

Insights

KEY TAKEAWAYS FROM THE THIRD GRENFELL PROGRESS REPORT

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SUMMARY

On 17 December 2025, the government published the [third Grenfell Tower Inquiry Government Progress Report](#) (Progress Report) in addition to the [Single Construction Regulator prospectus and consultation](#), the [fire engineering authoritative statement and next steps document](#), the [findings of the Building Safety Regulator's review of the higher-risk building definition](#) and an [Implementation timeline](#).

The Progress Report tracks progress against the government's February 2025 Response to the Grenfell Tower Inquiry's Phase 2 report (February Response) which contained extensive commitments to reform the current building safety regime (see this [BCLP Insight](#) for more detail).

The construction sector had been waiting for most of 2025 for further insights as to what and how the regime may change so it is pleasing that the Report and accompanying publications provide more detail on the government's plans for reform.

This Insight considers the key takeaways from the publications.

KEY TAKEAWAYS

Single Construction Regulator

In the February Response, the government committed to establishing a single construction regulator.

Progress since then has included transferring the Building Safety Regulator (BSR) out of the Health and Safety Executive (HSE) and into a newly created arms-length body and now the December publication of the [Single Construction Regulator prospectus and consultation](#) gives more of a sense of what the new regulator will look like.

In essence, the new construction regulator will largely if not totally (and this is not clear from the consultation but seems a logical assumption) subsume the roles of the BSR and National Construction Products Regulator (NCPR). The new regulator will not only be responsible for the regulation of buildings and construction professionals but also the regulation of construction products.

What is also interesting is that the construction regulator's jurisdiction in relation to construction products will not be limited to products used in buildings but construction products **wherever** they may be used.

"The new integrated system will recognise that construction products are used in a range of structures beyond buildings, such as transport and energy infrastructure, as well as in infrastructure such as schools, hospitals and prisons. The regulator will enforce regulations for all construction products regardless of use...Where this reform applies to wider social infrastructure, we will have due regard to specific sectoral needs...we will...ensure sectors have clarity on transitional arrangements and structures and roles across the future regulatory ecosystem. We will ensure that public sector-specific technical standards, professional roles, and potential impacts on existing public sector procurement frameworks are properly considered and work to ensure reform does not unduly disrupt or delay the delivery of vital public sector infrastructure projects and objectives."

In other words, it looks like the plan is for the public sector to be subject to the new construction product regime. It's early days and we don't have much detail on the new regime yet, but for those involved with infrastructure projects this is something to have firmly on the radar because it is likely to have implications for future procurements and existing frameworks. See below for the next planned steps in relation to Construction Products Reforms.

The plan for the creation of the new regulator is that the consultation will close on 20 March 2026 with a government response in Summer 2026 and legislation to be introduced in 2027. The actual creation of the regulator will be during 2028-2029.

Construction Products

The Inquiry recommended that the construction regulator be responsible for assessing the conformity of construction products with the requirements of legislation, statutory guidance and industry standards and issuing certificates as appropriate with the plan being for those certificates to become pre-eminent in market.

The government published a Construction Products Reform Green Paper in February which proposed extensive measures for system-wide reform. This includes far-reaching proposals for reforming conformity assessment bodies, including that they must obtain a licence from the national regulator, and be subject to a statutory code.

Next steps are for the government to publish a Construction Products Reform White Paper before Spring 2026. The plan is then to introduce primary and secondary legislation in 2027 to 2029 with implementation starting in 2028/2029 once the legislative framework is in place and the single regulator is established.

Review of higher-risk building (HRB) definition

The Grenfell Inquiry Phase 2 Report recommended that the definition of HRB, which sets the scope of the HRB regime, should be reviewed because there was a concern that defining a building as “higher-risk” by its height only was “*essentially arbitrary in nature*”. The Phase 2 Report argued that what was more relevant was the nature of the building’s use and whether vulnerable people might occupy it.

The government’s February Response committed to reviewing the definition and that the detail of the review would be published by Summer 2025. Instead the review ([Letter on government response to definition of higher-risk buildings review](#) and a policy paper, [Definition of higher-risk buildings: initial review and plans for ongoing review](#)) has been published with the Progress Report.

In short, no change will be made to the definition for now but this will be kept under ongoing review.

In practice, there is often confusion about the parameters of the HRB definition and the legislation, guidance and related consultations and responses is not of much help because it doesn’t go into much detail on the finer points. However, the policy paper does a deep dive into the science behind the definition – highly recommended reading for those interested in these kind of things (!).

Fire safety related functions to sit under one government office

In the February Response, the government committed to bringing responsibility for the functions relating to fire safety currently exercised by Ministry of Housing, Communities and Local Government (MHCLG), the Home Office and the Department for Business and Trade into one department under a single Secretary of State.

The Progress Report confirms that ministerial responsibilities for all fire-related functions transferred from the Home Office to MHCLG from 1 April 2025 and the transfer of all relevant Home Office staff to MHCLG took place on 1 July 2025. All that is left to do is for the relevant budget to be transferred (this has been approved but cannot be done until the Parliamentary Supplementary Estimates process has been completed).

Chief Construction Adviser

In the February Response, the government committed to creating a Chief Construction Adviser to advise the Secretary of State. In September, Thouria Istephan was appointed as interim Chief

Construction Adviser for a period of 12 months. The government has begun the appointment process for the final Chief Construction Adviser, who will be appointed in September 2026.

Review of Approved Documents and inclusion of warning about compliance

In December 2024, the government said that the BSR would continuously review Approved Document B (Fire Safety) with the plan for a review of the Building Regulations guidance to be produced.

In July, the Government appointed a six-member expert panel to help guide the BSR review of the wider suite of Building Regulations guidance.

Recommendations made to update Approved Document B are expected in 2026 as is the results of the review of Building Regulations guidance.

Clarifying fire safety strategy guidance

The Inquiry recommended that it be made a statutory requirement that a fire safety strategy produced by a registered fire engineer be submitted at Gateways 2 and 3. In the February Response, the government noted that a fire safety strategy was already required with building control applications for the construction of and significant work to HRBs. However, the BSR would consider how to make the current guidance clearer.

So far, the BSR has been undertaking further engagement with the sector and experts to reconcile different perspectives on how to achieve strengthened fire safety requirements. Next steps will include in 2026 undertaking activities to ensure the HRB regime and current fire safety requirements are operating effectively. Legislation to set out the requirements for a fire safety strategy will be introduced in 2029.

Fire engineers to be more stringently regulated

In response to the recommendation that fire engineers be more closely regulated, the government has said that it will consider how to better regulate the profession in addition to considering how to increase the take up of Masters level courses in fire engineering, and convening a panel of academics and industry experts to consider what should be expected of a competent fire engineer.

In December, the government published [the fire engineering authoritative statement and next steps document](#). These set out a number of key principles which should underpin future regulation of the profession, and outline how government intends to take forward reforms. Next steps will include a consultation on reform to the fire engineering profession in 2026 and then legislation in 2027-2029 with implementation starting in 2027-2029.

Gateway 2 applications – Principal Designer statement

In its February Response, the government said that it intends to make it a statutory requirement to include a statement with building control approval applications requiring the principal designer to confirm they have complied with their existing duties. This includes all reasonable steps being taken to ensure the design complies with relevant requirements in building regulations.

In the Progress Report, the government confirms that it has completed the scoping of an interim product (a voluntary scheme) to act as a pathway to mandating the recommendation and it has started stakeholder engagement. In 2026, it plans to undertake further stakeholder engagement. It also plans to establish a timeline for public consultation on the final product before introducing legislation (if needed) in 2027-2029.

It will be interesting to see what the attitude of the insurance industry will be to this development and whether principal designers will be able to obtain insurance to make this undertaking in practice.

Licensing regime for principal contractors who undertake HRB work

The Inquiry recommended that a licensing scheme operated by the new construction regulator be introduced for principal contractors wishing to undertake the construction or refurbishment of HRBs. In addition, it recommended that it should be a legal requirement that any application for building control approval for the construction or refurbishment of a HRB be supported by a personal undertaking from a director or senior manager of the principal contractor to take all reasonable care to ensure that on completion and handover the building is as safe as is required by the Building Regulations.

In the February Response, the government said it would introduce such a scheme, where a licence may be granted on the basis of criteria aligned with the dutyholder requirements, and can be withdrawn for failure to achieve compliance with the Building Regulations.

In the Progress Report, the government has said that a review of the dutyholder regime is underway. The findings from the review will be used to support the design of an effective licensing scheme for principal contractors working on HRBs. In 2026, the government plans to publish the finding of the dutyholder regime review. Legislation is to be introduced in 2027 to 2029. From 2028 to 2029, once the legislative framework is complete and the single regulator is established, implementation and transition will begin.

Principal Contractors should track this development closely to understand what they need to do to obtain (and retain) the requisite licence.

Independent building control advisory panel to be established

The government plans to establish an independent panel to review the building control sector and to recommend which bodies should carry out certain functions, as well as whether all building

control functions should be performed by a national authority.

So far, an independent panel has been established and is developing recommendations for government. It will publish a final report in the coming months, with the government planning to issue a formal response in 2026.

Depending on the outcome of the panel, this could be another seismic change for the construction sector. If government does intend to introduce such a change it will be interesting to see how it works in practice given current issues with resourcing for the BSR (who handles all HRB projects) who has recently had to subcontract work to the private sector in an attempt to reduce delays in approvals. If there is no private sector building control, what will happen then?

Competence of fire risk assessors

The government has said that it will legislate to make it a mandatory requirement for fire risk assessors to have their competence to perform this critical role independently verified by a UKAS-accredited Certification Body.

The Progress Report provides that there will be a consultation on the fire risk assessor profession in early 2026. The plan is then to introduce legislation between 2027 to 2029 and then in 2028 to 2029, further work may be required outlining the sector-specific requirements for mandatory accreditation to certify the competency of fire risk assessors.

Update on wider reforms – review of the HRB regime

The government is aware that the operation of the HRB regime has resulted in some unintended negative consequences for example, the challenges faced by applicants in getting swift BSR approval for routine yet essential types of building work to existing higher-risk buildings. Therefore, it plans to consult in 2026 on how it can improve the proportionality of the building control process for certain types of building work to HRBs.

FINAL THOUGHTS

There is clearly more change on its way of potentially seismic proportions – those within the construction sector should watch its evolution very carefully.

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