

*Dauntons  
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Property & Estate Management

## ACCOUNTABLE PERSONS / PRINCIPAL ACCOUNTABLE PERSON



### Who is the Accountable Persons / Principal Accountable Person?

The Building Safety Act places legal obligations on those responsible (the Accountable Persons / Principal Accountable Person) for ensuring compliance with fire and safety regulations and managing the fire and structural safety risks of a high-rise residential building.

The Accountable Persons (AP) is usually an individual or organisation that has responsibility for the repair and maintenance of the communal areas of a block. This can be a freeholder, RMC, landlord, right to manage company or a commonhold association.

In some cases there may be multiple Accountable Persons, each with different responsibilities for maintaining the building. However there must be one clearly identifiable AP, which is known as the Principal Accountable Person (PAP).


If a building has just one AP, then they are known as the PAP. When there are multiple APs, then whoever owns or has a legal obligation to repair the structure and exterior of the building is the PAP. Where the responsibilities are unclear, it may need to be determined via the First-tier Tribunal who would be considered the Principal Accountable Person. APs and the PAP can be accountable for the fire and structural safety risks of more than one building.

### What are the responsibilities of the PAP?

The Principal Accountable Persons' role is to ensure the building is managed and maintained, to minimise or eliminate the risks from the spread of fire or structural failure. The building must meet legislative regulations and standards. This will effectively contribute towards the safety and integrity of the building and safeguarding its occupants.

The PAP is responsible for the structure or exterior of the building. These responsibilities are essential for the Principal Accountable Person to fulfil their role and they must take all reasonable steps to:

- Ensure fire resistant compartmentation within the building is maintained
- Ensure that the external wall system of the building complies with relevant safety regulations and standards. The PAP must ensure that the building's external wall system meets these requirements and the strict regulations governing the use of materials and construction methods in external wall systems to mitigate fire risks
- Ensure the structural integrity of the building through regular inspections, maintenance, and repairs as needed. Assess the condition of the building's structure, identify potential risks of failure, and take appropriate corrective measures to alleviate those risks
- Address structural deficiencies promptly and effectively. Failure to do so could result in serious safety hazards and legal penalties
- Ensure that the external wall system is inspected regularly for signs of damage, deterioration, or non-compliance. Maintenance or repairs to the external wall system must be addressed promptly to maintain its integrity and effectiveness in fire protection
- Perform regular inspections and audits to identify building safety risks and address any building safety hazards
- Maintain the golden thread of information
- Register all new and existing buildings with the Building Safety Regulator (BSR)
- Prepare a safety case report for the building and provide this to the BSR on request
- Apply for a building assessment certificate when directed by the BSR
- Ensure compliance with all relevant building safety regulations and standards
- Coordinate with relevant authorities, such as fire departments and building inspectors, to address safety concerns
- Report any building safety incidents or emergencies immediately. Respond accordingly and have plans ready, such as evacuation procedures and communication protocols in the event of an emergency
- Communicate with residents, update them about building safety measures



Most elements of the Act only apply to high-rise residential buildings (those that are either above 18 metres or 7 storeys).

Determining the height and number of storeys can be complex, please refer to our guidance document "Identifying a high-rise building" for more information.

If you have not yet given instruction, it is advisable that you hire a qualified surveyor to perform a building height survey if your building is approximately this height. Needless expenses can be avoided if the building can be confirmed to be below 18 metres / 7 storeys.