Ministry of Housing, Communities & Local Government

Executive Summary

The Royal Institution of Chartered Surveyors (RICS) welcomes the government's review of the regulation of built environment professions and supports a regulatory approach that is based on clear outcomes-focused regulatory objectives, strengthens public confidence, improves safety outcomes and ensures the sector has the skills and capability required to meet future challenges. In addition to delivering against these priorities, proactive assurance and effective regulation can provide a catalyst for strong economic growth aligned with social responsibility.

As one of the world's leading professional bodies operating within the built environment with specialist independent regulatory capability, we have taken the opportunity to convene a number of RICS members, regulated firms, Professional Group Panels and the Knowledge and Practice Committee to seek their direct insight into the questions asked and evidence sought. We have included that insight in our response. We have also encouraged our professional community to engage directly with the call for evidence and to provide information directly to government to share their experience and views.

RICS' response focuses on three key themes: **skills and workforce development, regulation and oversight** and **consumer protection and market integrity.**

Skills and workforce development

For a number of years, RICS has recognised skills shortages as a significant challenge for the built environment sector and has maintained a public position on the importance of addressing this challenge.

Research published in RICS' Surveying skills report 2025 identified concerns about attracting sufficient new entrants, driven by competition from other industries and comparatively lower starting salaries than in other STEM professions. The surveying profession is adapting to rapid technological change, growing sustainability requirements and increasing demand for digital and data-related expertise.

RICS believes stronger collaboration between government, industry and academia is needed to promote careers in the sector and ensure education and training pathways reflect future workforce needs. The institution supports measures that improve workforce entry routes, including T-levels and apprenticeships, while recognising continuing challenges with apprenticeship completion rates. Government action to reduce administrative burdens and increase the attractiveness and flexibility of apprenticeships would help address workforce shortages and support long-term sector capacity.

The response also emphasises the importance of maintaining core professional competence as technology evolves and is increasingly adopted in the sector. Artificial intelligence presents significant opportunities to improve productivity and decision-making across the

built environment, but its adoption must not undermine professional ‘human’ judgement, accountability, public safety or the social value intrinsically linked with maintaining a strong ‘human’ workforce across the sector at such a time of change and uncertainty. RICS has recently introduced the professional standard *Responsible use of AI in surveying practice* and believes that fundamental technical and professional knowledge must remain central to professional practice. We have suggested that government consider implementing appropriate guardrails for the use of AI in the construction sector.

Regulation and oversight

RICS strongly advocates for a **proportionate, risk-based and coordinated approach to regulation**. Regulation should be targeted according to the risks posed by particular activities and should avoid creating unnecessary burdens that could drive actors and activities into unregulated parts of the market. RICS is therefore keen to continue to contribute to the government's consideration of how regulatory functions should be structured and delivered in the public interest.

The response argues that the public interest is best served through an outcomes-based, **system-wide regulatory and assurance model** that combines statutory regulation, professional body regulation and industry-led assurance. Existing professional regulatory frameworks should be leveraged wherever possible, supported by better cross-sector intelligence sharing and risk monitoring. RICS sees data-led assurance as an increasingly important mechanism for identifying risks and delivering more effective regulatory outcomes, cost effectively for the public purse.

A particular challenge identified is the difficulty of assessing and managing risk within complex construction projects. Information asymmetry between professionals and consumers, fragmented accountability across multiple parties, and limited incentives to report poor practice can all weaken regulatory effectiveness. RICS believes technology can help address these issues by improving the traceability of construction materials, products and personnel, thereby strengthening accountability, and simplifying investigations where failures occur.

To support this approach, RICS proposes that government explore the development of a **construction sector data-sharing infrastructure**, similar to initiatives being developed in the energy sector. A common framework for secure and standardised data sharing – secured through government leadership and support – could improve regulatory oversight, support risk assessment, enable better analysis of trends and promote innovation through wider access to data. However, the costs and practical implications, particularly for SMEs, would require careful consideration.

It is our view that a right-touch regulatory system should not be ‘one size fits all’. We believe a system that uses: **statutory regulation where needed for life-safety critical roles**; mandatory membership of **Designated Professional Bodies** for other important functions; and data sharing and technology where this will achieve the outcome needed, is the best approach to deliver robust, predictable and cost-effective regulation quickly and at scale.

This approach avoids unnecessary duplication, ensures cost efficiency and is capable of faster implementation of proportionate, risk-based regulation. In addition, it enables effective

scalability of **right-touch regulation** across the entire sector ecosystem, **providing confidence to the public** by enabling a fast and agile response to emerging risks.

Consumer protection and market integrity

The response highlights concerns about 'phoenixing', where individuals repeatedly establish and dissolve companies to avoid accountability. RICS believes greater coordination between regulators, Companies House, HMRC and the Insolvency Service may be necessary, particularly for safety-critical activities. Monitoring of individuals as well as firms may be required to prevent regulatory evasion and rogue corporate behaviours. We believe that other regulated sectors (such as financial services) may also be considered as a part of the wider regulatory 'ecosystem' that can inform risk and provide behavioural intelligence relevant to the work of the future SCR.

RICS also supports the inclusion (or expansion) of effective consumer redress mechanisms within any future regulatory framework. Alternative Dispute Resolution (ADR) schemes play an important role in enabling consumer protection, and while RICS-regulated firms are already required to participate in ADR arrangements, extending comparable protections more broadly across the sector should be considered.

Key messages for government

1. Address skills shortages through stronger collaboration between government, education providers and industry.
2. Support apprenticeships and technical education while reducing barriers to participation and completion.
3. Ensure AI adoption enhances, rather than replaces, professional competence, judgement and accountability.
4. Implement proportionate, risk-based regulation using an outcomes-focused, system-wide approach involving statutory regulators, appropriate professional bodies (those with strong, credible regulatory capability) and industry.
5. Improve data sharing and traceability across the construction sector to strengthen oversight, accountability and innovation.
6. Strengthen mechanisms to address phoenixing (and other inappropriate corporate behaviours) and improve availability of consumer redress.
7. Improve client competence by providing clearer guidance, support and accountability frameworks for clients throughout the building lifecycle, ensuring they understand and can effectively discharge their dutyholder responsibilities and make informed decisions that support building safety, quality and long-term performance.

Overall, RICS supports a regulatory framework that promotes public safety, professional competence, innovation and consumer confidence while remaining proportionate, risk-based and economically sustainable.

Building professions, trades and occupations: call for evidence (questions)

How to respond

Please respond to the call for evidence by completing the online survey at: https://consult.communities.gov.uk/building-design-and-construction/call-for-evidence-strategy-for-built-environment/

Alternatively, you can email your response to the questions in this consultation to BPDengagement@communities.gov.uk.

If you are responding in writing, please make it clear which questions you are responding to.

Structure

This call for evidence is structured in five parts, based on core stages in the lifecycle of a building:

- Pre-design
- Design and specification
- Construction
- Occupation and maintenance (including small scale works and alterations)
- Cross-cutting issues, themes and challenges

Respondents are invited to provide evidence on areas most relevant to their area(s) of focus and expertise. We are aware that a number of professions, trades and occupations play a role in more than one of these stages, and that dutyholder roles (as set out in Part 2A of the Building Regulations 2010) are defined throughout building work. Nevertheless, the stages of the building lifecycle provide a practical framework to structure this evidence-gathering exercise. There is no expectation that respondents will complete all questions.

For each stage we are seeking evidence on six key themes. Respondents are encouraged to provide real-world examples and quantitative evidence wherever possible to support their response, and to give particular consideration to equality, diversity, inclusion and access as they relate to your responses. Please clearly identify any information that is commercially sensitive or otherwise unsuitable for wider disclosure:

- **Skills, knowledge, experience and capability**, and the extent to which individuals and organisations are typically able to demonstrate necessary competence and capability. This includes whether organisations are able to recruit and retain staff with the necessary competence.
- The key drivers of **behaviours, conduct and culture**, and how these influence performance and decision-making. This incorporates the impact of

business, financial and legal operating models, commercial incentives (including insurance arrangements) and cultural norms, as well as how individual roles can set a lasting tone across an entire project.

- The degree to which **accountability and personal responsibility** are understood and applied by individual and corporate actors at all stages of the building process.
- How the existing **system infrastructure** for education and training, competence and regulation and oversight work to incentivise and enable appropriate ways of working.
- Critical **interdependencies** across the building lifecycle, including how different roles work together and the way in which actions or choices taken at one stage can influence or constrain subsequent choices and behaviours downstream
- **Practical actions** for reform and the main barriers to success.

Respondents are also asked to consider the section on cross-cutting themes alongside their specific area(s) of practice. This seeks additional evidence on the overall system, including cross-cutting functions (such as planning, building control, inspection and enforcement); the role of sector bodies and regulators; emerging technologies and changing practice; and wider comparators and learning.

Call for evidence

Sections 1-4: No questions

Section 5: Call for evidence

You are invited to provide evidence on areas most relevant to your area(s) of focus and expertise. There is no expectation that you will complete all the questions in the call for evidence.

Section 5 Quick Links

Section 5a: Pre-design

Please ensure you have read the relevant section of the call for evidence document before answering these questions.

When answering these questions, please provide real-world examples and quantitative evidence wherever possible to support your response. You may cross-refer between answers, where applicable. Where information provided is commercially sensitive or otherwise not suitable for wider publication, please make sure this is clearly marked.

Question 1

What types of skills, knowledge and experience are needed to carry out pre-design work?

> Please consider what individual competence and organisational capability is required and where these may vary across different types of building or project. We are interested in the range of skills, functions and roles at this stage e.g. technical, financial, legal, commercial or management skills, knowledge and experience. You do not need to list detailed technical skills and requirements for specific roles unless this is helpful to support your response.

Pre-design work requires a combination of technical, commercial, client management, regulatory and project leadership skills. Practitioners need competence in risk management, procurement, client briefing, project viability, building safety, sustainability, planning requirements and stakeholder engagement. Organisations must also be capable of coordinating multidisciplinary teams and identifying competence requirements early in the project lifecycle. Practitioners need to exhibit the appropriate professional ethical behaviours that ensure that concerns and issues are raised and dealt with, and organisations need to ensure that protections are in place to support these behaviours.

The call for evidence has also identified the importance of client management competence. Within the pre-design phase, practitioners (and professional organisations) need the behavioural competence and confidence to be able to advise and support clients to give instructions and reach decisions that positively contribute to the wider objective of ensuring a safe built environment.

Depending on project type, examples of types of skills, experience, behaviours and knowledge required include navigating complex and new building safety and planning frameworks. For example. these include Gateway stages of the BSR and, and expertise around biodiversity net gain, which could easily become barriers to delivery.

Question 2

In your experience, where are the most material gaps in skills, knowledge, and experience in the pre-design phase?

Across the pre-design phase, the most significant gaps are understanding of building safety requirements, whole-life performance, sustainability, digital information use and management, and the ability to translate regulatory requirements directly into project briefs. For example, as project information is increasingly expected to support decision-making throughout the asset lifecycle, there is a growing need for stronger competencies in data literacy, digital information management and the critical evaluation of technology-enabled insights at the earliest stages of project development.

Question 3

Overall, how consistently do you think the skills, knowledge and experience necessary in the pre-design phase are demonstrated in practice?

- Very consistently
- **Fairly consistently**
- Neither consistently nor inconsistently
- Fairly inconsistently
- Very inconsistently

Question 4

What most influences behaviour and decision-making when carrying out pre-design work?

> Please consider both positive and negative influences on behaviour and decision-making for individuals and organisations. For example, mandatory reporting requirements, different types of insurance requirements; conflicts of interest; business, financial or legal operating models; commercial incentives or pressures; competence; cultural norms or expectations; accountability and regulation; or other factors.

Client expectations and care, regulatory obligations, commercial viability and economic environment, timescales and procurement decisions are key influences. Positive behaviours are driven by competent clients, strong corporate governance and clear accountability. Negative influences include unrealistic budgets and programme timelines, fragmented decision-making and inadequate consideration of long-term building performance.

In 2025, RICS conducted a skills audit of over 2,000 members, with 32% of respondents saying that persistent skills shortages within the built environment

sector were negatively impacting morale and, thus, project delivery. We can share the more detailed audit results if that would be helpful.

Question 5

Overall, how consistently do you think the positive behaviours and decision-making necessary in the pre-design phase are demonstrated in practice?

- Very consistently
- **Fairly consistently**
- Neither consistently nor inconsistently
- Fairly inconsistently
- Very inconsistently

Question 6

What benefits are there when individual and organisational roles, responsibilities and accountability are clearly defined, understood and applied during the pre-design stage?

> Please consider what positive impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of contributory factors such as the type of person or organisation playing the role of client or the nature, scale or complexity of the building project.

Clear roles improve decision-making, reduce duplication, improve project outcomes and support accountability. They also create stronger foundations for building safety, sustainability and lifecycle performance. Clearly defined roles can also help mitigate project delays and overspend and can drive greater efficiency. Clarity of role, responsibility and accountability also contribute to swift resolution should conflicts; disputes or disagreements arise.

Question 7

What challenges are there in defining, understanding or delivering these roles, responsibilities and accountability during the pre-design stage?

> Please consider what negative impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of contributory factors such as the type of person or organisation playing the role of client or the nature, scale or complexity of the building project.

With much of the pre-design stage changing in recent years, for example extra knowledge of the Building Safety Act, there remains a need for all parties involved (individuals and firms) to understand their own responsibility – or a project manager to understand what each party should be accountable for and ensure this is defined

and understood by all. This can result in gaps or uncertainty in decision-making authority, leading to potential ambiguity regarding risk ownership.

Question 8

Overall, how consistently do you think roles, responsibilities and accountabilities are clearly defined, understood and applied in the pre-design phase?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 9

How well do clients generally **understand** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation playing the role of client or the nature, scale or complexity of the building project influence your experience of these issues.

Understanding varies significantly. Larger clients and repeat developers generally demonstrate stronger awareness of dutyholder requirements than occasional or domestic clients. There remains uncertainty as to what constitutes 'suitable arrangements,' as this will be project specific.

Many clients still rely heavily on professional advisers to explain their responsibilities Contractors and subcontractors should also ensure that clients are aware of their specific responsibilities – however, it is recognised that this must be a constructive relationship, and commercial interests are also present.

Question 10

How well do clients generally **deliver** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation playing the role of client or the nature, scale or complexity of the building project influence your experience of these issues.

Delivery is improving but remains inconsistent, especially between varying client sectors. Organisations with strong governance processes comply more effectively,

e.g. public sector, large housing associations, whereas smaller or less experienced clients can struggle to fulfil their duties adequately.

To help inform our response, we undertook a series of RICS member engagement activities and roundtables. It was noted by a number of members that little guidance, outside of professional consultancies (which brings additional costs), is available or exists to guide clients on their responsibilities throughout the lifecycle of a building. This was seen as a key area where additional guidance, support and clarification could be provided to help clients both understand and deliver on their dutyholder responsibilities.

Question 11

Overall, how consistently do you think clients understand and deliver their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 12

Does the current system of (a) education and training, (b) competence standards and frameworks, and (c) regulation and oversight effectively incentivise and enable appropriate skills, behaviours, accountability and quality of work at the pre-design stage?

Please include real-world examples to support your responses, including where you think there are currently material gaps in provision.

() Education and training
Click or tap here to enter text.

() Competence standards and frameworks
Click or tap here to enter text.

() Regulation and oversight
Click or tap here to enter text.

For all three options and related questions in different lifecycles: The current system is fragmented. Accountability over skills, behaviour and quality at all lifecycle stages varies. However, where regulators, professional bodies with robust regulatory

provision and, to a degree, trade bodies or qualification-development organisations exist, this is upheld to an extent.

Robust continuing professional development (CPD) and continuing competence requirements by professional regulators help ensure that individuals are aware of changes to regulatory requirements, best practice and the risk landscape and that they understand the importance of maintaining their competence.

RICS advocates that greater collaboration between industry and education providers should be encouraged. For example, in the UK, where universities teach RICS-accredited courses they must establish Industry Stakeholder Groups/Panels to help advise on course development and delivery. This extends to other accredited course levels, including apprenticeships.

Regulatory oversight is critical to upholding standards and accountability across all lifecycle stages. RICS operates its well-established independent regulatory function, which is overseen by an independently chaired Standards and Regulation Board (SRB). RICS regulates more than 140,000 professionals and 10,000 firms globally, with a fundamental duty to act in the public interest. The RICS regulatory system is set out in the RICS Regulatory Framework document. It:

- sets and enforces standards
- maintains professional registers
- monitors competence and conduct, including through setting and enforcing CPD requirements on all members
- investigates breaches and applies sanctions.

The model combines independence, enforcement, proactive intervention and oversight.

- **Independent governance**: Regulation is delivered by the independent SRB, with a lay majority and separation from RICS' representative and commercial functions.
- **Strong enforcement powers** to investigate complaints, issue fines, suspend or expel members and firms, and publish decisions.
- **Proactive regulation**: RICS works with regulated firms and individual members to pre-empt and resolve issues early, to raise standards.
- **External quality assurance and audit**: These provide assurance to the SRB about the effectiveness of standards and regulatory delivery.
- **Engagement and intelligence sharing**: RICS works closely with a range of statutory agencies and enforcement bodies to share intelligence on areas of regulatory concern or to recommend statutory enforcement.

When considering the Single Construction Regulator, RICS has experience of – and advocates for – a Designated Professional Body (DPB) approach to ensure the most

effective, targeted and proportionate response. Key advantages include the following.

- It is independent but accountable: transparent alignment with statutory objectives, with government oversight.
- Life-safety critical roles can sit within a statutory regulatory framework that delegates to DPBs for wider lifecycle expertise.
- Cost-efficiency: It builds on existing systems, to enable scaling across the sector and reduce the cost and regulatory burden of introducing a new regulator.
- It can be delivered rapidly as it uses established infrastructure and expertise and can enable additional capacity sharing.
- Scalability and flexibility: It can operate alone, alongside other DPBs or alongside a future statutory regulator.

RICS believes that future reform should move beyond a statutory compliance-only approach and consider the benefits of outcome-based collaborative regulation (OBCR). Under this model, statutory regulation continues to play an essential role in high-risk and life-safety critical areas, but is complemented by a wider ecosystem of professional, organisational and behavioural assurance.

OBCR encourages trusted professionals, firms, regulators and industry bodies to collaborate around shared outcomes and shared intelligence, including on building safety, competence, sustainability and public confidence – rather than focusing on post-event enforcement. An outcome-based model can help improve reporting, learning, competence development and risk identification across the entire building lifecycle with the aim of pre-empting issues and preventing safety issues from materialising, while maintaining strong sanctions for serious non-compliance.

Question 13

Overall, how effective do you think the current system infrastructure for skills, competence and regulation and oversight is at incentivising and enabling appropriate skills, behaviours, accountability and quality of work in the pre-design stage?

- ○ Very effective
- ○ Fairly effective
- ○ **Neither effective nor ineffective**
- ○ Fairly ineffective
- ○ Very ineffective

Question 14

Which actions, behaviours and decisions at the pre-design stage most influence subsequent stages of the building lifecycle, and which support or undermine effective transition into the design stage?

> You may wish to consider how people and organisations do, can and should work together effectively across the different stages of the building lifecycle. Please include practical examples of where actions and relationships have worked effectively or ineffectively.

Clear project scope, realistic budgets, achievable programmes, effective procurement strategy and early identification of safety and sustainability requirements have the greatest influence on later stages of the building lifecycle. Poorly defined briefs and changing client expectations frequently create problems that persist beyond transition from pre-design through to design, construction and subsequent occupation.

RICS believes that early, and higher quality, collaboration between clients, designers, surveyors, contractors, future building managers, future building users and accountable persons (among many others) is critical. This reflects the principles of outcome-based collaborative regulation, where participants focus on agreed outcomes and share responsibility for risk management from the outset, rather than relying solely on compliance checks further downstream. The earlier building safety and operational expertise is brought into project decision-making, the greater the likelihood of safe, high-performing and sustainable buildings.

We also encourage detailed consideration to be given to adopting technology and data-sharing platforms that could enable greater effectiveness and accountability, supporting transition from the pre-design stage into subsequent stages of the building lifecycle. Examples could include the adoption of common data environments to create single ‘source of truth’ for project information, Building Information Modelling to carry requirements and design intent through to project stages, increased use of digital workflows that link project data, regulatory requirements, sustainability metrics and asset information from pre-design through subsequent construction and property lifecycle phases.

Question 15

Thinking about government’s vision for a well-functioning system where buildings are safe, high-performing and sustainable; individuals and organisations are enabled to thrive; and the building system is trusted, how significant an impact do each of these factors **currently** have on delivering these outcomes at the pre-design stage?

	Significant positive impact	Moderate positive impact	Limited impact	Moderate negative impact	Significant negative impact
(a) Skills, knowledge & experience	○	○	○	○	○

(b) Behaviour, conduct & culture	○	○	○	○	○
(c) Accountability & responsibility	○	○	○	○	○
(d) Education & training	○	○	○	○	○
(e) Competence standards & frameworks	○	○	○	○	○
(f) Regulation & oversight	○	○	○	○	○

Question 16

Thinking about the issues raised in your responses to questions 1-15, what practical changes or actions would make the biggest difference to how pre-design work is carried out?

> Please consider who should lead the changes you identify (including individuals, organisations, sector groups and government/statutory bodies), what practical next steps are required (including non-regulatory actions) and key barriers to implementation. Suggestions can draw on previously identified recommendations that have not been implemented, or on good practice that could be consolidated; they do not need to be new.

RICS makes the following recommendations.

- Review the guidance, potential training and support available for client responsibility and accountability.
- Set out a clear scope of life-safety critical functions that should sit with direct oversight of a statutory construction regulator, and work with industry to map those which can proportionately and appropriately be delegated through DPBs.
- Consider options for greater requirements for subcontractor oversight, such as introducing subcontractor manager duties or future regulatory accountability.

RICS advocates for encouraging greater collaboration between industry actors, professional bodies, relevant regulators and statutory agencies. We have reflected positively on MHCLG's recent creation of stakeholder group meetings that have brought together voices from across the sector. Facilitating collaboration through a rolling programme of, for example, roundtables to share best practice and challenges

for those operating within the pre-design stage can be an effective and implementable ‘practical’ action which can improve communication, identify concerns and encourage collaborative working.

Question 17

Of the actions listed in your response to question 16, which one change or action you would prioritise to deliver the greatest impact?

We would prioritise setting out a clear scope of life-safety critical functions that should sit with direct oversight of a statutory construction regulator and working with industry to map the activities and functions which can be delegated through DPBs.

Section 5b: Design and specification

Please ensure you have read the relevant section of the call for evidence document before answering these questions.

When answering these questions, please provide real-world examples and quantitative evidence wherever possible to support your response. You may cross-refer between answers, where applicable. Where information provided is commercially sensitive or otherwise not suitable for wider publication, please make sure this is clearly marked.

Question 18

What types of skills, knowledge and experience are needed to carry out design and specification work?

> Please consider what individual competence and organisational capability is required and where these may vary across different types of building or project. We are interested in the range of skills, functions and roles at this stage e.g. regulatory knowledge, procurement, commercial or collaboration skills. **You do not need to list detailed technical skills and requirements for specific roles, unless this is helpful to support your response.**

Similar to our response for question 1, design and specification work requires technical competence, regulatory knowledge, procurement awareness, collaboration skills, digital capability, sustainability expertise and understanding of building safety requirements. Whole-life performance and lifecycle costing should also be considered.

RICS has been reviewing changing specification work demands, and our annual Sustainability report and Skills survey have shown a growth in technical skills in recent years, including ergonomic and passive design, low-carbon materials, design for disassembly and building service technologies.

Question 19

In your experience, where are the most material gaps in skills, knowledge, and experience in the design and specification phase?

As above, key gaps include building safety competence, particularly in relation to product selection, whole-life carbon assessment, digital information management, understanding of dutyholder responsibilities and coordination across disciplines involved in this phase.

Question 20

Overall, how consistently do you think the skills, knowledge and experience necessary in the design and specification phase are demonstrated in practice?

- Very consistently
- Fairly consistently
- Neither consistently nor inconsistently
- **Fairly inconsistently**
- Very inconsistently

Question 21

What most influences behaviour and decision-making when carrying out design and specification work?

> Please consider both positive and negative influences on behaviour and decision-making for individuals and organisations. For example, regulatory and planning context; brief quality; procurement routes; commercial incentives and fee structures; or other factors.

Client expectations and care, regulatory obligations, commercial viability and economic environments, timescales and procurement decisions are key influences. Positive behaviours are driven by competent clients, strong corporate governance and clear accountability. Negative influences include unrealistic budgets and programme timelines, fragmented decision-making and inadequate consideration of long-term building performance.

In 2025, RICS conducted a skills audit of over 2,000 members, with 32% of respondents saying that persistent skills shortages within the built environment sector were negatively impacting morale and, thus, project delivery. We can share the more detailed audit results if that would be helpful.

Looking at the role of digital capacity, effective data sharing and strong, consistent digital information management can enhance informed decision-making and

behaviours. In contrast, poor-quality data, fragmented systems and limited digital capability increases the risk of errors, rework and compliance issues.

Question 22

Overall, how consistently do you think the positive behaviours and decision-making necessary in the design and specification phase are demonstrated in practice?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 23

What benefits are there when individual and organisational roles, responsibilities and accountability are clearly defined, understood and applied during the design and specification stage?

> Please consider what positive impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of contributory factors such as the type of person or organisation undertaking design and specification work or the nature, scale or complexity of the building project.

Clearly defined roles improve decision-making, reduce duplication, improve project outcomes and support accountability. They also create stronger foundations for building safety, sustainability and lifecycle performance. Clearly defined roles can also help mitigate project delays and overspend and can drive greater efficiency. Clarity of role, responsibility and accountability also contribute to swift resolution should conflict, disputes or disagreements arise.

Question 24

What challenges are there in defining, understanding or delivering these roles, responsibilities and accountability during the design and specification stage?

> Please consider what negative impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of contributory factors such as the type of person or organisation undertaking design and specification work or the nature, scale or complexity of the building project.

Challenges arise where responsibilities overlap, clients lack expertise or suitable advice, or commercial arrangement accountability. With much of the pre-design stage changing in recent years, for example extra knowledge of the Building Safety Act, there remains a need for all parties involved (individuals and firms) to understand their own responsibility – or a project manager to understand what each party should be accountable for and ensure this is defined and understood by all. This can result in gaps or uncertainty in decision-making authority, leading to potential ambiguity regarding risk ownership.

Additionally, changing the project scope between pre-design and design and specification stages (and all subsequent lifecycle stages for that matter) risks affecting the understanding, delivery and ultimately the accountability of roles. This is part of the challenge of managing clients' changing expectations and adapting projects accordingly. Ensuring clients in the pre-design stage have a clear vision and roadmap for their project or establishing alternative models at the outset of a project, will mitigate certain risks of design and specification requirements changing.

Designers being appointed only for a specific part of the design process presents a challenge as the designer cannot ensure that what is finally built is in accordance with the original design and therefore within design tolerance.

Question 25

Overall, how consistently do you think roles, responsibilities and accountabilities are clearly defined, understood and applied in the design and specification phase?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 26

How well do principal designers generally **understand** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation undertaking design and specification work or the nature, scale or complexity of the building project influence your experience of these issues.

RICS has from time to time heard from members / firms of examples where non-RICS members/firms who are undertaking what is, in effect, a principal designer (Building Regulations) role do not fully understand the role and responsibilities. We

anticipate that there will be a number of these examples beyond those noted to us by members, from which we conclude that there is not a consistent understanding of the dutyholder responsibilities.

This is particularly evident at building control application stage and often involves a builder or unqualified professional submitting an application/notice to a local authority under the Building Regulations for non-HRB work.

With respect to RICS members/firms, and in order to support members in understanding the relevant regulations, we developed a Principal Designer (Building Regulations) training course, providing 90 hours of targeted CPD training so that anyone undertaking this role is able to access the course and ensure they are compliant with the regulations. The course also includes a separately developed Scope of Services Form of Consultant's Appointment for use by anyone undertaking this role.

Question 27

How well do principal designers generally **deliver** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation undertaking design and specification work or the nature, scale or complexity of the building project influence your experience of these issues.

Similar to our answer to question 26, RICS believes that there are examples of non-HRB work where the principal designer role is not well delivered, in part because it is not consistently understood and applied.

Question 28

Overall, how consistently do you think principal designers understand and deliver their responsibilities under the dutyholder regime set out in part 2A of the Building Regulations 2010?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 29

Does the current system of (a) education and training, (b) competence standards and frameworks, and (c) regulation and oversight effectively incentivise and enable appropriate skills, behaviours, accountability and quality of work at the design and specification stage?

Please include real-world examples to support your responses, including where you think there are currently material gaps in provision.

() Education and training
Click or tap here to enter text.

() Competence standards and frameworks
Click or tap here to enter text.

() Regulation and oversight
Click or tap here to enter text.

For all three options and related questions in different lifecycles: The current system is fragmented. Accountability over skills, behaviour and quality at all lifecycle stages varies. However, where regulators, professional bodies with robust regulatory provision and, to a degree, trade bodies or qualification-development organisations exist, this is upheld to an extent.

Robust continuing professional development (CPD) and continuing competence requirements by professional regulators help ensure that individuals are aware of changes to regulatory requirements, best practice and the risk landscape and that they understand the importance of maintaining their competence.

RICS advocates that greater collaboration between industry and education providers should be encouraged. For example, in the UK, where universities teach RICS-accredited courses they must establish Industry Stakeholder Groups/Panels to help advise on course development and delivery. This extends to other accredited course levels, including apprenticeships.

Regulatory oversight is critical to upholding standards and accountability across all lifecycle stages. RICS operates its well-established independent regulatory function, which is overseen by an independently chaired Standards and Regulation Board (SRB). RICS regulates more than 140,000 professionals and 10,000 firms globally, with a fundamental duty to act in the public interest. The RICS regulatory system is set out in the RICS Regulatory Framework document. It:

- sets and enforces standards
- maintains professional registers
- monitors competence and conduct, including through setting and enforcing CPD requirements on all members
- investigates breaches and applies sanctions.

The model combines independence, enforcement, proactive intervention and oversight.

- **Independent governance**: Regulation is delivered by the independent SRB, with a lay majority and separation from RICS representative and commercial functions.
- **Strong enforcement powers** to investigate complaints, issue fines, suspend or expel members and firms, and publish decisions.
- **Proactive regulation**: RICS works with regulated firms and individual members to pre-empt and resolve issues early, to raise standards.
- **External quality assurance and audit**: These provide assurance to the SRB about the effectiveness of standards and regulatory delivery.
- **Engagement and intelligence sharing**: RICS works closely with a range of statutory agencies and enforcement bodies to share intelligence on areas of regulatory concern or to recommend statutory enforcement.

When considering the Single Construction Regulator, RICS has experience of – and advocates for – a Designated Professional Body (DPB) approach to ensure the most effective, targeted and proportionate response. Key advantages include the following.

- It is independent but accountable: transparent alignment with statutory objectives, with government oversight.
- Life-safety critical roles can sit within a statutory regulatory framework that delegates to DPBs for wider lifecycle expertise.
- Cost-efficiency: It builds on existing systems, to enable scaling across the sector and reduce the cost and regulatory burden of introducing a new regulator.
- It can be delivered rapidly as it uses established infrastructure and expertise and can enable additional capacity sharing.
- Scalability and flexibility: It can operate alone, alongside other DPBs or alongside a future statutory regulator.

RICS believes that future reform should move beyond a statutory compliance-only approach and consider the benefits of outcome-based collaborative regulation (OBCR). Under this model, statutory regulation continues to play an essential role in high-risk and life-safety critical areas, but is complemented by a wider ecosystem of professional, organisational and behavioural assurance.

OBCR encourages trusted professionals, firms, regulators and industry bodies to collaborate around shared outcomes and shared intelligence, including on building safety, competence, sustainability and public confidence – rather than focusing on post-event enforcement. An outcome-based model can help improve reporting, learning, competence development and risk identification across the entire building lifecycle with the aim of pre-empting issues from materialising, while maintaining strong sanctions for serious non-compliance.

Question 30

Overall, how effective do you think the current system infrastructure for skills, competence and regulation and oversight is at incentivising and enabling appropriate skills, behaviours, accountability and quality of work in the design and specification stage?

- Very effective
- Fairly effective
- **Neither effective nor ineffective**
- Fairly ineffective
- Very ineffective

Question 31

Which actions, behaviours and decisions at the design and specification stage most influence subsequent stages of the building lifecycle, and which support or undermine effective transition into the construction stage?

> You may wish to consider how people and organisations do, can and should work together effectively across the different stages of the building lifecycle. Please include practical examples of where actions and relationships have worked effectively or ineffectively.

Clear project scope, realistic budgets, achievable programmes, effective procurement strategy and early identification of safety and sustainability requirements have the greatest influence on later stages of the building lifecycle. Poorly defined briefs and changing client expectations frequently create problems that persist beyond transition from pre-design through to design, construction and subsequent occupation.

RICS believes that early, and higher quality, collaboration between clients, designers, surveyors, contractors, future building managers, future building users and accountable persons (among many others) is critical. This reflects the principles of Outcome-Based Collaborative Regulation, where participants focus on agreed outcomes and share responsibility for risk management from the outset, rather than relying solely on compliance checks further downstream. The earlier building safety and operational expertise is brought into project decision-making, the greater the likelihood of safe, high-performing and sustainable buildings.

We also encourage detailed consideration to be given to adopting technology and data-sharing platforms that could enable greater effectiveness and accountability, supporting transition from the pre-design stage into subsequent stages of the building lifecycle. Examples could include the adoption of common data environments to create single ‘source of truth’ for project information, Building Information Modelling to carry requirements and design intent through to project

stages, increased use of digital workflows that link project data, regulatory requirements, sustainability metrics and asset information from pre-design through subsequent construction and property lifecycle phases.

Question 32

Thinking about government's vision for a well-functioning system where buildings are safe, high-performing and sustainable; individuals and organisations are enabled to thrive; and the building system is trusted, how significant an impact do each of these factors **currently** have on delivering these outcomes at the design and specification stage?

	Significant positive impact	Moderate positive impact	Limited impact	Moderate negative impact	Significant negative impact
(a) Skills, knowledge & experience	○	○	○	○	○
(b) Behaviour, conduct & culture	○	○	○	○	○
(c) Accountability & responsibility	○	○	○	○	○
(d) Education & training	○	○	○	○	○
(e) Competence standards & frameworks	○	○	○	○	○
(f) Regulation & oversight	○	○	○	○	○

Question 33

Thinking about the issues raised in your responses to questions 18-32, what practical changes or actions would make the biggest difference to how design and specification work is carried out?

> Please consider who should lead the changes you identify (including individuals, organisations, sector groups and government/statutory bodies), what practical next steps are required (including non-regulatory actions) and key barriers to implementation. Suggestions can draw on previously identified recommendations that have not been implemented, or on good practice that could be consolidated; they do not need to be new.

Further investment in competency development, consistent application of dutyholder requirements, improved digital information management and clearer definition of the principal designer (Building Regulations) role would significantly improve outcomes.

Government should also explore how OBCR could support design quality, specification work and safety. Design teams often operate in silos across what can be fragmented supply chains and disciplines. A regulatory framework that is founded upon and seeks to incentivise collaboration, information sharing and early risk identification could improve both sectoral compliance and enable innovation, helping projects to move more efficiently through Gateways while maintaining safety standards.

Mandatory regulation and clearer definition of the functions and competencies of principal designers (Building Regulations) should also be considered, particularly for HRBs.

Question 34

Of the actions listed in your response to question 33, which one change or action you would prioritise to deliver the greatest impact?

Mandatory regulation and clearer definition of the functions of a principal designer (Building Regulations) should be considered.

Section 5c: Construction

Please ensure you have read the relevant section of the call for evidence document before answering these questions.

When answering these questions, please provide real-world examples and quantitative evidence wherever possible to support your response. You may cross-refer between answers, where applicable. Where information provided is commercially sensitive or otherwise not suitable for wider publication, please make sure this is clearly marked.

Question 35

What types of skills, knowledge and experience are needed to carry out construction work?

> Please consider what individual competence and organisational capability is required and where these may vary across different types of building or project. We are interested in the range of skills, functions and roles at this stage e.g. project and site management, quality management and inspection, on-site enforcement, mandatory reporting requirements, procurement and supply chain management, commercial and contract management. **You do not need to list detailed technical skills and requirements for specific roles, unless this is helpful to support your response.**

Construction work requires a combination of technical competence, practical trade skills and effective project management. Key requirements include site and project management (including that of subcontractors), quality assurance and inspection, understanding of Building Regulations and building safety requirements, procurement and supply chain management, technical understanding of products and materials use (in the context of the building under construction), contract administration, digital information management, and health and safety compliance. As noted in answer to previous questions, careful ongoing engagement with the client throughout the construction phase is important.

Early conflict avoidance and alternative dispute resolution (ADR) mechanisms are increasingly important and sought after, given their ability to significantly minimise project delays and overspend.

For higher-risk and more complex projects, additional expertise is required in mandatory reporting, the golden thread of information, fire and structural safety, and compliance with the dutyholder regime introduced through the Building Safety Act.

RICS member engagement carried out to inform this response and our annual skills survey also highlighted the growing importance of digital skills (including BIM and information management, advanced technology adoption and automation) alongside an understanding of whole-life performance, sustainability and future maintenance requirements.

There is also growing demand for competencies in data management, digital collaboration and the use of technology-enabled tools, reflecting the increasing digitisation of construction delivery and asset management.

Question 36

In your experience, where are the most material gaps in skills, knowledge, and experience in the construction phase?

Subcontractors play a crucial role during the construction phase. The quality of subcontractor oversight and management is a particular topic that was raised repeatedly by our members. Existing regulatory requirements, the golden thread of data and information sharing, and product testing are viewed positively – however, if a poorly trained or unsupervised junior subcontractor is not familiar with the work they are doing on site, this can be a significant risk.

While the subcontractor community or 'sector' remains largely unregulated, being monitored, at best, by industry bodies, we suggest that there are mechanisms that can be adopted to improve subcontractor oversight and performance. Examples include a potential return-by-default for a clerk of works, mandatory regulatory requirements for those responsible for subcontractor management (such as the RICS Project management pathway) or more stringent and consistently applied contractual

terms – implementing standard contractual terms that would support government's ambition.

We have heard suggestions from industry about the idea of introducing a register of all subcontractor individuals and firms. We can see some merit in this proposition. However, in common with our wider recommendations captured in this response, RICS advocates the careful consideration of how digital tools and data collection can be better adopted to support a regulatory ecosystem that: involves the profession and industry; enables trust to be demonstrated; and imposes additional regulatory burden only where this is the best way of achieving outcomes. We have referred to this position in more detail elsewhere in this response, and believe that an outcome-focused, risk-centred and proportionate model could deliver an effective regulatory framework.

Beyond subcontractor management, RICS members identified several capability gaps that affect project outcomes. These include:

- insufficient understanding of building safety and regulatory requirements, particularly for those undertaking dutyholder functions on non-higher-risk projects
- weaknesses in quality assurance, product knowledge/selection, supervision and inspection processes, leading to defects being identified late in construction or after occupation
- an inconsistent approach towards collaboration and information-sharing skills across fragmented supply chains
- limited conflict avoidance and ADR skills or ADR adoption, which can exacerbate project delays and increase costs
- gaps in digital capability, including BIM and information management skills, particularly among smaller firms and subcontractors
- an inconsistent culture of quality and improvement, where programme and cost pressures can outweigh long-term performance, resilience and build quality considerations.

Question 37

Overall, how consistently do you think the skills, knowledge and experience necessary in the construction phase are demonstrated in practice?

- ○ Very consistently
- ○ Fairly consistently
- ○ **Neither consistently nor inconsistently**
- ○ Fairly inconsistently
- ○ Very inconsistently

Question 38

What most influences behaviour and decision-making when carrying out construction work?

> Please consider both positive and negative influences on behaviour and decision-making for individuals and organisations. For example, contractor decision making; supply chain structure and subcontractor fragmentation; the interaction of programme delivery and design information; site conditions; quality assurance and inspection. competence; cultural norms or expectations; or other factors.

Client expectations and care, regulatory obligations, commercial viability and economic environments, timescales and procurement decisions are key influences. Positive behaviours are driven by competent clients, strong corporate governance and clear accountability. Negative influences include unrealistic budgets and programme timelines, fragmented decision-making and inadequate consideration of long-term building performance.

In 2025, RICS conducted a skills audit of over 2,000 members, with 32% of respondents saying that persistent skills shortages within the built environment sector were negatively impacting morale and, thus, project delivery. We can share the more detailed audit results if that would be helpful.

Question 39

Overall, how consistently do you think the positive behaviours and decision-making necessary in the construction phase are demonstrated in practice?

- ○ Very consistently
- ○ Fairly consistently
- ○ **Neither consistently nor inconsistently**
- ○ Fairly inconsistently
- ○ Very inconsistently

Question 40

What benefits are there when individual and organisational roles, responsibilities and accountability are clearly defined, understood and applied during the construction stage?

> Please consider what positive impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of contributory factors such as the type of person or organisation undertaking construction work or the nature, scale or complexity of the building project.

Clear roles improve decision-making, reduce duplication, improve project outcomes and support accountability. They also create stronger foundations for building safety, sustainability and lifecycle performance. Clearly defined roles can also help mitigate project delays and overspend and can drive greater efficiency. Clarity of role, responsibility and accountability also contribute to swift resolution should conflict disputes or disagreements arise.

Question 41

What challenges are there in defining, understanding or delivering these roles, responsibilities and accountability during the construction stage?

> Please consider what negative impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of contributory factors such as the type of person or organisation undertaking construction work or the nature, scale or complexity of the building project.

Challenges arise where responsibilities overlap, clients lack expertise or suitable advice, or where commercial accountability arrangements are not clear. With much of the pre-design stage changing in recent years, for example extra knowledge of the Building Safety Act, there remains a need for all parties involved (individuals and firms) to understand their own responsibility – or a project manager to understand what each party should be accountable for and ensure this is defined and understood by all. This can result in gaps or uncertainty in decision-making authority, leading to potential ambiguity regarding risk ownership.

Additionally, changing the project scope between pre-design and design and specification stages (and all subsequent lifecycle stages for that matter) risks affecting the understanding, delivery and ultimately the accountability of roles This is part of the challenge of managing clients' changing expectations and adapting projects accordingly. Ensuring clients in the pre-design stage have a clear vision and roadmap for their project or establishing alternative models at the outset of a project will mitigate certain risks of design and specification requirements changing.

Designers being appointed only for a specific part of the design process (for example a structural engineer appointed only to design the steel frame and not see the project through to construction completion) presents a challenge as the designer is not able to ensure that what is finally built is in accordance and therefore within design tolerance.

In addition, a significant factor during the construction phase can be the influence of sudden material cost increases, shortages or client instructions, for example as seen during the recent Middle East war, which increased fuel costs and disrupted supply chains.

To protect against this, RICS advocates for the expansion of the Conflict Avoidance Pledge and Process, developed by the Conflict Avoidance Coalition to set out principles of good client and contractor management to help mitigate against potential disputes by assigning clear roles and accountability, and facilitate early resolution. This has been embedded within the UK Construction Playbook.

Members have noted to us that unexpected changes in cost, supply chains and commercial viability can lead to paring back of other parts of the construction design to reduce costs and stay on budget, which can lead to poor outcomes. This dynamic can be exacerbated by (or contribute to) other challenges within the building lifecycle, such as limited designer involvement and lack of end-to-end project management, which we have referenced elsewhere in this response.

Question 42

Overall, how consistently do you think roles, responsibilities and accountabilities are clearly defined, understood and applied in the construction phase?

- Very consistently
- Fairly consistently
- Neither consistently nor inconsistently
- **Fairly inconsistently**
- Very inconsistently

Question 43

How well do principal contractors generally **understand** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation undertaking construction work or the nature, scale or complexity of the building project influence your experience of these issues.

RICS has from time to time heard from members/firms of examples where non-RICS members/firms who are undertaking what is in effect a principal designer (Building Regulations) role do not fully understand the role and responsibilities. We anticipate that there will be a number of these examples beyond those noted to us by members, from which we conclude that there is not a consistent understanding of the dutyholder responsibilities.

This is particularly evident at building control application stage and often involves a builder or unqualified professional submitting an application/notice to a local authority under the Building Regulations for non-HRB work.

With respect to RICS members/firms, and in order to support members in understanding the relevant regulations, we developed a Principal Designer (Building Regulations) training course, providing 90 hours of targeted CPD training so that anyone undertaking this role is able to access the course and ensure they are compliant with the regulations. The course also includes a separately developed Scope of Services Form of Consultant's Appointment for use by anyone undertaking this role.

Question 44

How well do principal contractors generally **deliver** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation undertaking construction work or the nature, scale or complexity of the building project influence your experience of these issues.

Similar to our answer to question 26 and 27, RICS believes that there are examples of non-HRB work where the principal designer role is not well delivered, in part because it is not consistently understood and applied.

Question 45

Overall, how consistently do you think principal contractors understand and deliver their responsibilities under the dutyholder regime set out in part 2A of the Building Regulations 2010?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 46

Does the current system of (a) education and training, (b) competence standards and frameworks, and (c) regulation and oversight effectively incentivise and enable appropriate skills, behaviours, accountability and quality of work at the construction stage?

> Please include real-world examples to support your responses, including where you think there are currently material gaps in provision.

() Education and training

Click or tap here to enter text.

() Competence standards and frameworks
Click or tap here to enter text.

() Regulation and oversight
Click or tap here to enter text.

For all three options.

The current system is fragmented. Accountability over skills, behaviour and quality at all lifecycle stages varies. However, where regulators, professional bodies with robust regulatory provision and, to a degree, trade bodies or qualification-development organisations exist, this is upheld to an extent.

Robust continuing professional development (CPD) and continuing competence requirements by professional regulators help ensure that individuals are aware of changes to regulatory requirements, best practice and the risk landscape and that they understand the importance of maintaining their competence.

RICS advocates that greater collaboration between industry and education providers should be encouraged. For example, in the UK, where universities teach RICS-accredited courses they must establish Industry Stakeholder Groups/Panels to help advise on course development and delivery. This extends to other accredited course levels, including apprenticeships.

Regulatory oversight is critical to upholding standards and accountability across all lifecycle stages. RICS operates its well-established independent regulatory function, which is overseen by an independently chaired Standards and Regulation Board (SRB). RICS regulates more than 140,000 professionals and 10,000 firms globally, with a fundamental duty to act in the public interest. The RICS regulatory system is set out in the RICS Regulatory Framework document. It:

- sets and enforces standards
- maintains professional registers
- monitors competence and conduct, including through setting and enforcing CPD requirements on all members
- investigates breaches and applies sanctions.

The model combines independence, enforcement, proactive intervention and oversight.

- **Independent governance**: Regulation is delivered by the independent SRB, with a lay majority and separation from RICS' representative and commercial functions.
- **Strong enforcement powers** to investigate complaints, issue fines, suspend or expel members and firms, and publish decisions.

- **Proactive regulation**: RICS works with regulated firms and individual members to pre-empt and resolve issues early, to raise standards.
- **External quality assurance and audit**: These provide assurance to the SRB about the effectiveness of standards and regulatory delivery.
- **Engagement and intelligence sharing**: RICS works closely with a range of statutory agencies and enforcement bodies to share intelligence on areas of regulatory concern or to recommend statutory enforcement.

When considering the Single Construction Regulator, RICS has experience of – and advocates for – a Designated Professional Body (DPB) approach to ensure the most effective, targeted and proportionate response. Key advantages include the following.

- It is independent but accountable: transparent alignment with statutory objectives, with government oversight.
- Life-safety critical roles can sit within a statutory regulatory framework that delegates to DPBs for wider lifecycle expertise.
- Cost-efficiency: It builds on existing systems, to enable scaling across the sector and reduce the cost and regulatory burden of introducing a new regulator.
- It can be delivered rapidly as it uses established infrastructure and expertise and can enable additional capacity sharing.
- Scalability and flexibility: It can operate alone, alongside other DPBs or alongside a future statutory regulator.

RICS believes that future reform should move beyond a statutory compliance-only approach and consider the benefits of outcome-based collaborative regulation (OBCR). Under this model, statutory regulation continues to play an essential role in high-risk and life-safety critical areas but is complemented by a wider ecosystem of professional, organisational and behavioural assurance.

OBCR encourages trusted professionals, firms, regulators and industry bodies to collaborate around shared outcomes and shared intelligence, including on building safety, competence, sustainability and public confidence – rather than focusing on post-event enforcement. An outcome-based model can help improve reporting, learning, competence development and risk identification across the entire building lifecycle with the aim of pre-empting issues from materialising, while maintaining strong sanctions for serious non-compliance.

Question 47

Overall, how effective do you think the current system infrastructure for skills, competence and regulation and oversight is at incentivising and enabling appropriate skills, behaviours, accountability and quality of work in the construction stage?

- ○ Very effective

- Fairly effective
- **Neither effective nor ineffective**
- Fairly ineffective
- Very ineffective

Question 48

Which actions, behaviours and decisions at the construction stage most influence subsequent stages of the building lifecycle, and which support or undermine effective transition into the occupation and maintenance stage?

> You may wish to consider how people and organisations do, can and should work together effectively across the different stages of the building lifecycle. Please include practical examples of where actions and relationships have worked effectively or ineffectively.

Importantly, if a client or occupier changes the presumed intention of occupation, this can undermine the effective transition. For example, a property intended for office space is changed to residential use during construction, or the owner of a purpose-built student accommodation (PBSA) block applies for a temporary-PRS use ahead of occupation due to declining student numbers. The latter was seen particularly during the Covid-19 pandemic on a number of PBSA developments due to reduced student numbers, and still today many operate under recurring temporary change of use notices.

Question 49

Are there particular issues or benefits associated with different approaches to licensing, regulation and registration of contractors and/or subcontractors, including those working on smaller scale or domestic dwellings?

> We are interested in whether changes to licensing, regulation and/or registration of those working on a range of projects, including smaller- or domestic-scale projects would be an effective tool to raise standards for competence, conduct and accountability. You may want to refer to examples from elsewhere in the building sector, other sectors or international comparators to support your response.

RICS advocates for a proportionate and risk-based approach towards licensing and regulation, and that any regulatory approach should include both individuals and firms. We refer to our previous recommendation advocating for careful adoption of an outcome-based collaborative regulation framework. Notwithstanding that there are a range of corporate models operating across the sector, including ‘firms’ within the regulatory framework not only puts the onus on company directors to ensure all team members/employees are properly trained and supervised but it can also

increase consumer protection by upholding requirements for suitable insurance cover and redress where applicable.

Question 50

Thinking about government's vision for a well-functioning system where buildings are safe, high-performing and sustainable; individuals and organisations are enabled to thrive; and the building system is trusted, how significant an impact do each of these factors currently have on delivering these outcomes at the construction stage?

	Significant positive impact	Moderate positive impact	Limited impact	Moderate negative impact	Significant negative impact
(a) Skills, knowledge & experience	○	○	○	○	○
(b) Behaviour, conduct & culture	○	○	○	○	○
(c) Accountability & responsibility	○	○	○	○	○
(d) Education & training	○	○	○	○	○
(e) Competence standards & frameworks	○	○	○	○	○
(f) Regulation & oversight	○	○	○	○	○

Question 51

Thinking about the issues raised in your responses to questions 35-50, what practical changes or actions would make the biggest difference to how construction work is carried out?

> Please consider who should lead the changes you identify (including individuals, organisations, sector groups and government/statutory bodies), what practical next steps are required (including non-regulatory actions) and key barriers to implementation. Suggestions can draw on previously identified recommendations that have not been implemented, or on good practice that could be consolidated; they do not need to be new.

While significant progress has been made through the Building Safety Act, competence frameworks and the dutyholder regime, feedback we have received

from RICS members indicates that there remains a gap between policy requirements and day-to-day delivery on site. We recommend that government should work with industry, professional bodies, professional regulators and trade bodies to establish clearer competency expectations for those responsible for supervising and managing construction work, including subcontractor activities. In parallel, government should support systems that encourage the reporting of risks, near misses and poor practices without creating an overly adversarial culture. RICS believes that outcome-based collaborative regulation provides a useful model for improving construction quality and safety.

Under such an approach, clients, contractors, subcontractors, consultants and regulators would share responsibility for identifying risks early, learning from mistakes and improving outcomes collectively, while the framework integrates robust enforcement for deliberate or serious failures.

Question 52

Of the actions listed in your response to question 51, which one change or action you would prioritise to deliver the greatest impact?

RICS advocates for the introduction of clear, proportionate competency and accountability requirements for those undertaking, as well as those responsible for supervising and managing, construction work, particularly subcontractor management and safety-critical activities (including mapping and defining those activities that are life-critical and so should sit within a future construction regulator).

Many of the issues identified throughout the construction phase, including inconsistent quality, poor communication, inadequate supervision and weak implementation of regulatory requirements, often stem from a lack of clarity around who is responsible for assuring competence on site.

Strengthening accountability at this level would improve quality, building safety outcomes, workforce development and public confidence across the entire construction lifecycle.

Section 5d: Occupation and maintenance

Please ensure you have read the relevant section of the call for evidence document before answering these questions.

When answering these questions, please provide real-world examples and quantitative evidence wherever possible to support your response. You may cross-refer between answers, where applicable. Where information provided is commercially sensitive or otherwise not suitable for wider publication, please make sure this is clearly marked.

Question 53

What types of skills, knowledge and experience are needed to carry out occupation and maintenance work?

> Please consider what individual competence and organisational capability is required and where these may vary across different types of building or project. We are interested in the range of skills, functions and roles at this stage e.g. facilities management and operations, asset and lifecycle management, procurement, data and digital management, resident or occupier engagement (where relevant). **You do not need to list detailed technical skills and requirements for specific roles unless this is helpful to support your response.**

RICS recommends that education and training in fire safety and building safety, including resident engagement, is mandatory for all trades and professions carrying out in-occupation maintenance work. Similar expectation has been put on other parts of the property sector for occupier engagement, including with residential managing agents and social housing management – so it would align with standards already being set and applied elsewhere.

In addition to technical and building safety competencies, there is a growing need for skills and experience in asset information management, data literacy and the use of digital systems. As an example, RICS has published the International Building Operation Standard to create a data-based approach that supports the measurement and management of buildings for strategic decision-making. Digital literacy to support such building management is an increasingly in-demand skillset.

Question 54

In your experience, where are the most material gaps in skills, knowledge, and experience in the occupation and maintenance phase?

RICS regularly receives feedback from members and firms that there is a lack of awareness of fire safety and building safety by individual trades, for example making holes in fire resistant compartment walls for cables/pipes, cutting into structural elements, and a lack of awareness/training in the need for resident engagement. When looking at individuals who can undertake compartmentation work, for example, they require a broader skillset than just those skills involved in the overall maintenance of the building, also crossing into other professions, including utility and telecom providers – who should also be mandated to have an awareness of and competence in building safety matters.

Question 55

Overall, how consistently do you think the skills, knowledge and experience necessary in the occupation and maintenance phase are demonstrated in practice?

- Very consistently

- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 56

What most influences behaviour and decision-making when carrying out occupation and maintenance work?

> Please consider both positive and negative influences on behaviour and decision-making for individuals and organisations. For example, the transition between the construction and occupier teams; facilities management resource; regulatory compliance; performance in occupation; cultural norms or expectations; or other factors.

Occupier use and expectations can influence behaviour and decision-making. For example, commercial tenant rent negotiation can add to financial pressure and the use of third-party facility managers. In residential property, RICS members' feedback has provided insight into cases where occupiers have altered internal walls and fire doors, impacting building integrity, with minimal consequences for the individual occupiers responsible.

Question 57

Overall, how consistently do you think the positive behaviours and decision-making necessary in the occupation and maintenance phase are demonstrated in practice?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 58

What benefits are there when individual and organisational roles, responsibilities and accountability are clearly defined, understood and applied during the occupation and maintenance stage?

> Please consider what positive impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of

contributory factors such as the type of person or organisation undertaking the work or the nature, scale or complexity of the building project.

Clear roles improve decision-making, reduce duplication, improve project outcomes and support accountability. They also create stronger foundations for building safety, sustainability and lifecycle performance. Clearly defined roles can also help mitigate project delays and overspend and can drive greater efficiency. Clarity of role, responsibility and accountability also contribute to swift resolution should conflict, disputes or disagreements arise.

Question 59

What challenges are there in defining, understanding or delivering these roles, responsibilities and accountability during the occupation and maintenance stage?

Please consider what negative impacts this has on e.g. project delivery, behaviour and conduct and trust in the system. You should consider the influence of contributory factors such as the type of person or organisation undertaking the work or the nature, scale or complexity of the building project.

During occupation, complex ownership and management structures can often be a challenge for defining clear responsibilities, standards and accountability. This includes between freeholders, leaseholders, managing agents, accountable persons and occupiers.

Government will be aware through proposed legislation and reform in the residential space, including an expansion of commonhold that RICS is advocating for the professionalisation of all property agents. This includes mandatory regulation of managing agents through the adoption of professional qualifications and a proportionate and risk-based Designated Professional Body approach as outlined earlier in this consultation response.

We recommend that the approach adopted by government in relation to the strategy for the future of professions, should also align with government policy direction for reform of the residential sector. Such alignment would provide greater consistency for the public, professionals, trades, consumers and occupiers.

Question 60

Overall, how consistently do you think roles, responsibilities and accountabilities are clearly defined, understood and applied in the occupation and maintenance phase?

- Very consistently
- **Fairly consistently**
- Neither consistently nor inconsistently
- Fairly inconsistently

- Very inconsistently

Question 61

How well do accountable persons generally **understand** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010 and Articles 13 and 18 of The Regulatory Reform (Fire Safety) Order 2005?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation undertaking the work or the nature, scale or complexity of the building project influence your experience of these issues.

Understanding varies significantly. Larger clients and repeat developers generally demonstrate stronger awareness of dutyholder requirements than occasional or domestic clients. There remains uncertainty as to what constitutes 'suitable arrangements', as this will be project specific.

Contractors and subcontractors should also ensure that clients are aware of their specific responsibilities – however, it is recognised that this must be a constructive relationship, and commercial interests are also present.

This is particularly evident at HRB safety case certificate application stage and often involves unqualified individuals or unqualified professionals submitting applications for non-HRB work.

Question 62

How well do accountable persons generally **deliver** their responsibilities under the dutyholder regime set out in Part 2A of the Building Regulations 2010 and Articles 13 and 18 of The Regulatory Reform (Fire Safety) Order 2005?

> Please include real-world examples to support your response. You should consider how contributory factors such as the type of person or organisation undertaking the work or the nature, scale or complexity of the building project influence your experience of these issues.

Delivery is improving but remains inconsistent, especially between varying client sectors. Organisations with strong governance processes comply more effectively, e.g. public sector, large housing associations, whereas smaller or less experienced clients can struggle to fulfil their duties adequately.

To help inform our response, we undertook a series of RICS member engagement activities and roundtables. It was noted by a number of members that little guidance, outside of professional consultancies (which brings additional costs), is available or exists to guide clients on their responsibilities throughout the lifecycle of a building. This was seen as a key area where additional guidance, support and clarification

could be provided to help clients both understand and deliver on their dutyholder responsibilities.

Question 63

Overall, how consistently do you think accountable persons understand and deliver their responsibilities under the dutyholder regime set out in part 2A of the Building Regulations 2010 and Articles 13 and 18 of The Regulatory Reform (Fire Safety) Order 2005?

- Very consistently
- Fairly consistently
- **Neither consistently nor inconsistently**
- Fairly inconsistently
- Very inconsistently

Question 64

Does the current system of (a) education and training, (b) competence standards and frameworks, and (c) regulation and oversight effectively incentivise and enable appropriate skills, behaviours, accountability and quality of work at the occupation and maintenance stage?

Please include real-world examples to support your responses, including where you think there are currently material gaps in provision.

() Education and training
Click or tap here to enter text.

() Competence standards and frameworks
Click or tap here to enter text.

() Regulation and oversight
Click or tap here to enter text.

For all three options.

The current system is fragmented. Accountability over skills, behaviour and quality at all lifecycle stages varies. However, where regulators, professional bodies with robust regulatory provision and, to a degree, trade bodies or qualification-development organisations exist, this is upheld to an extent.

Robust continuing professional development (CPD) and continuing competence requirements by professional regulators help ensure that individuals are aware of changes to regulatory requirements, best practice and the risk landscape and that they understand the importance of maintaining their competence.

RICS advocates that greater collaboration between industry and education providers should be encouraged. For example, in the UK, where universities teach RICS-accredited courses they must establish Industry Stakeholder Groups/Panels to help advise on course development and delivery. This extends to other accredited course levels, including apprenticeships.

Regulatory oversight is critical to upholding standards and accountability across all lifecycle stages. RICS operates its well-established independent regulatory function, which is overseen by an independently chaired Standards and Regulation Board (SRB). RICS regulates more than 140,000 professionals and 10,000 firms globally, with a fundamental duty to act in the public interest. The RICS regulatory system is set out in the RICS Regulatory Framework document. It:

- sets and enforces standards
- maintains professional registers
- monitors competence and conduct, including through setting and enforcing CPD requirements on all members
- investigates breaches and applies sanctions.

The model combines independence, enforcement, proactive intervention and oversight.

- **Independent governance**: Regulation is delivered by the independent SRB, with a lay majority and separation from RICS' representative and commercial functions.
- **Strong enforcement powers** to investigate complaints, issue fines, suspend or expel members and firms, and publish decisions.
- **Proactive regulation**: RICS works with regulated firms and individual members to pre-empt and resolve issues early, to raise standards.
- **External quality assurance and audit**: These provide assurance to the SRB about the effectiveness of standards and regulatory delivery.
- **Engagement and intelligence sharing**: RICS works closely with a range of statutory agencies and enforcement bodies to share intelligence on areas of regulatory concern or to recommend statutory enforcement.

When considering the Single Construction Regulator, RICS has experience of – and advocates for – a Designated Professional Body (DPB) approach to ensure the most effective, targeted and proportionate response. Key advantages include the following.

- It is independent but accountable: transparent alignment with statutory objectives, with government oversight.
- Life-safety critical roles can sit within a statutory regulatory framework that delegates to DPBs for wider lifecycle expertise.

- Cost-efficiency: It builds on existing systems, to enable scaling across the sector and reduce the cost and regulatory burden of introducing a new regulator.
- It can be delivered rapidly as it uses established infrastructure and expertise and can enable additional capacity sharing.
- Scalability and flexibility: It can operate alone, alongside other DPBs or alongside a future statutory regulator.

RICS believes that future reform should move beyond a statutory compliance-only approach and consider the benefits of outcome-based collaborative regulation (OBCR). Under this model, statutory regulation continues to play an essential role in high-risk and life-safety critical areas, but is complemented by a wider ecosystem of professional, organisational and behavioural assurance.

OBCR encourages trusted professionals, firms, regulators and industry bodies to collaborate around shared outcomes and shared intelligence, including on building safety, competence, sustainability and public confidence – rather than focusing on post-event enforcement. An outcome-based model can help improve reporting, learning, competence development and risk identification across the entire building lifecycle with the aim of pre-empting issues from materialising, while maintaining strong sanctions for serious non-compliance.

Question 65

Overall, how effective do you think the current system infrastructure for skills, competence and regulation and oversight is at incentivising and enabling appropriate skills, behaviours, accountability and quality of work in the occupation and maintenance stage?

- ○ Very effective
- ○ Fairly effective
- ○ **Neither effective nor ineffective**
- ○ Fairly ineffective
- ○ Very ineffective

Question 66

Which actions, behaviours and decisions at the occupation and maintenance stage most influence subsequent stages of the building lifecycle, and which support or undermine effective transition across the occupation and maintenance stage?

You may wish to consider how people and organisations do, can and should work together effectively across the different stages of the building lifecycle. Please

include practical examples of where actions and relationships have worked effectively or ineffectively.

Feedback from RICS members and industry stakeholders we have engaged with suggest that effective planned preventative maintenance, robust record keeping and proactive sharing of asset information are critical in supporting future refurbishment, change-of-use and end-of-life decision-making and the behaviours which underpin it.

Decisions that support effective transition include maintaining accurate building information, regularly reviewing building performance and safety risks, and ensuring that maintenance strategies are updated to reflect changes in regulations, standards and industry best practice. Collaboration between building owners, managers, occupiers, contractors and professional advisers is particularly important to ensure that knowledge gained during occupation is retained and passed on to those responsible for later stages of the building lifecycle.

Conversely, poor record keeping, deferred maintenance, fragmented responsibilities and inadequate communication between stakeholders can undermine future decision-making, increase costs and create safety risks. Members have reported that incomplete information about historic maintenance, building alterations or safety-critical systems can make later refurbishment and asset management decisions more complex and less effective.

In 2022 RICS published its professional standard on planned preventative maintenance. This was published to ensure that decisions made at the occupation maintenance stage are strategic, safe and cost-effective and to ensure that the building asset continues to meet its function for clients and occupiers during the property lifecycle. This requires a regular planned maintenance inspection strategy to be in place, to assist with delivering the objectives in the plan. It should incorporate all up-to-date knowledge regarding materials, standards, building regulations and guidance, fire safety and building safety best practice and guidance, for example from CROSS reports.

Question 67

Based on your experience of renovation, maintenance and improvement (RMI) works completed during the occupation stage, is there evidence of particular issues associated with (a) quality, workmanship and standards, (b) behaviours, conduct and professionalism or (c) accountability, enforcement and redress?

() Quality, workmanship and standards
Click or tap here to enter text.

() Behaviours, conduct and professionalism
Click or tap here to enter text.

() Accountability, enforcement and redress
Click or tap here to enter text.

Question 68

Thinking about government's vision for a well-functioning system where buildings are safe, high-performing and sustainable; individuals and organisations are enabled to thrive; and the building system is trusted, how significant an impact do each of these factors **currently** have on delivering these outcomes at the occupation and maintenance stage?

	Significant positive impact	Moderate positive impact	Limited impact	Moderate negative impact	Significant negative impact
(a) Skills, knowledge & experience	○	○	○	○	○
(b) Behaviour, conduct & culture	○	○	○	○	○
(c) Accountability & responsibility	○	○	○	○	○
(d) Education & training	○	○	○	○	○
(e) Competence standards & frameworks	○	○	○	○	○
(f) Regulation & oversight	○	○	○	○	○

Question 69

Thinking about the issues raised in your responses to questions 53-68, what practical changes or actions would make the biggest difference to how occupation and maintenance work is carried out?

> Please consider who should lead the changes you identify (including individuals, organisations, sector groups and government/statutory bodies), what practical next steps are required (including non-regulatory actions) and key barriers to implementation. Suggestions can draw on previously identified recommendations that have not been implemented, or on good practice that could be consolidated; they do not need to be new.

As already mentioned in this response, RICS advocates that government should work with professional regulators, professional bodies, industry and building owners to establish clearer competency requirements for individuals carrying out safety-critical maintenance activities, including those working on fire compartmentation,

structural elements, building services and refurbishment projects. These requirements should extend beyond traditional building professions and include utility, telecoms and other contractors such as M&E services whose work and interaction on site can affect, or at least identify issues relating to, building safety.

We recommend greater and more consistent adoption of planned preventative maintenance approaches, supported by accurate digital asset information, digital record keeping and effective resident engagement. Existing guidance, including RICS' work on planned preventative maintenance, provides a strong foundation for improving long-term building performance and reducing safety risks.

Greater adoption of digital asset management systems can further support maintenance planning, compliance and risk management by improving the quality, accessibility and traceability of asset information. These technologies can help identify maintenance requirements earlier and support more informed decision-making, while ensuring that professional judgement remains central to safety-critical decisions.

Finally, government should continue efforts to professionalise the management of buildings in occupation, including consideration of mandatory regulation of managing agents through a proportionate Designated Professional Body model. We have referred to this previously in this response. We believe that such an approach would improve standards, accountability, consumer confidence and consistency across the managed occupation phase of the building lifecycle.

Question 70

Of the actions listed in your response to question 69, which one change or action you would prioritise to deliver the greatest impact?

RICS would prioritise the introduction of clear, proportionate competency requirements for all individuals undertaking safety-critical occupation and maintenance activities, supported by ongoing training and accountability.

Many of the issues identified during the occupation phase, including failures in fire compartmentation, inappropriate alterations to building elements, poor maintenance decisions, poor product selection, and weak resident engagement stem from inconsistent competence and a lack of understanding of building safety responsibilities.

Section 5e: Cross-cutting issues, themes and challenges

Please ensure you have read the relevant section of the call for evidence document before answering these questions.

When answering these questions, please provide real-world examples and quantitative evidence wherever possible to support your response. You may cross-

refer between answers, where applicable. Where information provided is commercially sensitive or otherwise not suitable for wider publication, please make sure this is clearly marked.

Question 71

How well do directors, managers or other senior officers/staff meet their legal responsibilities as senior officers of organisations delivering dutyholder functions?

Click or tap here to enter text.

Question 72

Across the building lifecycle, where are individuals' skills, knowledge, experience, behaviours and accountability and organisational capability (a) enhanced or (b) constrained by the way cross-cutting functions are carried out?

You may wish to consider how cross-cutting functions such as planning, building control, project management, inspection and surveying, enforcement or redress interact with different stages of the building lifecycle, including where these interactions support or undermine delivery. Please include practical examples where relevant.

() Enhanced

Cross-cutting functions such as planning, design, project management, surveying, building control and inspection enhance competence and accountability where they promote effective information sharing, strong professional standards and early collaboration between project participants.

Effective coordination supports better decision-making, improves understanding of risk and creates greater accountability across project teams. This is particularly important where decisions made at one stage of the building lifecycle directly affect safety, performance and maintainability at later stages. The principles of outcome-based collaborative regulation (OBCR) provide a useful framework for understanding and leveraging these interdependencies and encouraging greater cooperation across traditional organisational boundaries.

() Constrained

Click or tap here to enter text.

Question 73

What role do existing sector bodies and regulators play in supporting and assuring individuals' skills, knowledge, experience, behaviours and accountability and organisational capability?

Please provide specific details, as appropriate. You may wish to consider how effective is current provision and whether there are gaps in current leadership and oversight.

RICS sets clear competency requirements for entry into the surveying profession that apply across the building lifecycle. We have consistent assessment processes and mandatory CPD requirements for qualified members, which are rigorously enforced including by the expulsion of members who fail to comply. Our CPD framework has been strengthened in 2026 with additional mandatory topics and a focus on the quality of CPD.

The RICS Rules of Conduct set principles of ethical behaviour, and our independently led Standards and Regulation functions hold members accountable to those requirements, including through regulation of firms and investigation of concerns.

RICS also provides extensive professional standards, guidance and training, including free training for members and non-members on fire safety, a rigorous training product for principal designers and comprehensive training on the Building Safety Act.

We continue to work within the Construction Industry Council to support industry-wide work on continuing competence.

Question 74

Focusing on the current building system, what are the greatest barriers to effective enforcement against (a) individuals and (b) organisations working in the sector who fail to meet appropriate standards of skill, knowledge, experience, behaviour, conduct or accountability?

Please consider examples of where sector bodies or regulators support, monitor and enforce standards effectively and how they incentivise good practice and support public trust. Please also consider where there are gaps, overlaps or weaknesses in leadership or oversight.

() Individuals
Click or tap here to enter text.

() Organisations
Click or tap here to enter text.

Barriers to effective enforcement against both individuals and organisations in the sector are created by several factors.

- Especially in the residential sector, there is often information (and financial) asymmetry between the ultimate users of a building and those working in the industry.

- There is often difficulty establishing responsibility for any negligence or incompetence when several parties are involved, especially if there are significant costs and timeliness challenges. Should a matter need to go to court for resolution, this is also a significant barrier given the potential number and complexity of 'actors' involved across all phases of a building's lifecycle.
- A regulatory model centrally founded on post-event enforcement (rather than upstream dispute identification and avoidance) can lead to significant delay in the ability to assign potential fault, especially in relation to complex buildings/HRBs.
- There are no strong incentives for any party involved in a project to report others to a regulator, unless their concerns are very serious or liability is in question. Main contractors who have issues with subcontractors, for example, are more likely to simply decline to employ them in future. The bulk of complaints we receive come from consumers, as commercial clients are more likely to resolve issues through adjusting contract terms, resorting to insurance or taking legal action rather than reporting issues.
- There is inconsistency and lack of clarity about the powers and capacity of statutory enforcement agencies.
- There is inconsistent or a lack of availability of ADR mechanisms to support early identification and resolution of complaints.

'Phoenixing' (where the same business or directors trade successively through a series of companies that liquidate or dissolve, leaving debts unpaid and causing challenges to enforcing accountability for wrongdoing or liability) is a problem that affects all regulated sectors. This may also be the case in the construction sector, where rapid company formation and dissolution for legitimate and lawful reasons is prevalent. As a consequence, identifying and seeking to enforce within phoenixing scenarios is a challenge. The ease with which companies can be folded and new ones started up means that some degree of monitoring of individuals (particularly in the most safety-critical areas) and coordination with Companies House, the Insolvency Service, HMRC, etc. is potentially required. Restricting the ability of individuals to start new regulated firms will not always be enough, however, as there is always the possibility that the most determined will find willing individuals to function as company directors or will seek to avoid registration.

A framework for financial redress for consumers via ADR is commonly adopted alongside regulation. We suggest that it should be actively considered in this context. For example, RICS-regulated firms are already required to sign up to complaints-handling mechanisms and ADR and to comply with their outcomes. Applying this model to other areas of the built environment sector will be more difficult and complex, particularly in areas which have not had to deal directly with complaints from end-users historically.

Question 75

How are emerging technologies or changing practices shaping how people and organisations work across the building lifecycle, and what are the greatest barriers to adopting new technology?

> Please consider where technology and other innovations are supporting skills, knowledge, behaviours, conduct and accountability, including transparency and trust. Equally, where barriers such as skills, cost or data limit wider adoption.

The adoption of advanced technologies, large-scale data analysis and AI present a significant opportunity to support governmental regulatory objectives for the built environment, across the construction ecosystem and across all phases of a property's lifecycle. For example, technology solutions that can be adopted to track both materials and personnel – so that the question of what was installed, by whom and when can be answered – already exist on larger sites and are closely monitored. Beyond digital mapping, digital twins and drone use, surveying firms are increasingly adopting advanced technologies to support risk identification and analysis, onsite robotics, and supply and procurement processes.

Expanding these systems to a wider number of sites and operators, using appropriate AI or data-sharing infrastructure to connect existing systems and adopting consistent data standards could reduce the likelihood of poor practice and make investigations to establish responsibility simpler. Such adoption could also connect existing systems and enable sophisticated, large-scale risk assessment, intelligence and risk sharing across the sector and enable higher risk activities to be identified – and controls implemented – at pace. The questions of who bears the cost of implementation and whether it is required on all construction sites will require careful consideration.

The adoption of new technologies can be challenging adopted in a maintenance and repair context, particularly in older or heritage buildings where installing such systems is complex. Also, such adoption in these contexts may not be cost-effective in domestic settings where homeowners or tenants' contract directly with someone carrying out maintenance or repair.

RICS has helped to convene industry specialists with government officials to share expertise on the methodology, design and implementation of a data-sharing model in another regulated sector, and has explored how such a model may be of relevance to the construction sector. A relevant model to consider is the Data Sharing Infrastructure being developed in the UK energy sector, through the National Energy System Operator. This is a socio-technical solution for the alignment of data to specified standards to provide a scalable, secure and resilient way of sharing data across the sector.

Government may wish to explore a similar system to apply within the construction sector, enabling data sharing for regulatory purposes, as well as creating opportunities for innovation through access to relevant and timely industry and end-user data.

Good regulation relies on good data. Data collated or shared from across the sector could provide a centrally available repository from which a Single Construction Regulator could analyse risk trends, inform regulatory risk assessment and support appropriate regulatory intervention.

There will clearly be a cost to implementing technology solutions and systems, which may have a direct impact on market participants (SMEs in particular) and on consumers, who may see increased prices as a result. Challenges involving the availability, cost and inconsistent application across the sector of new technologies – especially for SMEs – may limit adoption.

Question 76

To what extent are individuals and organisations able to access effective education, training and development to enable them to keep pace with emerging technology, innovation and changing practice?

Access to education, training and professional development is improving, but provision remains uneven across the built environment sector. RICS' 2025 Skills Report highlighted concerns about ongoing skills shortages, difficulties attracting new talent, and the need for greater collaboration between industry, government and academia to ensure the workforce can develop the skills required for a rapidly changing sector. In particular, there is growing demand for expertise in digital technologies, data analytics, sustainability and the responsible use of AI.

While many professionals can access relevant training and continuing professional development, barriers remain. Apprenticeship dropout rates continue to be a concern, and there is often a lack of clarity regarding the respective responsibilities of employers, universities, colleges and training providers in equipping individuals with the skills and behaviours needed in practice. Greater support for apprenticeships and clearer skills pathways would help address these challenges.

The pace of technological change also risks creating divergence between larger firms and SMEs. Larger organisations are often able to invest in dedicated technology teams, in-house AI development and specialist leadership roles, such as Chief Technology Officers, enabling them to adopt emerging technologies more quickly. By contrast, some SMEs and long-established firms may struggle to identify the time, resources and expertise needed to adapt. However, technology also presents opportunities for SMEs, allowing smaller firms to develop specialist expertise in niche technological areas and compete effectively in emerging markets. Ensuring all parts of the sector can access high-quality training, guidance and support will be crucial to preventing skills gaps from widening.

Ultimately, technology should enhance rather than replace professional judgement. Alongside investment in digital skills, it is essential that individuals continue to develop

the fundamental technical knowledge, ethical standards and professional behaviours that underpin public confidence, safety and accountability in the built environment.

Question 77

Are there examples of good practice from other sectors or countries in relation to the themes raised in this call for evidence, that we should consider in developing a new strategy for the built environment professions, trades and occupations?

Other countries often have a regulatory system which has oversight of the competence of individuals who are licensed, for example Australia (Queensland, NSW, etc.). Others have regulated functions, for example France, where building design can only be conducted by a registered architect (but this can be restrictive for clients who want to use other equally qualified competent professionals). Licensing of professionals exists in many Commonwealth countries but varies in terms of regulatory resources, often making their outcomes ineffective.

The Building and Construction Authority of Singapore provides an example where a multifaceted approach to cross-sector regulation seeks also to work closely with industry.

Question 78

Based on your experience of previous attempts at reform, what are the three most important insights or considerations we should seek to reflect in designing a new strategy for the built environment professions, trades and occupations?

You may wish to include consideration of actions or risks to avoid.

1) Reform should focus on identifying clear regulatory objectives and on outcomes, not simply considering implementing a compliance regime. Applying a clear understanding of the complexities and interdependencies of the whole sector in the public interest (in its broadest sense) should enable regulatory systems to be designed to improve public safety, competence, trust and building performance rather than primarily measuring procedural or process compliance.

2) Regulation should be viewed as an enabler and a contributor to innovation and growth rather than as a bureaucratic constraint. With this perspective, the built environment arena can provide assurance and uphold the public interest through right-touch regulation as an interconnected ‘ecosystem’. A whole system model can bring together the advantages and perspectives of clients, professionals, contractors, manufacturers, educators, professional bodies, trade associations, regulators, licence arrangements, certification bodies and occupiers to influence behaviours, accountability and key decision-makers. Reform should recognise these

interdependencies, adopt best practice from a range of regulated sectors and seek to improve collaboration across the entire ecosystem.

2) Trust, transparency and information sharing must become central features of the regulatory framework. Government should explore outcome-based collaborative regulation and related approaches that encourage learning, reporting and continuous improvement, while maintaining strong enforcement against those who intentionally or repeatedly fail to uphold standards.

Question 79

Are there any other final points you wish to make which are not captured elsewhere in your response to this call for evidence?

Skills

Attracting the new generation(s) into the built environment workforce is crucial if we are to deliver on what the public needs. RICS published its skills report in 2025. Our research reported concerns about skills shortages in the profession, partly because of challenges attracting sufficient new talent to a sector with lower starting salaries compared to other STEM fields and because of broader competition from other industries.

While reflecting the critical need to improve the attraction of new generations into the construction sector, government may also consider the importance of modelling how to best retain the 'corporate' knowledge of highly skilled and experienced professionals from across the sector who are leaving the industry.

The research also highlighted the pace of change in the industry, particularly driven by advanced digital tools, the need for sustainability expertise, data analytics and big data management. There was widespread conviction that the advance of technology will help surveyors deliver greater value for clients and that there is a significant opportunity presented by upskilling in these areas.

Our skills research was clear that more effective collaboration is needed across industry, government and academia to promote careers in the built environment (particularly those where there are acute skills shortages) and ensure that people have the skills to take these opportunities.

During our engagement with members and firms we have also heard concerns that some workers lack the skills and behaviours that they need to do their jobs properly. It is not clear why this is, but the responsibilities of employers and training providers (schools, colleges and universities) should be examined closely to provide greater clarity on which party should be providing relevant training. T-levels may be part of the solution here by giving school-level learners a start in technical occupations, and we are encouraged by this so far. Embedding a culture of professional behaviour (whether the individual is a member of a formal profession or not) also has to start early.

Our feedback and insight show that there remain significant issues with the dropout rate from apprenticeships, and we would support government action to make apprenticeships more attractive and less costly and bureaucratically burdensome to both individuals and employers. We are engaging at both national and local level to try to improve this situation and would encourage government to look for ways to both reduce potential dropouts and help dropouts find other ways into the sector.

AI will clearly play an increasingly important role in areas such as design and project management, and it remains to be seen how robots might play a greater role in construction and maintenance (beyond the current levels of adoption). As is already happening in other professional areas (such as law), we are carefully considering both the opportunities and risks that the use of AI presents.

If the use of AI results in a loss of human professional judgement, expertise and, crucially, legal accountability within the industry, this could have serious consequences for public safety and enforcement. Our recently published Responsible use of AI in surveying practice professional standard sets out in more detail how we expect RICS members and regulated firms to use AI responsibly.

We suggest that government consider implementing a form of legal responsibility or expectation on the guardrails for the use of AI within the built environment sector, especially in relation to life-safety critical decisions and human oversight.

Aligned with the skills shortage we have referenced above, government may consider aspects of a regulatory framework to prescribe the requirement for a social value impact analysis and to maintain a strong ‘human’ workforce operating across the sector.

It is important that people working in the built environment continue to develop the fundamental skills, knowledge and behaviours required to fully understand what their role entails and how it contributes to the safety and usability of a building, regardless of how technology is used to help them do their jobs.

Regulation and oversight

Proportionality in a new regulatory system is an essential element allowing it to ensure that those who do the right thing are able to thrive and innovate, supporting economic growth of the sector. It is important to ensure that right-touch regulation is meaningfully adopted and used, proportionate to the risk of the activity or function. It is equally important that the system is coordinated so that if a regulatory activity is required, or if an additional cost of compliance is imposed on those who are regulated, then an unintended consequence of certain activities being driven into unregulated areas is not created. RICS therefore welcomes the government’s task force approach of examining how functions should be most effectively and proportionately regulated based on the risks of particular activities and looking to integrate existing successful models of regulation.

We believe the public interest is best served, and proportionate regulation is most likely to be achieved, through a systems approach involving statutory regulators and Designated Professional Body regulators, building on existing structures and

expertise and involving the industry itself. We see the use of systems-based assurance built on a data-sharing infrastructure as an essential element of ensuring that regulation is risk-based and achieves its outcomes. We also believe that the concept of ‘earned trust’ is worth examining, so that regulatory resources can be focused most effectively on higher-risk businesses, individuals and activities.