliver a service. Competition can drive down standards of service where some customers seek ‘the path of least resistance at the least cost’ under the new regime only local authorities can carry out enforcement action for the building safety regulator and this is imposing a greater burden on our time and expertise.	<ul style="list-style-type: none"> We are required to balance income with expenditure under the <u>Building (Local Authority Charges) Regulations 2010 (legislation.gov.uk)</u> with the hourly rate calculations set under the CITFA guidance. However, the role of the new building inspectors has dramatically shifted since the legislation of October 2023 with increased enforcement and reporting duties, and we need to calculate if the previous 30/70 split is still relevant. (Anecdotally a 50/50 split between fee and non fee earning work is being reported by others.) Review market share and hourly rate review how we can better market ourselves to retain cost effective fee earning work as we shift from a supportive role to in some cases an enforcement role for the building safety regulator this being more contentious and time consuming. 	2	2	4

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7.	Experienced staff being lost	<p>Surveyor demographics – Spelthorne's senior workforce is ageing, and a lack of investment in training by all Local Authorities over the past 20 years of austerity has led to a decline in new surveyors entering the profession. Three years ago, Spelthorne had 6 surveyors covering the borough—now, only 2 remain.</p> <p>This issue is further compounded by the fact that trained staff often move to adjoining boroughs offering more competitive salaries. This migration places additional pressure on the remaining surveyors, creating a downward spiral.</p>	<ul style="list-style-type: none"> • Efforts to recruit external candidates have failed, worsened by registration criteria for building inspectors. Recently, two staff members left. anecdotally over 20% leaving the LA's, our adjoining Surrey boroughs are already suffering in this regard. In some cases, paying premium rates to contractors to fill the gap. • Need to review our recruitment and retention strategy consider if we are offering competitive packages. • Consider the option of trainee or apprenticeship programs, although this may be perceived as adding additional pressure on our limited surveyor staff. Away forward might be found through LABC VLE workshops, supporting the development of trainees. <p>Local government capacity survey: Building control Local Government Association</p>	3	4	12
8	Insufficient RBI's for workload	<p>In response to the staff shortage, the remaining registered building inspectors have encountered significant workload challenges. As a local authority, we are statutory required to accept applications and additionally complex reversion work from approved inspectors.</p> <p>We have reached out to neighbouring Boroughs for collaboration on resilience, but they face similar issues. Private contractors charge £80 per hour, which</p>	<ul style="list-style-type: none"> • Develop a risk matrix that matches resources to tasks, including plan checks, inspections, and follow-ups on old projects, enforcement. The matrix should balance life risk, building complexity, and builder/architect competence. • Provide transparency to our clients regarding the services we can offer and the shift in our primary role from support and guidance to compliance and enforcement. 	2	4	12

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		<p>exceeds our budget and often leads to more work.</p> <p>Additionally, we are required to demonstrate in resource allocation that registered building inspectors operate within their professional competence</p>				
9	Effects of new Building Safety legislation	<p>Amendments to the Building Act 1984 and the Building Safety Act 2022 has created a shift in the market over the duties of responsibilities of our customers. Both direct and indirect AI's.</p>	<ul style="list-style-type: none"> • Reversions are increasing (work from approved inspectors passed back to the Local Authority if too complex). Review reversion processes to simplify early access to inspection records and clarify responsibilities between former inspectors and homeowners. • Clarify that the purpose of the Building Regulations is not to address neighbour disputes. 	1	4	4

The risk assessment for April 2025 to April 2026 rates event likelihoods from 1 to 4. The departure of a staff member in 2024 has a likelihood factor of 4, which would change with an effective retention strategy. New Operational Service Rules from the Building Safety Regulator require compliance checks; failure to adhere within this period will incur penalties, so rated as a likelihood factor of 4.

Consequence level		Low	Medium	High	Very high
Likelihood level	Almost certain	10	11	15	16
	Likely	4	9	13	14
	Possible	3	7	8	12
	Rare	1	2	5	6
Risk levels					
		12-16	Extreme		
		5-11	Moderate		
		1-4	Low		

Figure 1 Consequence to likelihood Risk levels

Risk actions and escalation points			
Group	Group description	Action required for risk	Risk escalation
12-16	Red-Extreme	Action required: risks that cannot be accepted or tolerated and require treatment	Escalated to the Head of BC and executive. Control strategy developed and monitored by the Head of BC or Executive.
5-11	Yellow-Moderate	Potential action: risks that will be treated as long as the costs do not outweigh the benefits. As Low as Reasonably Practical	Managed at functional or BC Team level. Escalated to the relevant direct report to the Head of BC for information
1-4	Green-Low	No action: acceptable risks requiring no further treatment. May only require periodic monitoring	No action required. Monitoring within the functional area

Figure 2 Risk levels and Escalation Points