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Specialist Estates Services Notification 26/05

26th February 2026

For action by:

Board Level Directors (Fire), NHS Health Boards and Trusts

For information only:

Chief Executives

Estates/Facilities/Capital Directors and Managers, Fire Safety Managers, Fire Safety Advisors

Copy to: Head of Capital Estates and Facilities Department of Health and Social Care, Welsh Government

Dear Colleague,

BUILDING SAFETY ACT & BUILDING CONTROL PROCESS

The purpose of this SESN is to draw attention to new Legislation and Regulations associated with Higher Risk Buildings and procedural changes to the Building Control process which come into force on 01 July 2026.

The following new Regulations form a critical part of the implementation of the Building Safety Act 2022 in Wales and introduce a new procedural framework for building control in relation to Higher-Risk Buildings (HRBs).

- [the Building \(Higher-Risk Buildings Procedures\) \(Wales\) Regulations 2025](#), and
- [the Building Safety Act 2022 \(Commencement No. 6\) \(Wales\) Regulations 2025](#).

Higher Risk Buildings are defined in [The Building Safety \(Description of Higher-Risk Building\) \(Design and Construction Phase\) \(Wales\) Regulations 2023](#) which states:

3. *A higher-risk building for the purposes of section 120I(2) of the Building Act 1984 is a building (including a structure) that -*
 - (a) *Is -*
 - (i) *at least 18 metres in height (when measured in accordance with regulation 4), or*
 - (ii) *has at least 7 storeys (when calculated in accordance with regulation 5), and*
 - (b) *Contains -*
 - (i) *at least one residential unit,*
 - (ii) *a hospital that has at least one bed intended for use by a person admitted to the premises for an overnight stay,*
 - (iii) *a care home, or*
 - (iv) *a children's home, and*
 - (c) *is not an excluded building (see regulation 6).*

In brief, the above regulations introduce new requirements for the Building Control Approval Process, Change Control Mechanisms, the necessity for Golden Thread / Handover of Information, Mandatory Occurrence Reporting as well as processes for Completion and Partial Completion Certificates. (See attached links for further details).

In addition to the above HRB associated regulations, Welsh Government have also introduced the following new Regulations which continue the implementation of Part 3 of the Building Safety Act 2022, and form part of a broader programme to improve building safety, by strengthening the building control system and clarifying responsibilities and accountabilities.


- [The Building etc. \(Amendment\) \(No. 2\) \(Wales\) Regulations 2025](#), and
- [The Building Act 1984 \(Commencement No.1\) \(Wales\) Regulations 2025](#).

In brief, the above regulations introduce new requirements for duty-holders, demonstrating competence, the building control approval process including commencement of building work notifications as well as more robust requirements for the provision and acknowledgment of fire safety information, all of which is supported by new enforcement tools and an appeals process.

In addition to liaison with Local Building Control departments, further information and related Welsh Government Circulars are available through Welsh Government's Building Regulation portal [Building regulations circulars | GOV.WALES](#)

Any enquiries on the content of this letter should be addressed to Anthony Pitcher, Senior Fire Safety Advisor on 02921 501642 or e-mail Anthony.Pitcher@wales.nhs.uk.

Yours sincerely



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