

# Consultation Response

## Single construction regulator prospectus

March 2025



## Introduction

The Law Society of Scotland is the professional body for over 13,000 Scottish solicitors.

We are a regulator that sets and enforces standards for the solicitor profession which helps people in need and supports business in Scotland, the UK and overseas. We support solicitors and drive change to ensure Scotland has a strong, successful and diverse legal profession. We represent our members and wider society when speaking out on human rights and the rule of law. We also seek to influence changes to legislation and the operation of our justice system as part of our work towards a fairer and more just society.

Our Property and Land Law Reform sub-committee welcomes the opportunity to consider and respond to the UK Government consultation: *Single construction regulator prospectus*.<sup>1</sup> The sub-committee has the following comments to put forward for consideration.

## Questions

1. Where do each of the proposed outcomes for the system sit on a scale from very useful to not useful at all?

We have no comments.

2. What role would you and/or your organisation play in achieving these outcomes?

We have no comments.

3. What will be the most important factors to achieving the proposed outcomes?

We have no comments.

4. What are the most important barriers that could prevent the proposed outcomes from being met?

We consider that the proposals have the potential to disproportionately harm cross border property transactions. This could arise if certain projects in England are able to demonstrate compliance (e.g. with requirements on products,

---

<sup>1</sup> [Single construction regulator prospectus - GOV.UK](https://www.gov.uk/government/consultations/single-construction-regulator-prospectus)

professionals and buildings) and have certificates etc. but buildings in Scotland lack equivalent documents. We would welcome further information on how the UK Government envisions this regulator working on a UK-wide basis and in conjunction with devolved regulatory regimes, as we consider there to be a possibility of differing requirements in different parts of the UK. We highlight the ongoing call for evidence from the Scottish Government on fire safety review and compliance.<sup>2</sup>

5. What data would be needed to demonstrate whether the outcomes are being achieved?

We have no comments.

6. Have you experienced any challenges with providing information via government digital services when complying with current regulatory requirements across products, professions and buildings?

We have no comments.

7. How should the new regulator promote consistent digital standards and interoperability across the lifecycle of a building (including products, professions and buildings)?

We have no comments.

8. What digital tools and platforms do you find most effective for ensuring you meet regulatory compliance and why?

We have no comments.

9. What are the opportunities and risks associated with automating regulatory compliance checking (e.g. AI-driven assessment), and how should oversight, accountability and human review be retained within automated systems?

We have no comments.

10. Should the regulator play a role in setting behavioural standards and providing foundations for enforcement? If so, how should it do this e.g. via powers or duties?

We have no comments.

---

<sup>2</sup> <https://consult.gov.scot/housing-and-social-justice/scottish-building-regs-section-two-review-fire-cfe/consultation/>



11. How can the regulator protect residents, enabling them to effectively exercise their rights to seek redress to make their homes safe, without fear or confusion?

We have no comments.

12. How can the regulator monitor the impact the regulatory system has on the safety of residents?

We have no comments.

13. What should the regulatory system do to better share information between regulatory bodies to inform and support the delivery of resident-based outcomes?

We have no comments.

14. How can the regulatory system better support and advise residents? Do you agree with the principles set out in this chapter, and the proposed roles and responsibilities for government, regulatory bodies and industry?

We have no comments.

15. What are your views on how the new regulator can work with industry to support culture change, towards a quality and safety-led culture? What sort of incentives or sanctions do you feel would be effective in supporting this change?

We have no comments.

16. What are your views on how industry can best drive the culture change and respond effectively to the changes proposed in this prospectus? In your view, how prepared are individuals and businesses for these changes? What would support industry to be more prepared?

We have no comments.



For further information, please contact:

Reuben Duffy  
Policy Team  
Law Society of Scotland  
DD: 0131 476 8150  
[reubenduffy@lawscot.org.uk](mailto:reubenduffy@lawscot.org.uk)