

Mandatory Occurrence Reporting Policy

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MOR POLICY
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0.1	SUMMARY This document outlines Camden Council's approach to recording, investigation and reporting of incidents and concerns as part of the Mandatory Occurrence Reporting requirements.		
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1. Introduction and Purpose

- 1.1. A Mandatory Occurrence Reporting (MOR) system has been established through the secondary legislation, under the umbrella of the Building Safety Act 2022 (BSA).
- 1.2. The Principal Designer (PD) and Principal Contractor (PC) must establish and operate a MOR system during the construction activities pertaining to current or future (new build) buildings in scope of the BSA. Similarly, the Accountable Person (AP) must establish and operate the system for the higher risk buildings during their occupation.
- 1.3. The purpose of this document is to outline the Council's approach and arrangements for an MOR system within the London Borough of Camden.

2. Scope

- 2.1. This document applies to higher-risk buildings only.
- 2.2. This document applies to all Camden council employees, most notably, the Supporting Communities Directorate and those directly involved in construction, (including activities leading up to construction, e.g. procurement), building maintenance and housing management activities.
- 2.3. This document outlines the reporting system, which runs concurrently to Council's existing arrangements for reporting of accidents, incidents, near misses and dangerous occurrences as part of the Reporting of Incidents and Dangerous Occurrences Regulations and requirements. However, while there may be similarities between them, this document outlines how we comply with the Building Safety Act 2022 and relevant secondary legislation.

3. Definitions and Abbreviations

- 3.1. **Mandatory Occurrence Reporting (MOR)** – is the requirement set out in the Building (Higher-Risk Building Procedure) (England) Regulations 2023 and relates to reporting of safety occurrences within the building in scope of the Building Safety Act by the respective principal duty holder.
- 3.2. **Principal Duty holder** – is the person/entity responsible for reporting of the safety occurrence when they become aware of it and notifying the BSR within 10 days of being aware of it. They are either Principal Contractor (PC), Principal Designer (PD) or [Principal] Accountable Person (AP).
- 3.3. **Higher-risk building (HRB)** – or a 'building in scope' is a building in England that is at least 18m in height or has 7 storeys and contains at least 2 residential units.

3.4. Safety Occurrence – is an incident involving, or a risk that could cause structural failure of the building or the spread of fire or smoke in the building. It is essentially something which if not remedied, could cause serious harm to people when the building is in use.

3.5. Mandatory Occurrence Register – a register used by the Council to record and monitor all mandatory occurrences, known as '[MandOcc](#)' system.

3.6. HST – Health and Safety Team (Property)

3.7. BST – Building Safety Team

3.8. BSR – Building Safety Regulator

3.8.1. Examples of safety occurrence relating to construction work (PC/PD duty):

- Defective building work
- Fire safety issues likely to result in the spread of fire
- The use of non-compliant products or incompatible compliant products
- Inappropriate or incorrect installation of construction products
- Product failure against specification and claimed performance
- Faults in the design plans, caused by either design software or human error

3.8.2. Examples relating to 'in occupation' buildings (PAP duty):

- The spread of fire
- Total or partial collapse of the building
- Defective building work
- Unexpected failure or degradation of construction materials
- The discovery of structural defects
- Failure of a critical fire safety measure, such as AOV, smoke extraction or fire doors

4. Relevant legislation and connected documents

4.1. The Building Safety Act 2022

4.2. The Health and Safety at Work etc. Act 1974

4.3. The Building (Higher-Risk Buildings Procedures) (England) Regulations 2023

4.4. Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013

5. Roles and Responsibilities

5.1. Director of Property Management

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- 5.1.1. Ensure that sufficient resources are available for the effective and efficient completion of the policy.
- 5.1.2. Support the Head of Resident and Building Safety with raising awareness and profile of H&S compliance matters within Corporate Management Team and the rest of the LBC.

5.2. Head of Property Customer Services and Engagement

- 5.2.1. Ensure that residents have the facility and ability to raise a building safety and fire safety concerns and that these concerns are promptly recorded and forwarded to relevant teams/individuals for action.

5.3. Head of Capital Works AND Director of Development (CIP)

- 5.3.1. Ensure that MOR arrangements of incoming and current contractors and designers are scrutinised at the procurement stage.
- 5.3.2. Ensure that [principal] contractors, [principal] designers and others involved in the construction activities and projects comply with and operate within the regulatory requirements and requirements of this policy.
- 5.3.3. Ensure that arrangements are in place so that Mandatory Occurrence Notice and Report are received by the Building Safety Team within the timescales.

5.4. Head of Neighbourhoods

- 5.4.1. Ensure sufficient resources are available to comply with the content of this policy in relation to their work area.
- 5.4.2. Ensure all relevant staff are aware of the content of this policy and the expectations placed upon them.
- 5.4.3. Ensure all accidents, incidents, near misses and dangerous/safety occurrences are reported as per this policy and Accident reporting policy.

5.5. Head of Repairs and Operations

- 5.5.1. Ensure all relevant staff are aware of this policy and their roles and responsibilities within.
- 5.5.2. Ensure all accidents, incidents, near misses and dangerous/safety occurrences are reported as per this policy and Accident reporting policy.

5.6. Head of Building and Resident Safety

- 5.6.1. The overall responsibility for monitoring, recording, and reporting incidents under this policy sits with the Head of Building and Resident Safety, supported by colleagues throughout the LBC.
- 5.6.2. Ensure operational arrangements are in place to comply with the requirements of the legislation and this policy.
- 5.6.3. Provide the scrutiny and oversight of the policy and arrangements within.

5.7. Building Safety Manager Team Leader/Senior Building Safety Manager

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- 5.7.1. Ensure safety occurrences are investigated and advise on action to reduce the risk of further adverse events.

5.8. Health and Safety Manager (Property)

- 5.8.1. Operational responsibility for arrangements to report safety occurrences as per this policy.
- 5.8.2. Monitor and report on safety occurrences KPIs as part of the health and safety governance framework, including lessons learned.
- 5.8.3. Provision of advice about Health and Safety regulations, safe working practices and controls.
- 5.8.4. Share promptly accident, incident, and safety occurrence reports with the Finance team (insurance) to support insurance investigations and claims.
- 5.8.5. Provide the Supporting Communities Management Team, Corporate Management Team, Property Management Team and Health and Safety Committee with regular updates about accident, incident, and dangerous occurrences in the workplace and any changes to relevant legislation and HSE guidance.

5.9. Landlord Compliance Group

- 5.9.1. Review and approve the Mandatory Occurrence Reporting Policy.
- 5.9.2. Scrutinise regular updates about safety occurrences that fall within the scope of this policy.
- 5.9.3. Commission internal/external audit to get assurance that the MOR process is compliant.

6. Statutory reporting requirements

Reporting to the Building Safety Regulator (BSR)

- 6.1. The legislation requires the principal duty holder to notify the BSR of the safety occurrence by way of a written report in the quickest and most practical manner.

6.2. Mandatory Occurrence Notice

- 6.2.1. A Mandatory occurrence notice must be submitted to the BSR summarising the relevant safety occurrence. It must contain the following:
- The HRB registration reference or the building control application reference
 - Contact details of the person submitting the notice
 - The date and time the safety occurrence was identified
 - A brief description of the safety occurrence
 - Any immediate actions taken to keep people safe

6.2.2. Following a submission of the notice, the BSR shall provide the reference number which must be retained in order to submit the subsequent Mandatory Occurrence Report.

6.3. Mandatory Occurrence Report

6.3.1. A Mandatory occurrence report must be submitted within 10 days of the identification of safety occurrence. It must include:

- The BSR-provided mandatory occurrence notice reference number
- The building registration application reference or address if the building is occupied
- The building control application reference number if the building is in design or construction and construction work has started
- BSM contact details, the name of the organisation and its involvement in the building
- Description of the safety occurrence in detail
- What caused or is causing the safety occurrence
- Detail of who has been affected or who could be affected, and in what ways
- Explanation of what is being done or planned to be done to keep people safe
- How was the safety occurrence discovered
- Any information that we consider should be shared for others to learn from
- Any supporting information, such as documents, videos, or photos.

6.4. The BSR can be notified via telephone on 0300 790 6787 or on-line via this [link](#).

6.5. The report to the BSR under this policy does not replace the reporting to the Health and Safety Executive under the RIDDOR requirements. Should an incident occur, which would be reportable under both pieces of legislation, two separate reports/notifications must be done via the respective reporting channel.

6.6. Example: *During the building work, part of a building collapses and injures people. The principal contractor reports the incident under RIDDOR. The principal contractor also submits a mandatory occurrence notice and report, as the incident involves structural failure, which if not remedied risks death or serious injury to a significant number of people when the building is in use.*

7. Internal reporting requirements

7.1. MOR for Construction projects and major/capital works

7.1.1. All contractors and designers must have a written MOR system setting out how their processes allow for the building and fire safety concerns and incidents in scope of the

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regulations to be raised, investigated, and reported, including training and monitoring arrangements for their staff. The system must be in place before the construction phase begins and maintained throughout the construction phase.

- 7.1.2. The Principal Contractor must ensure an appropriate frequency of inspections of the work for safety occurrences throughout the construction phase.
- 7.1.3. The Principal Designer (or sole or lead designer) must ensure an appropriate frequency of inspections of HRB design work for safety occurrences throughout the construction phase.
- 7.1.4. Contractors must report all relevant incidents/reports to the Council via the respective client Project Manager. They will then subsequently notify the Building Safety Team or respective Building Safety Manager via our usual internal reporting channels.
- 7.1.5. The reporting system must cover risks, incidents (including fires or evidence of fires), accidents and near misses.
- 7.1.6. The reporting system must specify how residents, stakeholders and any person involved in, or affected by, the construction project can report incident or concern – e.g. via phone, email, in person, submission of written form, etc.
- 7.1.7. Outline of the process can be found within the flowchart ([Appendix 1](#)).

7.2. In-occupation MOR system – [Principal] AP responsibilities

- 7.2.1. [Appendix 2](#) outlines the MOR system arrangements for in-occupation phase. It considers the different sources of information that Council, as Principal Accountable Person, have arrangements for.

Customer Service Centre

- 7.2.2. Customers have an opportunity to raise relevant building and fire safety incidents, complaints, and concerns. Complaints team collate the information received from residents, members or public and process the matter via their existing processes.

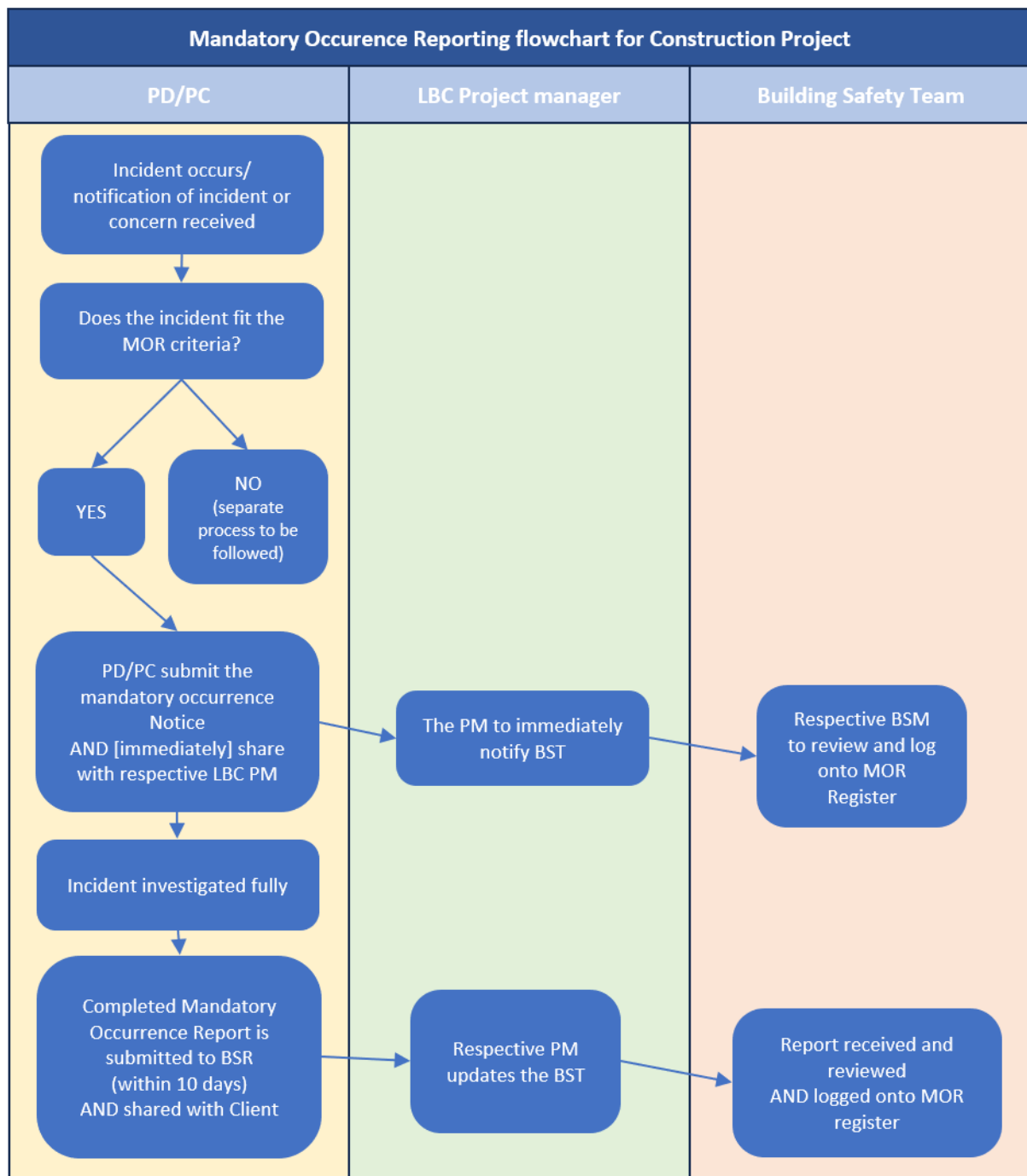
Building inspections

- 7.2.3. As part of our active monitoring, a number of inspections is carried out within the buildings in scope that allow for prompt identification of concerns by members of staff. These include:
 - Inspections by caretakers and caretaking managers
 - Inspections by engineers (e.g. function testing)
 - Building Safety Managers' inspections
 - Housing officers' inspections

8. Communication and Publication

- 8.1.** The requirements of this policy will be communicated to relevant internal stakeholders via the H&S governance and consultation process, followed by the selection of briefings, memos or Toolbox Talks.
- 8.2.** External stakeholders, e.g. residents and local councillors, will be made aware
- during the construction stage via the respective [Principal] Contractor residents' liaison activities, and
 - during the in-occupation stage via our building safety management activities (e.g. website, Building Safety Cases, periodic communication)
- 8.3.** The current version of this policy will be made available and published in the Property H&S section on Essentials.

9. **Appendix 1 - MOR flowchart for construction projects**



10. Appendix 2 - MOR flowchart for in-occupation stage

