Building Safety Through Collaboration: How Design and Build Contractors Adapt to the UK Building Safety Act 22

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Design and Build (D&B) contractors in England are collectively learning to navigate the 2022 building safety Act (BSA 22) operational, financial, and procedural demands. Positioned between design responsibility and construction delivery, D&B contractors embody the principle of "learning by doing together" as they adapt to new safety-led expectations. Using a qualitative, phenomenological approach, six semi-structured interviews were conducted with industry professionals. Analysis revealed increased regulatory accountability, reduced design flexibility due to the gateway system, project delays linked to the under-resourced Building Safety Regulator (BSR), and financial pressures from early compliance and training requirements. The findings highlight that effective adaptation to the BSA 22 depends on collaborative learning across the sector. Contractors, regulators, designers and clients must work together to translate regulation into practice, foster cultural change, and share emerging knowledge. By framing compliance as a collective process of "learning by doing together", this research underscores the importance of cooperation, reflection, and continuous improvement in realising the Act's ambition for safer, more accountable construction.

Keywords: Building safety, Collaboration, Design and build contractors, learning by doing

Introduction

The global construction industry plays a key role in economic growth and infrastructure development. Yet, building safety remains a critical but often overlooked concern (Alaloul et al., 2021). Decisions prioritising cost and speed over safety and quality have contributed to repeated failures and tragic events, including the Grenfell Tower fire in 2017 and similar disasters in Melbourne and Dubai (Gallagher, 2022). These incidents exposed weaknesses in regulation and safety culture in the UK, leading to Dame Judith Hackitt's Independent Review, which deemed the system "not fit for purpose" and called for a cultural shift towards safety (Hackitt, 2018).

The review informed the Building Safety Act 2022 (BSA 22), a major reform aimed at strengthening accountability through defined duty-holder roles, the "golden thread" of building information, and a gateway approval process overseen by the Building Safety Regulator (BSR) (GOV.UK, 2022). While its transformative potential is widely acknowledged, the implications for Design and Build (D&B) contractors—responsible for both design and construction—remain underexplored. Existing studies note the broader cultural and procedural challenges introduced by the BSA 22 (Charlson & Dimka, 2023; Ridge, 2024) but often overlook D&B contractors' dual responsibilities.

This study addresses that gap by examining how D&B contractors interpret, adapt to, and operationalise the BSA 22, revealing emerging challenges, adaptations, and the influence of regulatory change on professional knowledge, practice, and culture.

Historical Challenges in UK Construction Safety Culture

The UK construction industry has long faced criticism for its fragmented structure, adversarial practices, and cost-driven priorities, which have historically undermined safety and quality (Egan, 1998; Latham, 1994). Although initiatives such as *Constructing the Team* (Latham, 1994) and *Rethinking Construction* (Egan, 1998) sought to promote collaboration, cultural change has been slow to take hold (Demirkesen & Tezel, 2021). The Health and Safety Executive (HSE, 2021) reports that unclear accountability contributes to project failures and safety incidents, while the Chartered Institute of Building (CIOB, 2023) highlights ongoing gaps in safety leadership and competence on high-risk projects. This reflects a reactive, compliance-driven approach rather than proactive risk management, a pattern the BSA 22 aims to address.

Scholars note that lasting reform requires cultural change as well as legislation (Slovo, 2023; Spinardi & Law, 2023). Vaughan (2018) describes "normalised deviance," where unsafe workarounds become accepted, exemplified by the Grenfell Tower fire, which exposed how a cost-focused, fragmented culture can compromise safety governance (Guillaume et al., 2019; Grenfell Inquiry, 2021).

The Building Safety Act 2022: Framework and Implications

Enacted in April 2022, the BSA 22 implements Hackitt's recommendations, establishing a framework of accountability, competence, and transparency (GOV.UK, 2022). It applies to "higher-risk buildings" — residential properties over 18 metres — and introduces three key gateways: Gateway 1 ensures fire safety at planning, Gateway 2 requires design approval before construction, and Gateway 3 verifies compliance prior to occupation (Charlson & Dimka, 2023). These gateways secure auditable safety information, extend liability periods, strengthen the BSR, and require professionals to maintain competence through continuous development (Ridge, 2024).

For D&B contractors, the Act demands a fundamental shift. The need to finalise designs before construction under Gateway 2, challenges the very efficient model that has defined D&B procurement for decades (Tooher-Rudd, 2023; Boxall, 2023). Critics warn of increased bureaucracy and barriers for smaller firms (Anderson & Underwood, 2022), yet early evidence suggests better interdisciplinary communication and digital integration via the "golden thread" (RICS, 2023).

D&B contractors now operate at the nexus of accountability, with principal designers and contractors bearing explicit legal responsibility (GOV.UK, 2022). Many firms have restructured teams to integrate designers, engineers, and compliance specialists early, enhancing regulatory compliance and organisational learning (Tooher-Rudd, 2023; Charlson & Dimka, 2023; CIOB, 2023). Compliance has become an iterative, reflective process, echoing Schön's (1983) concept of the "reflective practitioner," where professionals generate tacit knowledge through cycles of action, feedback, and revision.

Learning, Collaboration, and Industry Transformation

The intersection of regulation and learning has emerged as a key theme in construction research. MacLeod, Burm, and Mann (2022) argue that professional competence in dynamic environments arises from constructivist learning — the co-creation of knowledge through shared experience. Under the BSA 22, this manifests as collaboration between architects, engineers, contractors, and regulators. Argyris and Schön's (1996) organisational learning theory provides a useful lens. Through double-loop learning, organisations not only correct errors but also challenge the assumptions underpinning decision-making. The BSA 22 forces D&B contractors to reconsider cultural and managerial norms that historically prioritised cost over safety.

Adaptation to the Act illustrates how reflection, experimentation, and collective action drive systemic improvement. The regulatory framework acts as both a constraint and learning environment, prompting professionals to engage with new knowledge and co-create solutions. In essence, the BSA 22 is as much a cultural and educational intervention as a technical reform, transforming D&B contractors into active learners engaged in continuous cycles of doing, reflecting, and collaborating to deliver safer, more accountable outcomes.

Methodology

This study adopted a qualitative phenomenological approach to explore the lived experiences of D&B contractors adapting to the BSA 22. Phenomenology is particularly appropriate for examining how individuals perceive and make sense of complex changes within their professional environments (Creswell & Poth, 2018; van Manen, 2016). In this context, the method allows a deep exploration of how construction professionals experience regulatory transformation, interpret new accountability demands, and engage in collaborative learning. Reflecting the concept of the reflective practitioner and an interpretative focus on how meaning is constructed through experiential learning and reflection.

Sampling Strategy and Participant Recruitment

Participants were recruited using a purposive sampling approach based on their direct involvement in D&B projects, subject to the requirements of the BSA 22 (High Risk Building-HRB). Eligibility required demonstrable experience and engagement with BSA 22- related compliance, such as Gateway processes and safety-related decision-making, design coordination, commercial decision-making, risk management, or information duties at the project or organisational level. Participants were recruited through professional networks and established industry links. Six professionals from leading UK construction and consultancy firms participated, representing a range of senior roles within the D&B procurement model, including project directors, design managers, safety consultants, and compliance specialists from small to medium size organisation. This diversity of professional roles, as summarised in Table 1, enabled the exploration of multiple experiential perspectives on the same phenomenon, enriching the interpretative depth of the analysis (Patton, 2015). Although limited in size, the sample is appropriate for phenomenological research. Creswell (2017) notes that phenomenological studies commonly involve a small number of participants (3-25) as the focus is on obtaining rich, detailed descriptions of lived experience rather than broad representation. By the final interviews, the data demonstrated sufficient repetition and depth to fully capture the phenomenon under investigation, confirming data saturation.

Table 1. Participants' Profile

Participant ID	Job Role	Exp (Years)	Gender	Organisation Size
PA	Construction Director	46	Male	Medium: 50–249 employees
PB	Head of Commercial	36	Male	Medium: 50–249 employees
PC	Head of Design	32	Male	Medium: 50–249 employees
PD	Commercial director	36	Male	Medium: 50–249 employees
PE	Senior Quantity surveyor	12	Male	Medium: 50–249 employees
PF	Associate Director	7	Male	Small: <50 employees

Data Collection

Data were collected through semi-structured interviews, allowing participants to describe their experiences in their own words while enabling the researcher to probe emerging themes. Interviews lasted between 45 and 75 minutes and were conducted online via Microsoft Teams or Zoom. The discussion focused on how the BSA 22 had influenced participants' approaches to project delivery, collaboration, and professional learning. All interviews were audio-recorded and transcribed verbatim to ensure accuracy.

Data Analysis

Data were analysed using Interpretative Phenomenological Analysis (IPA), following the guidelines outlined by Smith, Flowers, and Larkin (2009). Analysis began with an idiographic, case-by-case examination of each interview transcript, involving close reading and interpretative noting to explore how participants made sense of their experiences of adapting to the BSA 22. Emergent experiential themes were developed for each individual case before patterns of convergence and divergence were examined across participants. This cross-case synthesis resulted in a set of superordinate experiential themes that reflect shared aspects of meaning-making while preserving the contextual nuance of individual accounts.

Trustworthiness, Credibility and Consideration

Methodological rigour was addressed through credibility, reflexivity, and transparency rather than statistical reliability. Credibility was enhanced through member checking, whereby participants reviewed summaries of their transcripts for accuracy. An audit trail documented analytical decisions and reflexive observations throughout the research process, and the researcher maintained a reflective journal to acknowledge positionality and support interpretative awareness (Finlay, 2008). Ethical considerations were observed throughout the process, and ethical approval was obtained from the Liverpool John Moores University Research Ethics Committee (Ref: 24/HITS/53). Participants were informed of the study's purpose, the voluntary nature of participation, and their right to withdraw at any time. All data were anonymised and stored securely in accordance with the UK Data Protection Act (2018) and GDPR.

While the study focuses specifically on the perspectives of senior professionals within D&B organisations, this boundary reflects the aim of the research to examine contractor-led adaptation rather than system-wide governance. The absence of perspective from clients, subcontractor and regulatory bodies is therefore acknowledged as a deliberate scope limitation rather than a methodical shortcoming, and these stakeholders are identified as important directions for future research.

AI Use Disclosure Statement

OpenAI's ChatGPT (GPT-5.2, 2025 release) was used to support writing, improving clarity, coherence, and language in text based on the authors' original analysis and interview data. The tool did not generate data, analyse results, or create new content. All interpretations and final editorial decisions were made by the authors

Results & Discussion

Semi-structured interviews with six industry professionals were analysed using Interpretative Phenomenological Analysis (IPA) to explore how participants made sense of their experiences of adapting to the BSA 22. The analysis focused on identifying shared and divergent experiential patterns across cases while preserving the contextual nuance of individual accounts.

Overview of Emerging Themes

This study explored how D&B contractors are adapting to the BSA 22, interpreting their lived experiences through operational, financial, and cultural context. The findings indicate that while the Act has strengthened accountability and procedural rigour, it has also introduced complexity, administrative burden, and resistance to change across the sector.

Interpretative analysis identified seven superordinate experiential themes through cross-case IPA analysis, grounded in illustrative participant accounts (see Table 2). These themes illustrate how Design and Build contractors are **learning by doing** as they adapt to the requirements of the Building Safety Act 2022. Collectively, the findings indicate organisational transformation and professional learning, reflecting elements of **double-loop learning** as contractors critically re-examine established assumptions, roles, and practices in response to the new regulatory environment.

Table 2: Superordinate experiential themes derived through IPA

Superordinate experiential theme	**Interpretative focus (IPA lens)**	**Illustrative quote**	**Participants**
Making sense of increased regulatory accountability	How participants interpret the shift from fragmented oversight to personal and organisational responsibility under the BSA 22	"The most significant change for me is the fact that a building safety regulator will now sign off plans for a building."	PA, PB, PF
Experiencing the loss of design flexibility	Lived experience of transitioning from traditional D&B flexibility to early design finalisation under the gateway system	"It's no longer design and build — it's design, then build."	PB, PE
Navigating implementation challenges and uncertainty	How professionals experience digital, training, and leadership challenges during early BSA 22 adoption	"There already is resistance to it because naturally, people don't like change."	PA, PC
Experiencing financial front-loading and risk transfer	Sense-making of increased upfront costs, early procurement, and altered commercial leverage	"Costs will be spent upfront a lot more."	PE, PB, PD
Living with operational delay and bureaucracy	How regulatory approval timelines and	"Be prepared to wait double your normal	PC, PF

	administrative demands reshape daily practice	programme just to get word from the BSR."	
Interpreting accountability, enforcement, and penalties	Participant meaning making around deterrence, fairness, and professional liability	"Those harsh penalties… I think they need to be there as a deterrent."	PF
Evaluating the effectiveness of the BSA 22	Reflective judgments about long-term safety benefits versus short-term disruption	"Ultimately, long-term, I think it will keep residents a lot safer."	PA, PB

Making sense of Regulatory Accountability

Participants described the BSA 22 as a transformative reform, addressing decades of fragmented oversight and reactive compliance. Participant A observed, *"The most significant change for me is the fact that a building safety regulator will now sign off plans for a building,"* referring to the pivotal role of the Building Safety Regulator (BSR). Participant B highlighted its broad applicability: *"We've got to think about the Building Safety Acts and everything we do building-wise, not just high-risk buildings… because the Building Safety Act applies to everything."*

Another participant captured the former industry mentality: *"We'll do it when we have to… kicking and screaming.* "These reflections confirm a cultural shift from minimal compliance to proactive responsibility, echoing Hackitt (2018) and Charlson and Dimka (2023), who argue that the Act responds directly to systemic failures revealed by the Grenfell Tower fire. While earlier literature (e.g., Anderson & Underwood, 2022) outlined the Act's intent, this research adds experiential insight, demonstrating how regulatory mechanisms are reshaping daily practice.

Experiencing the Loss of Design Flexibility

Participants reported that the gateway system fundamentally alters project sequencing by requiring full design approval before construction. Participant B described, *"The biggest hurdle we will have is the upfront design has to be in place at planning before you get on to gateway two, which allows you to start."* Participant E summarised the shift as, *"It's no longer design and build—it's design, then build."* While these requirements enhance safety assurance, they also constrain the adaptability traditionally valued in D&B contracts. Participant F noted that "the statutory period should be 12 weeks," yet projects have faced "nearly a year" of delay under Gateway 2. These findings support Tooher-Rudd (2023) and Smith et al. (2023), who highlight how rigid approvals challenge D&B flexibility and increase risk of delay. The BSA 22, therefore, transforms procurement into a front-loaded, compliance-driven process, embedding accountability but reducing agility.

Challenges to Implementation

Implementation obstacles centred on digital competence, training, and leadership. Participant A explained, *"We will need document management super users as we move further through it,"* underscoring the growing dependence on digital record-keeping and the "golden thread." Yet cultural resistance persists: *"There already is resistance to it because naturally, people don't like change,"* while Participant C referred to colleagues as *"the dinosaurs of the construction industry."*

This inertia reflects findings by Demirkesen and Tezel (2021) on the sector's slow adaptation to reform. Leadership commitment was identified as decisive, with Participant D stressing, *"If you don't*

get the main board, chief execs, directors, senior management on board, it's a waste of time training." Such insights reinforce Hackitt's (2018) call for top-down culture change. Overall, the research shows that success under the BSA 22 depends not only on compliance systems but also on organisational learning, leadership engagement, and workforce capability.

Financial Implications

The Act's procedural requirements have introduced new financial pressures through early procurement, compliance documentation, and training costs. Participant E observed, *"Costs will be spent upfront a lot more,"* while Participant B added, *"You will have a lot more front loading of contractors."* Participant D noted that early subcontractor engagement reduces leverage: *"You lose your bargaining power through tender.* "These patterns mirror Tooher-Rudd (2023) and Ridge (2024), who found that early design finalisation redistributes risk and erodes profit margins. Participant F's experience of *"nearly a year delays"* highlights the cash-flow strain linked to regulatory uncertainty. Collectively, these findings reveal that compliance now demands strategic financial restructuring, with cost, time, and risk shifted to the pre-construction phase.

Operational Impacts

Operationally, participants reported reduced autonomy, heavier administration, and slower decision-making. Participant B commented, *"There's no more thinking on your feet as a site manager or a project manager. Everything now has to go back in front of somebody who will yes or no."* Participant C warned to *"be prepared to wait double your normal programme just to get word from the BSR,"* while Participant D described *"a bureaucratic and administrative nightmare."* Such inefficiencies stem largely from under-resourced regulators, confirming concerns raised by Hackitt (2018) and Spinardi & Law (2019). Yet some benefits were acknowledged: Participant E reflected, *"You've got a lot more interface early doors with the right people… which means things will not be missed."* Short-term delays may thus yield long-term quality gains as regulatory processes mature.

Accountability and Penalties

The introduction of personal and corporate accountability was widely supported. One participant noted, *"I think it is fair to make people accountable for what they have done. And what it's stopping is companies trying to make a fast buck."* Participant F added, *"Those harsh penalties… I think they need to be there as a deterrent."* However, concerns about proportionality persisted: *"I don't think people should be going to prison,"* one participant stated. These findings reinforce Anderson & Underwood (2022) and Spinardi & Law (2023), who argue that deterrence is essential for cultural reform. Yet participants' uncertainty — *"I don't know of anyone that's been prosecuted under it at this point"* — highlights a current enforcement gap that may weaken early compliance confidence.

Perceptions of the BSA 22's Effectiveness

Perceptions of the Act were mixed but cautiously optimistic. As one participant stated, *"Ultimately, long-term, I think it will keep residents a lot safer."* However, others cited confusion and limited regulatory capacity: *"There are so few projects that have been through the BSR that nobody knows what they are doing."* One described it as a *"bureaucratic issue… not enough people in the BSR to deal with it."*

Misconceptions about scope persist, with developers seeking to *"avoid the 18-metre rule."* As clarified elsewhere, *"Some people think the Act only applies to higher-risk buildings… but this is not the case"* (Anonymous, 2024). While participants recognised short-term inefficiencies, most viewed the Act as a necessary culture shift — "spending now to save in the future."

Overall, the BSA 22 represents both a regulatory overhaul and a cultural intervention. It embeds safety, accountability, and traceability into construction practice but introduces operational, financial, and procedural strain during its transition phase. Echoing Hackitt (2018) and Ridge (2024), this study demonstrates that sustainable compliance will depend on leadership, training, and regulatory capacity. The Act's success ultimately lies not in enforcement alone, but in its ability to foster a learning, collaborative industry culture that builds safer and more accountable environments reflecting learning by doing practice (Argyris and Schön' 1996)

Conclusions and Recommendations

This study examined the impacts of the BSA 22 on D&B contractors in England, providing one of the first practitioner-focused insights into how the Act is reshaping design, construction, and compliance processes for higher-risk buildings.

Findings indicate that the Act has transformed the regulatory environment, embedding safety and accountability from project inception through mechanisms such as the BSR and the gateway approval system. However, participants reported significant challenges, including administrative delays, reduced flexibility, and increased upfront costs, which disrupt traditional D&B workflows. The requirement for early design finalisation has redefined procurement practices, while limited regulatory capacity within the BSR has led to prolonged approvals and industry frustration.

Beyond procedural change, the study highlights the importance of cultural transformation. Many professionals described resistance to new ways of working, emphasising that leadership commitment and organisational learning are essential for meaningful, long-term safety reform.

The research concludes that effective adaptation to the BSA 22 depends on collaborative learning, digital competence, and leadership engagement. Policymakers should prioritise strengthening the BSR's capacity and providing clearer, consistent guidance. For contractors, early investment in training, digital documentation, and proactive safety culture will be critical to ensuring that the Act's ambitions—safer buildings and greater accountability—are fully realised.

The BSA 22 represents both a regulatory framework and a catalyst for cultural change within the construction sector. For D&B contractors, compliance is evolving into a process of professional learning, collaboration, and reflection. By embedding safety into early design, digital workflows, and accountability systems, there is a potential for contractors to transform their operational and educational practices.

While this study offers rich insights, further research is needed to deepen and broaden understanding. Longitudinal studies should examine how learning behaviours evolve as the BSA 22 matures beyond its early implementation phase. Similarly, quantitative studies could measure the impact of collaborative learning on project safety, efficiency, and quality outcomes. Educational research should explore how universities can integrate real-world regulation-based learning projects into curricula to prepare future professionals for adaptive practice.

Limitations

This study is subject to several limitations. The participant sample comprised six professionals, which, while appropriate for a phenomenological inquiry, limits the breadth of perspectives and therefore the generalisability of findings. The research focuses specifically on the experiences of senior practitioners within D&B organisations and does not include insights from other stakeholders such as clients, subcontractors, or regulatory representatives, whose views may differ. Additionally,

all participants were drawn from the UK commercial construction sector, which may constrain the applicability of the findings to other contexts. Consistent with the idiographic focus of Interpretative Phenomenological Analysis, the findings are analytically transferable rather than statistically generalisable. The study's interpretative nature also means that findings reflect participants' subjective experiences at a specific stage of the BSA 22 implementation, and these perceptions may evolve as the regulatory framework matures.

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