Top Tips for RMCs and RTMs

The following tips are for resident management companies at buildings undergoing remediation. Please note that these were drafted from the direct experience of an RMC director whose building was in the Building Safety Fund, where the processes initially put in place were far from being fit for purpose, and these notes have been updated to reflect where things now stand.

It has taken some time, but the Cladding Safety Scheme[1] has learned lessons from previous iterations of grant funding schemes, and these include grant funding now being provided for all intolerable risks on Fire Risk Appraisals of External Walls (FRAEWs), peer reviews of FRAEWs and "client-side support" provided directly to resident management entities, with the clerk of works often now being funded, which was not initially the case.

By its nature, remediation is complicated and depends on a building's specific issues and circumstances. As always, there is more information we could share but, regardless of the funding scheme a building is in, it is key that you understand the remediation process[2] and do what you can to ensure that the process remains independent while critically challenging the information you're being given.

- No one will help you except you. The Government is not on your side, and every single professional is out to extract as much money from you as possible under the guise of protecting your building's safety. You will need to work hard for your basic rights, and this is a fight for the very long haul. Organise yourselves – ignore any haters in your building; there will always be one or two people who kick off without fully understanding this mess, but the majority of leaseholders will be on your side. Forget about those complaining that going public will harm their chances of selling; that ship has sailed – it is the unsafe nature of our homes that is impeding sales. Find one or two engaged, sensible neighbours and know that no one else is going to step in for you.
- Don't do stupid things that make your building unsafe, and call out residents who do, even though it may make you unpopular. For example, don't light up a barbecue ANYWHERE, don't smoke and drop cigarette butts onto balcony floors and don't store anything in common areas. If you are worried about the safety of the building, you have every right to escalate your concerns to the managing agent.
- Don't accept the immediate installation of a waking watch unless you have it in writing beforehand that your freeholder/head leaseholder or developer is paying for it. The National Fire Chiefs Council's guidance hasn't been updated since 2022, but it can still help you push back if a fire risk assessor or the fire service insists on an immediate waking watch, so you can make sure any alarm requirements are proportionate to the actual level of risk. As an example, see p9/44 here, as copied below with our highlights:

[1] https://www.gov.uk/government/publications/cladding-safety-scheme/cladding-safety-scheme-information-for-leaseholders-and-residents

[2] https://www.gov.uk/guidance/building-safety-fund-process-guide-for-residents

"Following a decision that a change to the evacuation strategy is necessary, consideration should be given as to how quickly a means of detection and warning needs to be implemented. Analysis should be carried out to determine the most cost-effective interim solution to be adopted in terms of minimising costs to residents, the suitability of proposed measures to the specific building, and a consideration of their effectiveness. This may indicate that the cost of installing a common fire alarm system is a better use of the funding available than the provision of a waking watch. If the risk assessment has identified that there is an imminent risk to residents, then a waking watch may be needed in the immediate term. Responsible Persons must proactively engage with residents when implementing measures for a change in evacuation strategy. The implementation of immediate mitigating measures should take account of the cost in proportion to the risk."

If a waking watch is deemed to be required immediately, ensure an application is made to the Waking Watch Replacement Fund[3] as soon as possible.

- Be sure to hire an independent consultant to advise you on the remediation – one who will act as a clerk of works. This should be independent from the contract administrator (CA) who hires and manages the contractor and the works. Remediation is a complex process and project stakeholders will be focused on their contractual requirements, which may mean they are not always acting in the best interests of leaseholders and residents. Get MHCLG to fund a clerk of works because it is critical that you have this independent support.
- Have all documentation – whether the Grant Funding Agreement or the JCT Contract[4] - you are asked to sign legally reviewed. This will help to make sure your rights are protected and that you know exactly what your rights and responsibilities are and what the CA is permitted to do on your behalf. For example, if a CA is refusing to disclose photos of a building before, during or after remediation and MHCLG are doing nothing to compel them.
- Make sure the insurance that covers the remediation works is comprehensive. Example: theft of cladding panels left outside by the contractor led to gates being damaged as robbers rammed through them. However, the remediation works insurance refused to pay for this, so it had to go under the buildings insurance policy.
- Do not allow MHCLG or GLA/Homes England to intimidate you or push you down a route you are not comfortable with. They are in a position of power, and it is easy to feel threatened that they will not fund your remediation. But be assertive and bold. As RMC/RTM directors, it is your responsibility to make the building safe, and you should push hard to ensure you get the right level of funding to fix all fire safety issues. If a funding element is rejected, don't just accept it – push back, appeal it, raise it with your MP and write to the minister. Keep all the receipts – let MHCLG and ministers know that if the safety issue is not fixed and something happens, you have proof that nothing was done by the Government even though you raised the alarm.
- Make as much use as possible of the Remediation Code of Practice before, during and after remediation. The Code is extensive, but you can use it to hold the contractor to account (and the signatories to the Developer Remediation Contract have committed to sign up to it for work that is their responsibility).
- Do not accept the CA signing off works without your authority as the remediation progresses. The BSF processes have caused a lot of uncertainty over whether the CA formally "signs off" or only inspects work that has taken place. Either way, they should not sign off work until you provide formal approval. Make sure you have photos and evidence that the work is done before you allow them to sign anything. It's vital to have extensive "dilapidations" photos inside and outside, where the state of the building is recorded formally, and to ensure there is a record of pre-existing leaks, so the origin of any water ingress following works can be identified.
- Know what a "Pay Less Notice"[5] is and use it if you see the contractor has not done the job properly at each stage. Ensure you obtain legal advice prior to taking this route and ask MHCLG to fund this.
- Once a project completes, it achieves Practical Completion. At this point, there is a Defects Liability Period, which is usually 12 months and means the contractor is legally obliged to fix snagging items that may remain after Practical Completion alongside project-related defects identified in this "end of

[3] https://www.gov.uk/guidance/waking-watch-replacement-fund-2023
[4] https://www.jctltd.co.uk/category/standard-building
[5] https://corporate.jctltd.co.uk/jct-explains-interim-payments/

defects" period. Ensure you have an exhaustive list of snagging items that are each documented individually, rather than by way of general examples.

- Do not allow the CA to issue a Completion Certificate or "Certificate of Making Good Defects" until the work related to that stage is completed to your satisfaction. As soon as the Certificates are issued, your ability to hold the CA and contractor liable to fix issues they caused diminishes rapidly.
- Know that any disputes after the Certificates are issued may need legal intervention and MHCLG will likely refuse to fund it, even though they put you in that position. Try to make sure it doesn't get to that stage, as you will be at an irreversible disadvantage if it does.
- Ensure all project-related information is collated and stored electronically by the CA and handed to you at project completion. For high-rise buildings, this is known as the Golden Thread[6] – while this is not legally required for buildings below 18m, the principles of the golden thread are considered best practice.
- BSR, Safety Case Reports[7] and Building Assessment Certificates (at buildings over 18m): You will have to do all the work to organise "paperwork" to prove your building is safe, you'll spend thousands of pounds on retrospective surveys, and leaseholders will be on the hook for it. Then you'll have to pay the BSR at least £20k to sit at a desk, look at your reports and pontificate on them. Do not pay the providers of these reports until the reports are produced to your satisfaction. There are many companies set up to make money from this, and they simply copy and paste information and legislation that does nothing to make your building safe. As we all know, the money spent on these reports and the BSR would be much better spent on actual fire stopping, upgrading safety features, etc. So, try to spend as little as possible on this, and keep campaigning so that the law is changed and BSR costs are not dumped on leaseholders.

[6] https://builduk.org/wp-content/uploads/2025/07/Golden-Thread-An-Overview.pdf
[7] https://www.gov.uk/guidance/preparing-a-safety-case-report