Mandatory Occurrence Reporting During Construction

Contents

Introduction 1
What is a Safety Occurrence? 2
What is a Mandatory Occurrence Reporting System? 2
What Must be Included in a Mandatory Occurrence Reporting System? 3
What is the Difference between a Mandatory Occurrence Notice and Report? 3
Notices 3
Reports 4
Is a Change Control Application or Notification Required? 4
Mandatory Occurrence Reporting System Template 5

Introduction

The Building Safety Act, which is the foundation of the building safety regime for the construction sector, established the requirement for certain types of building safety incidents and risks in Higher-Risk Buildings (HRBs), known as 'safety occurrences', to be notified and reported to the Building Safety Regulator (BSR).

To fulfil this requirement, dutyholders must operate a Mandatory Occurrence Reporting (MOR) system for safety occurrences during:

- The construction phase of a new HRB
- Work on an existing HRB or a building that will become an HRB
- Occupation of an HRB.

The MOR system that will be implemented during the construction phase must be included in the application for Building Control Approval submitted at Gateway Two, and it will become one of the 'Agreed Documents' approved by the BSR.

To help ensure a consistent approach across the supply chain, Build UK has set out a template MOR system for use during the construction of HRBs, which can be found on pages 5 - 9. To download an editable Word version of the system for your own use, please click this link.

Further Information

- The Building Safety Act 2022 introduces the requirement to establish and operate an effective Mandatory Occurrence Reporting system in Section 87.
- The Building (Higher-Risk Buildings Procedures) (England) Regulations 2023 set out the requirements for Mandatory Occurrence Reporting.
- Operating a Mandatory Occurrence Reporting System provides guidance on how to establish and maintain a system to report safety occurrences.
- Submitting Mandatory Occurrence Notices and Reports provides guidance on how to report safety occurrences to the BSR.
- Submit a Mandatory Occurrence Notice and Report is the online service for submitting a Mandatory Occurrence Notice and Report to the BSR.

The BSR can be contacted on **0300 790 6787** with queries relating to the submission of Mandatory Occurrence Notices and Reports.

What is a Safety Occurrence?

Safety occurrences are building safety incidents and risks in a Higher-Risk Building (HRB) that must be reported where they have caused, or if not remedied would be likely to present a risk of, the **death or serious injury of a significant number of people** and involve **structural failure and/or fire safety issues**.

During the construction phase, this includes incidents and risks related to both the design and construction process, including design decisions.

- **Structural** – Any failure, defect or damage affecting the structural integrity of the building which is likely to cause the death or serious injury of a significant number of people, such as the design or installation of:
    - Steel columns that do not meet the loading criteria of the building
    - Structural elements exceeding the load paths of the building
    - Incorrect ties used across a masonry wall construction
    - Insufficient structural bearing for pre-cast concrete panels.

- **Fire Safety** – The spread of fire or smoke including issues with fire safety systems, which is likely to cause the death or serious injury of a significant number of people, such as the design or installation of:
    - Products, materials or systems that are not compliant with regulations or standards
    - Insufficient or unsuitable fire barriers
    - Consistently faulty fire detection units
    - Inadequate smoke control systems.

What is a Mandatory Occurrence Reporting System?

A Mandatory Occurrence Reporting (MOR) system ensures that everyone involved in a Higher-Risk Building (HRB) project knows how to report building safety incidents and risks, and it will enable dutyholders to fulfil their responsibilities, including how to record, assess, notify and report safety occurrences and respond appropriately.

During the construction of an HRB, a MOR system must be operated by both the Principal Designer and the Principal Contractor and the details included in the application for Building Control Approval submitted at Gateway Two.

The MOR system must be regularly reviewed to ensure it is effective, identify trends, improve practices, and prevent repeat or future incidents. As the MOR system is part of the 'Agreed Documents', any change made to it is a 'controlled change' and must be recorded in the Change Control Log.

What Must be Included in a Mandatory Occurrence Reporting System?

A Mandatory Occurrence Reporting (MOR) system should:

1. Identify the individual(s) responsible for oversight of the system. This may be different individuals for design-related safety occurrences and construction-related safety occurrences.

2. Inform all those on the project through site inductions and toolbox talks how to report building safety incidents and risks involving structural and/or fire safety issues.

3. Set out the process to respond to a building safety incident or risk including:
    - Recording the incident or risk
    - Determining if it is a safety occurrence
    - Determining who needs to be notified
    - Submitting a Mandatory Occurrence Notice to the Building Safety Regulator (BSR) as soon as possible
    - Recording the allocated reference number
    - Submitting a Mandatory Occurrence Report to the BSR within 10 calendar days of the safety occurrence being identified
    - Deciding what action is required such as:
        - Any remedial action
        - Whether a change control application or notification is required
        - Whether an investigation is required
        - Any further action to address the cause of the safety occurrence.

4. Regularly review the MOR system.

5. Update the Change Control Log if any changes are made to the MOR system.

What is the Difference between a Mandatory Occurrence Notice and Report?

For each safety occurrence, a Mandatory Occurrence **Notice** must be submitted to the Building Safety Regular (BSR) as soon as possible, followed by a Mandatory Occurrence **Report** within 10 calendar days of the date of the safety occurrence being identified.

It is an offence not to submit both the Notice and Report even if the safety occurrence is rectified immediately.

There is no charge for submitting a Notice or Report.

The email address used to submit a Notice or Report must be registered and verified with the online service before information can be submitted. It may be useful to create and use a **project email address** specifically for Mandatory Occurrence Reporting (MOR).

Notices

If an incident is deemed to be a safety occurrence, the responsible individual identified within the MOR system must submit a Notice as soon as possible containing the following information:

- Building Control Application reference number or High-Rise Residential Building registration reference
- Name and phone number of the person submitting the Notice
- Name and role of the organisation submitting the Notice
- Date and time the safety occurrence was identified
- Brief description of the safety occurrence
- Details of the immediate actions taken.

The safety occurrence will be allocated a **reference number** which should be recorded within the MOR system.

Reports

Within 10 calendar days of the date of the safety occurrence being identified, the responsible individual must submit a Report containing the following information:

- Mandatory Occurrence reference number allocated when the Notice was submitted
- If not the same person who submitted the Notice, the name and phone number of the person submitting the Report and their involvement in the building
- Type of safety occurrence i.e. structural failure and/or fire safety issue
- Details of the safety occurrence:
    - Detailed description
    - What caused or is causing it (if known)
    - Who has been affected or could be affected and in what ways
    - What is being or will be done to keep people safe
    - How it was identified
    - Anything that could be shared with others to learn from it
- Supporting documents, videos or photographs.

The Mandatory Occurrence Report can be submitted at the same time as the Notice if the information is available.

The BSR will review the Report and follow up if it determines that the safety occurrence did not need to be reported or that further information or an investigation is required.

Is a Change Control Application or Notification Required?

If the action taken in response to a safety occurrence results in a change to any of the 'Agreed Documents' approved by the Building Safety Regulator (BSR) at Gateway Two, then it will be a 'controlled change', which must be recorded in the Change Control Log and classed as follows:

- A **major change** which requires an application to the BSR and approval before work commences
- A **notifiable change** where work can begin once the BSR has been notified
- A **recordable change** which is neither a major change nor a notifiable change.

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Mandatory Occurrence Reporting System

To ensure that we comply with our duties under the Building Safety Act, this Mandatory Occurrence Reporting (MOR) system will be adopted on this project.

We will:

1. Confirm the project responsibilities and identify the individual(s) from the Principal Designer and the Principal Contractor who are responsible for oversight of the MOR system.

2. Inform all those on the project how to report building safety incidents and risks involving structural and/or fire safety issues.

3. Use the attached form to support the responsible individual(s) in responding to a building safety incident or risk including:
    - Recording the incident or risk
    - Determining if it is a safety occurrence
    - Determining who needs to be notified
    - Submitting a Mandatory Occurrence Notice to the Building Safety Regulator (BSR) as soon as possible
    - Recording the allocated reference number
    - Submitting a Mandatory Occurrence Report to the BSR within 10 calendar days of the safety occurrence being identified
    - Deciding what action is required such as:
        - Any remedial action
        - Whether a change control application or notification is required
        - Whether an investigation is required
        - Any further action to address the cause of the safety occurrence.

4. Regularly review this MOR system.

5. Update the Change Control Log if any changes are made to this MOR system.

Template

Project Responsibilities

Project name	
Date MOR system last reviewed	

Client contact	
The responsible individual on behalf of the **Principal Designer** is:	
The responsible individual on behalf of the **Principal Contractor** is:	
Information about the MOR system is provided to everyone on the project via:	Contract Documents Site Induction Noticeboard Other
The person who must be notified in the event of a building safety incident or risk is:	
The person responsible for recording the details of a building safety incident or risk is:	
The person responsible for determining if the building safety incident or risk is a safety occurrence is:	
The project email address to be used when reporting a safety occurrence to the BSR is:	
The person responsible for submitting the Mandatory Occurrence **Notice** is:	
The person responsible for submitting the Mandatory Occurrence **Report** is:	
The person within the **Principal Designer** responsible for determining the actions in response to a safety occurrence is:	
The person within the **Principal Contractor** responsible for determining the actions in response to a safety occurrence is:	
The person responsible for the Change Control Log is:	

Template

Identifying and Reporting a Safety Occurrence

Project name	

- ✓ *Complete boxes 1 - 9 of this form for each building safety incident or risk identified to determine if it is a safety occurrence.*
- ✓ *If it is determined that the incident or risk is a safety occurrence, the remainder of the form should be completed.*

The pink highlighted boxes contain the details required to submit a Notice as soon as possible after the safety occurrence.

The blue highlighted boxes contain the details required to submit a Report within 10 calendar days of the date of the safety occurrence being identified.

1.	Name of person **recording** this building safety incident or risk	
	Email address	
	Phone number	
2.	Name of person who **identified** the incident or risk	
	Email address	
	Phone number	
3.	Date of incident or when risk was identified	
4.	Time of incident or when risk was identified	
5.	Brief description of the incident or risk	
6.	Is this incident or risk considered to be a safety occurrence? *If **Yes**, please complete rest of this form.* *If **No**, please provide a reason for this decision and whether the incident needs to be reported under other legislation (e.g. RIDDOR).*	Yes / No Reason:
7.	Has the responsible individual on behalf of the **Principal Designer** been informed of the incident or risk?	Yes / No
8.	Has the responsible individual on behalf of the **Principal Contractor** been informed of the incident or risk?	Yes / No
9.	Signed by the person responsible for determining if the incident or risk is a safety occurrence	

Template

10.	Email address used to submit Mandatory Occurrence Notice and Report	
11.	Building Control Application reference number or High-Rise Residential Building registration reference number	
12.	Details of immediate actions taken	
13.	Name of person submitting Mandatory Occurrence **Notice**	
	Email address	
	Phone number	
	Organisation name	
	Organisation role	Principal Designer / Principal Contractor
14.	Mandatory Occurrence reference number allocated on submission of Notice	
15.	Name of person submitting Mandatory Occurrence **Report**	
	Email address	
	Phone number	
	Organisation name	
	Organisation role	Principal Designer / Principal Contractor
16.	Type of safety occurrence	Structural Failure / Fire Safety / Both
17.	Detailed description of the safety occurrence	
18.	What caused or is causing the safety occurrence (if known)	
19.	Who has been affected or could be affected and in what ways	
20.	What is being or will be done to keep people safe	

21.	How the safety occurrence was identified	
22.	Anything that could be shared with others to learn from it *Include links to documents, videos or photos that will be uploaded (<500MB)*	
23.	Actions taken to address the cause of the safety occurrence	
24.	Is a change control application or notification required? *If **Yes**, please report to person responsible for the Change Control Log.*	Yes / No
25.	Is an internal investigation required?	Yes / No
26.	Feedback given to workforce on site?	Yes / No

Template