



Contents

1. Purpose
2. Definitions and references
3. Roles and responsibilities
4. Key requirements for compliance
5. Occupied HRBs managed by LBL – summary
6. Occupied HRB: Steps to raising a Mandatory Occurrence
7. Buildings under construction or during major building works
8. Submitting a Mandatory Occurrence Notice
9. Submitting a Mandatory Occurrence Report
10. Monitoring and reporting
11. Related documents

1. Purpose

- 1.1 This procedure has been developed to outline the process for Mandatory Occurrence Reporting, in line with the Building Safety Act 2022 (BSA).
- 1.2 The BSA requires the Principle Accountable Person (PAP) to establish a mandatory Occurrence reporting system (MOR) to report building safety risks on higher-risk buildings (HRB), to the Regulator. A 'mandatory occurrence reporting system' is a means of giving information to the AP and the Building Safety Regulator (BSR).

2. Definitions and references

- 2.1 The Building Safety Act 2022 Section 62(1) defines a 'building safety risk' as a risk to the safety of people in or about a building arising from any of the following occurring as regards the building:
 - (a) the spread of fire
 - (b) structural failure
 - (c) any other prescribed matter.
- 2.2 The Higher-Risk Buildings (Management of Safety Risks etc.) (England) Regulations 2023 defines a 'Safety occurrence' as an incident or situation relating to the structural integrity of, or spread of fire in, a higher-risk building that meets the risk condition.
- 2.3 The 'risk condition' is met if a part of a building in use would be likely to present a risk of a significant number of deaths, or serious injury, to a significant number of people due to an incident or situation not being remedied.
- 2.4 The safety occurrence must have taken place in the part of the building for which the Accountable Person (AP) is responsible.
- 2.5 Some examples that could meet the criteria of [what to report to BSR](#) when the building is occupied by residents, include:
 - the spread of fire or something that could lead to the spread of fire
 - total or partial collapse of the building
 - defective building work



- unexpected failure or the degradation of construction materials
- the discovery of structural defects
- failure of a critical fire safety measure, such as an automatic opening vent, smoke extraction or fire doors

2.6 Some examples that could meet the criteria of [what to report to BSR](#) during the construction of a new building by the Principal Designer (PD) and Principal Contractor (PC), include:

- defective building work, including defective [competent person scheme](#) work which is part of the wider building work
- fire safety issues likely to result in the spread of fire
- the use of non-compliant products or incompatible compliant products in the construction of the building
- inappropriate or incorrect installation of construction products
- product failure against specification and claimed performance
- faults in the design plans, caused by either design software or human error

References

- [Building Safety Act 2022 \(legislation.gov.uk\)](#)
- [Criteria for being a higher-risk building during the occupation phase of the new higher-risk regime - GOV.UK \(www.gov.uk\)](#)
- The Higher-Risk Buildings (Management of Safety Risks etc.) (England) Regulations 2023 <https://www.legislation.gov.uk/uksi/2023/907/contents/made>
- <https://www.gov.uk/guidance/submitting-mandatory-occurrence-notice-and-reports>

3. Roles and responsibilities

Job title and/or team	Tasks
Principle Accountable Person (PAP)	The Principle Accountable Person is the London Borough of Lewisham
Accountable Person (AP)	Occupied HRBs – The AP is responsible for managing the MOR system and communicating this to the Regulator and to residents.
Principal Designer (PD) Principal Contractor (PC)	During Construction of HRBs – The PD and the PC are responsible for establishing and operating an effective MOR during the construction phase. The PD and PC must report safety risks, as defined, to the relevant duty holders and the Regulator
Head of Development Delivery	Ensuring an effective MOR system during design and construction

4. Key requirements for compliance

- 4.1 A single reporting system is required for each Higher-Risk Building (HRB) owned by London Borough of Lewisham (LBL).
- 4.2 Failure to report a building safety risk, without a reasonable excuse, is a contravention to subsection (1) of the BSA and deemed an offence which is liable on summary conviction to a fine.



- 4.3 The notice must be given to the Regulator as soon as is reasonably practicable. A full report must be provided to the Regulator within 10 days of it coming to the AP's attention, beginning with the day it came to the AP's attention.
- 4.4 The Resident Engagement Strategy must be reviewed by the Principal Accountable Person (PAP), within a 30-day period after a MOR in relation to the building is submitted to the Regulator, under Section 87 of the BSA,
- 4.5 All Safety Occurrences will need to be included in the building safety case.
- 4.6 The system must be accessible to all residents and other users of the building.

5. Occupied HRBs managed by LBL - summary

- 5.1 If an internal staff member identifies a Mandatory Occurrence (see 6.1).
- 5.2 If a resident identifies a Mandatory Occurrence (see 6.2).
- 5.3 The AP will be responsible for ensuring the safety occurrence is recorded on a **Mandatory Occurrence Notice Form (Appendix 1)** and the Mandatory Occurrence Reporting Log for the building (see 6.1).
- 5.4 The AP will be responsible for reporting safety occurrences to the Regulator as soon as is reasonably practicable.
- 5.5 The AP must carry out a full report ensuring the report is recorded on a **Mandatory Occurrence Report Form (Appendix 2)** and issue to the BSR within 10 days of the occurrence coming to the attention of the AP.
- 5.6 A **Mandatory Occurrence Reporting Log** should be completed to document and manage all MORs that occur in a building that is occupied. (See **Appendix 3** for log example).
- 5.7 The AP will be responsible for ensuring corrective actions are established, carried out and recorded on the MOR log.
- 5.8 The AP will be responsible for any further liaison with the Regulator on the MOR matter.

6. Occupied HRB: Steps to raising a Mandatory Occurrence

6.1 Internal Staff Raising MOR

- A person identifies a Mandatory Occurrence
- The Head of Building Safety should be notified in writing, who will then escalate to the BSM of the building that the Occurrence has been raised.
- The BSM should complete and submit an MOR notice to the BSR via the BSR's online portal detailing the information set out on the MOR Notice form. (Before the BSM completes an MOR notice form they must check all previously submitted notices and reports to see if the incident has already been raised and investigated).



- The BSM should inform the Head of Building Safety that the MOR notice has been submitted to the BSR, and should record the Mandatory Occurrence Reference Number provided by the BSR on the Mandatory Occurrence Notice form.
- The BSM and Head of Building Safety should investigate the MOR notice and ensure the MOR report is submitted within 10 days, detailing the information set out on the “MOR report form”.
- The investigation should include the production and submission of a detailed report identifying the cause, effect and what has been done to remediate/eliminate any risk including interim measures. This report together with the MOR notice and report must be provided to the safety case manager to ensure it is included into the Golden Thread of information for the building.
- The BSM should ensure that the Building Safety Co-ordinator is informed of any MOR notices and reports.
- The Building Safety Co-ordinator will keep a log of all MOR notices and reports that have been submitted to the BSR, including issuing weekly reports requesting updates, if required
- All outcomes of an MOR will be communicated to the wider Building Safety team and other relevant stakeholders to ensure learning is circulated to the wider organisation
- All MOR Reports submitted must be provided to the BSR as part of any Building Assessment Certificate (BAC) application and must include a list of incidents reported to the BSR since the last Building Assessment Certificate assessment. This must include a brief description of the incident/s, the incident date and any reference numbers provided by the BSR for the reports.
- We will follow the same process if a resident makes a complaint to us that meets the criteria of what to report to the BSR

6.2 Resident or others who use the building raising MOR

- A resident or others who use the building identifies MOR
- The person reporting the safety occurrence should go onto the Lewisham Council website to complete MOR notice.
- If the person reporting the occurrence does not have online access, they can report the occurrence to their buildings BSM via phone or email
- Once the resident completes the MOR notice, a notification will be sent to the Building Safety Team mailbox for review by the associated Building Safety manager for the High rise Building.
- The BSM should review the MOR notice to establish whether the notice meets the criteria of a genuine MOR.
- Should it be established that the notice does not meet the criteria: The BSM will email the residents to discuss their concerns and address their concerns via another channel. This will be done within 10 working days. The Building safety manager will also visit the residents property to discuss with them personally as part of their monthly inspection of the buildings.
- Should it be established that it is a genuine MOR incident: The BSM should submit a MOR notice to the BSR, detailing the information set out on the “MOR notice form”. The BSM should also email the resident advising that a MOR report has been issued to the BSR quoting the reference number. The Building safety manager will also visit the residents property to discuss with them personally as part of their monthly inspection of the buildings.



- The BSM should inform the Head of Building Safety that the MOR notice has been reported to the BSR.
- The BSM and the Head of Building Safety should investigate the MOR notice and ensure the MOR report is submitted within 10 days, detailing the information set out on the “MOR report form”.
- The investigation should include the production and submission of a detailed report identifying the cause, effect and what has been done to remediate/eliminate any risk including interim measures. This report together with the MOR notice and report must be provided to the safety case manager to ensure it is included into the Golden Thread of information for the building.
- The findings of investigation or incidents will also be communicated to the person who raised the Safety Occurrence using the contact details they provided when completing the MOR form
- All outcomes of an MOR will be communicated to the wider Building Safety team and other relevant stakeholders to ensure learning is circulated to the wider organisation
- The BSM should ensure that the Building Safety Co-ordinator is informed of any MOR notices and MOR reports.
- The Building Safety Co-ordinator will keep a log of all MOR notices and reports that have been submitted to the BSR, including issuing weekly reports requesting updates, if required

7. Buildings under construction or during major building works

- 7.1 The Head of Development Delivery, employed by London Borough of Lewisham, is to ensure that the PD and PC have established and operate an effective MOR system during the design and construction period. This will be implemented contractually through Employers requirements.
- 7.2 The notices and reports must relate to the building that is under construction or undergoing building work. They do not relate to safety incidents relating to the construction site in general or to any temporary structures.
- 7.3 The Head of Development Delivery is to monitor any MORs raised by the PD and PCs during construction, and satisfy themselves that they have been reported and closed out appropriately.
- 7.4 The Head of Stock Investment and Asset Management (SIAM) is to monitor any MOR's raised by the PD or PC's during major building works, to satisfy themselves that they have been recorded and closed out appropriately.
- 7.5 The BSM must be notified of any MOR's raised during building works to existing occupied buildings.
- 7.6 All Mandatory Occurrence Reports are to be provided to the Development team as part of the Golden Thread on completion of the project at handover at Gateway 3. All handover information, including all MOR's raised during construction, must be provided to the SIAM and Building Safety team at handover.



8. Submitting a Mandatory Occurrence Notice

- 8.1 The LBL Mandatory Occurrence Notice Form (**Appendix 1**) has been set out to enable us to comply with Section 6 of The Higher-Risk Building Management of Safety Risks etc. (England) Regulations 2023.
- 8.2 Mandatory reporting requirements require the following information to be recorded:
- The high-rise residential building registration reference or the building control application reference
 - Contact details of the person completing the form
 - Date and time the safety Occurrence was identified
 - A brief description of the safety occurrence
 - Any immediate actions taken since to keep people safe

9. Submitting a Mandatory Occurrence Report

- 9.1 The LBL Mandatory Occurrence Report Form (**Appendix 2**) has been set out to enable us to comply with Section 6 of The Higher-Risk Building Management of Safety Risks etc. (England) Regulations 2023.
- 9.2 Mandatory reporting requirements require the following information to be recorded:
- Your Mandatory Occurrence Notice Reference
 - Who submitted the Notice – if someone else has submitted the notice to the person completing the report, the persons contact details
 - The type of safety occurrence being reported
 - What happened or has the potential of happening
 - What caused the safety occurrence and how it was discovered
 - Who is involved and the effect or potential effect on them
 - What you have done and plan to do to keep people safe
 - Anything you think should be shared for others to learn from
 - Any supporting information, such as documents, videos, or photos

10. Monitoring and reporting

- 10.1 Regular reviews of the system will be carried out by the Head of Building Safety to ensure it remains effective. The Head of Building Safety will ensure that any updates to the procedure are made as required.
- 10.2 The Mandatory Occurrence log (see **Appendix 3**) will be reviewed and updated, on a weekly basis, by the Head of Building Safety and the Building Safety Coordinator, to ensure that all MOR's have been correctly logged and actioned accordingly.
- 10.3 The Mandatory Occurrence log will be sent, on a weekly basis, to all relevant stakeholders who have been assigned actions, in order to fully close out MOR's. This ensures they are aware of, and progress, any actions assigned to them until fully remedied and closed out.



10.4 On a monthly basis, key stakeholders attend the Building and Fire Safety working group meetings. These are chaired by the Director of Quality and Investment. MOR's will be a standard agenda item for discussion during these meetings, monitoring the existing process to ensure it remains effective. Any MOR's that have not been actioned will be escalated during these meetings and monitored.

11. Related documents

- Appendix 1 Mandatory Occurrence Notice
- Appendix 2 Mandatory Occurrence Report
- Appendix 3 Mandatory Occurrence Report Log Template – Occupied Premises

New procedure: To comply with new legislation and regulation	
Date approved: 21/03/2024	Effective date: 01/04/2024
Next review: 31/03/2025	
Approved by: Head of Building Safety	
Document owner: Head of Building Safety	