

Scrutiny Review: Fire Safety in High Rise Blocks

A Review by the Overview and Scrutiny Committee

2018/19

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CHAIR'S FOREWORD AND SUMMARY

This review was set up in the aftermath of the Grenfell Tower fire. Many local authorities have high rise blocks and there was understandable serious concern that many of the issues that led to the tragedy might not be unique to Grenfell Tower. The Committee is pleased by the level of response that was made to the fire in Haringey, particularly by Homes for Haringey. The review nevertheless performed the important function of closely examining the response as well as looking how other local authorities had responded for the purpose of learning. It identified a number of areas where it felt that additional action was necessary or improvements required. The review was also able to contribute to the development of the response to Grenfell as it went along and we found Homes for Haringey and other parties keen to take on board our feedback

There is unlikely to be anything approaching complete clarity on all of the causes of the fire and the resulting loss of life until the Public Inquiry is able to report. The Hackitt review of the building regulations has already reported, although detail on the plans for implementation of the recommendations are still awaited. It is important that the Council and its partners are kept informed of further developments and make sure that any new guidance is acted on. It is clear that it will be necessary to continue to have sufficient qualified building control officers within the Council to facilitate this and plans will need to be made to guarantee this.

It is essential that it is easy for fire safety concerns to be raised in a timely manner by residents. In addition, there should also be a clear and transparent process for responding to them as well as informing them of progress. Communication and engagement with residents should also continue to be a priority. In particular, all residents need to be appraised of fire safety arrangements. The fact that 39% of flats owned leaseholders are sub-let can make this process more complicated and, in addition, make it more difficult to identify all residents that might need specific assistance in the event of a fire or pose a specific risk, such as hoarders.

A “stay put” policy is very effective provided it is possible to contain fires within individual flats. This is dependent on the compartmentation of flats. However, this can be compromised by refurbishments and some improvements undertaken previously by tenants. The Committee welcomes the more intrusive fire risk assessments that are being undertaken by Homes for Haringey to determine whether compartmentation continues to be sound. The outcome of these needs to be monitored though to ensure that any concerns are acted on.

There are conflicting views on the benefits of the retrofitting of sprinklers. Even if it is accepted that there is clear benefit in installing them, the costs would need to be addressed as well as the issue of whether installation could affect containment of fire. It is likely to be an issue that is covered in either the implementation plans for the Hackitt review or the Public Inquiry and it would therefore probably be best to return to this matter at the appropriate time.

The Committee recognises that all of the issues arising from the Grenfell fire are still not fully established. It is for this reason that the Committee will be considering the issue further in due course and that this is an interim report.



Cllr Lucia das Neves
Chair – Overview and Scrutiny Committee

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RECOMMENDATIONS

1. That, when proposals for the implementation of the recommendations of the Hackitt review are developed, a report be submitted to the Overview and Scrutiny Committee on their implications for the Council and partners. (Recommendation 2.12)
2. That a working group be set up to consider how to most effectively address the shortage of professional and technical staff within the Council through developing pathways to train and develop new staff as well as incentives to attract suitable individuals. (2.23)
3. The Homes for Haringey (HfH) approach Local Authority Building Control to explore the possibility of them providing fire risk assessors for Homes for Haringey as and when required. (2.30)
4. That additional information by HfH for residents on Fire Risk Assessments be included on the relevant web page by providing the date of the last inspection and when the next one is due. (2.31)
5. That the Council's Communications Team be used to publicise LFB Fire Safety Days for HfH residents and that, in addition, consideration be given to using local schools to promote them. (3.17)
6. That a written communication strategy be developed by HfH and shared with the Committee outlining how residents will be engaged with on fire safety issues and involving the Council, LFB and schools. (3.22)
7. That further consideration be given to how fire safety concerns could best be brought to the attention of HfH by residents in order to encourage timely reporting, with the setting up of a dedicated telephone number considered as an option. (3.26)
8. That HfH publishes how fire safety concerns and issues are managed and reported on through its governance structures. (3.26)
9. That strategic engagement by HfH with residents be included within the work plan for the Housing and Regeneration work plan. (3.28)
10. That an update on outcome of the programme of more intrusive fire risk assessments that are currently taking place be submitted to the Housing and Regeneration Scrutiny Panel and, in particular, the soundness of compartmentation of where assessments have taken place. (4.4)
11. That the issue of the retrofitting of sprinklers be considered further by the Committee when there is greater clarity on the implementation plans for the recommendations of the Hackitt review and/or the recommendations of the Grenfell Inquiry. (4.11)

12. That commissioners should require care home providers to confirm that all individuals undertaking FRAs on their behalf are appropriately accredited. (4.33)
13. That the feasibility of relevant FRAs being reported to the Adults Safeguarding Board be considered. (4.34)

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1. BACKGROUND

- 1.1 The review was set up in response to the fire at Grenfell Tower that took place on 14 June 2017 and was the cause of 72 deaths and over 70 injuries. Over 200 people also lost their homes and possessions. It was the deadliest fire in the UK since the 1988 Piper Alpha disaster and the worst residential fire since the Second World War.
- 1.2 The initial evidence sessions for the review took place in 2017-18. Further evidence sessions took place in 2018-19 following the local government elections, which also led to a change in the membership of the Committee. Further detail on the implementation plans for the recommendations of the Hackitt Review is awaited and, in addition, the Public Inquiry on the fire is continuing. In the light of these, this is an interim report.

Terms of Reference

- 1.3 The review focussed on the 54 high rise blocks and over six storeys that are owned by the Council and managed by Homes for Haringey (HfH). In addition, it also looked at housing association housing and privately owned homes where the Council has responsibility for building control.
- 1.4 The review considered the following matters, as outlined in its terms of reference:
- “Building Safety:
 - How has the Council satisfied itself that its buildings and high-rise buildings in the Borough are safe from fire, including construction materials, containment, ventilation, and evacuation routes, safety systems (e.g. sprinklers and alarms)?
 - What action has been identified and taken to date in response to Grenfell?
 - How is building safety monitored, including housing management policies and procedures?
 - How is fire safety for high rise blocks featured in the Council’s planning policy and building control responsibilities?
 - What is the Council and ALMO’s assessment of the effectiveness and application of current building regulations? Are there sufficient resources for enforcement?
 - Engagement – How are residents engaged with in relation to fire safety, including awareness of procedures in the event of a fire and responding to concerns about fire safety?
 - Access – Are the needs of residents with disabilities known and how are they reflected in fire safety arrangements and evacuation procedures?
 - Procurement – what weight is attached to safety against other considerations in considering tenders for building works?
 - Emergency Planning – how prepared is the Borough to coordinate the response to a major incident?
 - Governance – are the current decision-making and accountability arrangements for the ALMO adequately considering issues of fire safety?”

Sources of Evidence

- 1.5 In undertaking this review, the Panel received evidence from the following sources:
- Research documentation and relevant local and national guidance;
 - Interviews with key stakeholders and local organisations;
- 1.6 A full list of documentation considered and all those who provided evidence as Appendices A and B.

Membership

- 1.7 The membership of the Panel was as follows:

2017-18: Councillors Charles Wright (Chair), Pippa Connor, Tim Gallagher, Kirsten Hearn and Emine Ibrahim).

Co-optees/Non Voting Members: Luci Davin (Parent Governor representative), Yvonne Denny (Co-opted Member - Church Representative (CofE)) and Uzma Naseer (Parent Governor Representative)

2018-19: Councillors: Cllr Lucia das Neves (Chair), Cllr Pippa Connor, Cllr Mahir Demir, Cllr Ruth Gordon and Cllr Adam Jogee.

Co-opted Member: Ms Y Denny (Church representative).

2. THE REGULATORY FRAMEWORK

Fire Safety Regulations

- 2.1 Fire safety regulations relating to buildings depend on the stage in their life. At planning stage, fire safety is currently not a material consideration so the ability of local authorities to create policies that incorporate fire safety measures or collect relevant information is limited. The insulation used and fire safety measures are not necessarily presented as part of planning applications but some developers are now providing more information for assurance. There are specific regulatory requirements for buildings over 10 stories, including the provision of evacuation routes and signage. If these requirements change, there could be some implications for buildings given planning consent but not constructed yet.
- 2.2 Building works are subject to the Building Regulations 2010 and their supporting guidance. Approval for works can be obtained either through the local authority building control department or by an approved inspector. Consultation should take place with the local Fire and Rescue Authority before building control approval is granted. Once the building is occupied, the Regulatory Reform (Fire Safety) Order 2005 applies. This places responsibility on the “Responsible Person” to manage fire risk by carrying out regular assessments of common areas. The “Responsible Person” (RP) in the case of a block of flats will be the person or organisation who has overall control of the premises, which is usually the owner or managing company working for the owner. The RP is only liable for the common areas, such as corridors, passages, landings and stairwells
- 2.3 The Housing Act 2004 and the Housing Health and Safety Rating System Regulations 2005 confers powers on local authorities to ensure fire safety in occupied buildings. Under the Housing Health and Safety Rating System, local authority Environmental Health officers check for 29 potential hazards, including fire, to determine the likelihood of harm occurring and can issue sanctions to building owners where remedial action is not taken.
- 2.4 The local Fire and Rescue Authority plays a key role in fire prevention by inspecting premises to audit fire safety standards and become familiar with the building’s fire safety features and equipment. The Fire and Rescue Authority will advise the “Responsible Person” on how to comply with their obligations and can, if necessary, enforce fire safety standards. When a building is refurbished, works are subject to the Building Regulations in the same way as in the design and construction phase.
- 2.5 The London Fire Brigade (LFB) is London’s Fire and Rescue Authority. The Committee heard from them how fire safety responsibilities are organised across London and locally to fulfil requirements of Regulatory Reform (Fire Safety) Order 2005. The LFB has 350 Fire Inspection Officers who give advice and undertake post-fire audits across London. These officers are regularly trained to ensure they are appraised of new issues or changes to requirements.

- 2.6 When considering the fire safety of a building, the following are considered:
- The number of means of escape;
 - Ventilation systems (including smoke control systems); and
 - The maintenance of corridors to ensure that they are kept clear.
- 2.7 The LFB do not undertake regular inspections or certify the fire safeness of a building as a matter of course. The building manager is responsible for fire safety and the LFB decides whether a building requires inspection based on its management information and maintenance record, as provided by a qualified assessor. The provision of quality information is a statutory requirement and crucial for the LFB to be able to prioritise its work and pinpoint where inspection is required. If there are significant matters to be addressed following an inspection, there can be enforcement issues or the LFB can prohibit the use of the building.

Post Grenfell Reviews

- 2.8 Following the Grenfell fire, a number of national reviews into fire safety were set up by the government, which focused primarily on residential high rise buildings. Not all of these reviews have been completed but their conclusions are likely to have a significant impact on the future regulatory framework around fire safety and shape best practice in the long term. Of particular note are the Public Inquiry and the Hackett Review.

Public Inquiry

- 2.9 The Public Inquiry began its work on 14 September 2017. Its terms of reference are as follows:
1. "To examine the circumstances surrounding the fire at Grenfell Tower on 14 June 2017, including:
 - (a) the immediate cause or causes of the fire and the means by which it spread to the whole of the building;
 - (b) the design and construction of the building and the decisions relating to its modification, refurbishment and management;
 - (c) the scope and adequacy of building regulations, fire regulations and other legislation, guidance and industry practice relating to the design, construction, equipping and management of high-rise residential buildings;
 - (d) whether such regulations, legislation, guidance and industry practice were complied with in the case of Grenfell Tower and the fire safety measures adopted in relation to it;
 - (e) the arrangements made by the local authority or other responsible bodies for receiving and acting upon information either obtained from local residents or available from other sources (including information derived from fires in other buildings) relating to the risk of fire at Grenfell Tower, and the action taken in response to such information;
 - (f) the fire prevention and fire safety measures in place at Grenfell Tower on 14 June 2017;
 - (g) the response of the London Fire Brigade to the fire; and

- (h) the response of central and local government in the days immediately following the fire;
and
2. To report its findings to the Prime Minister as soon as possible and to make recommendations

2.10 Phase one of the inquiry finished in November 2018. This did not consider decisions made about the refurbishment of the tower, Kensington and Chelsea's interaction with residents or the governance and management of the block, which will be tackled in a second phase. This is expected to take the inquiry into 2020.

Hackitt Review

- 2.11 The government also asked Dame Judith Hackitt to carry out a review of building regulations and fire safety. Interim findings were published in December 2017 and the final report published on 17 May 2018. This recommendations include the following:
- An "outcomes-based approach" to the regulatory approach, to be overseen by a new regulator;
 - Clearer roles and responsibilities throughout the design and construction process, as well as during a building's occupation;
 - Residents to be consulted over decisions affecting the safety of their home;
 - A more rigorous and transparent product testing regime; and
 - Industry to lead strengthening competence of those involved in building work and to establish an oversight body.
- 2.12 The Committee noted that a number of working groups have been set up to take forward the recommendations of the Hackitt review. These will be reporting back in due course. It is currently not clear when proposals for the implementation of the recommendations will emerge but it is the intention that they will be before the anniversary of the publication of the report.

Recommendation:

That, when proposals for the implementation of the recommendations of the Hackitt review are developed, a report be submitted to the Overview and Scrutiny Committee on their implications for the Council and partners.

Building Control

- 2.13 The Committee heard that fire safety issues for building control are dependent on the trends of building design and the risks associated with materials used. Whilst the issues arising directly from Grenfell are not yet fully known, they are not the only matters relating to building control that are of potential concern. In particular, the Grenfell fire has brought home the need to ensure transparency by developers.

- 2.14 The privatisation of building control in the 1980s meant that there was more choice for developers and competition for building control inspections. However, private operators cannot undertake enforcement action and have to refer such action to the local authority. Haringey's Building Control team is very well regarded and competitive, having won awards, but they cannot generate profit from their building control services. It provides about half the building control services in the borough and there is rising demand for the services of the team.
- 2.15 The Hackitt review has recommended the setting up of a new Joint Competent Authority (JCA) comprising local authority building standards, fire and rescue authorities and the Health and Safety Executive (HSE) to oversee management of safety risks in high-rise residential buildings. This would mean that approved inspectors could no longer be used in such instances. All changes would need to go through the JCA and approval would be necessary before work commenced. The JCA would also probably need to be involved at design stage.
- 2.16 The Building Control Service is recruiting surveyors but faces stiff competition from approved inspectors who are able to offer considerably higher salaries. Local authorities, including Haringey, have trained inspectors in the past. The service is now down to its bare bones though and it is therefore not possible to offer training to new staff any more. It also has an ageing workforce. In some cases, it has been necessary to use agency staff or staff from other authorities. If there are further problems, it might be necessary to consider recruitment and retention packages. Efforts are now being made to develop current staff though.
- 2.17 The Committee noted that there are currently six surveyors and five of these trained at Haringey, although this was some time ago. There is already co-operation between boroughs and Haringey undertakes some work on behalf of others. If the recommendation to establish a JCA is implemented, additional resources may be required for the service.
- 2.18 The Committee heard that Tower Hamlets also have an ageing building control workforce. They had been forced, on occasion, to bring inspectors out of retirement to fulfil their duties. Apprenticeships have been considered by them as one way of refreshing the workforce and bringing in younger people.
- 2.19 Bob McIver, the Head of Building Control reported that there was now a lot more training of professional staff taking place in local authorities and apprentices were being taken on. However, it will take time for individuals to become fully qualified and experienced and there is always the risk that they will be poached by private companies.
- 2.20 Local Authority Building Control (LABC), which is a consortium of local authorities, is at the forefront of work to develop new building control officers. Colleges and universities had stopped running courses due to the lack of

students though but they were now having to re-start them. The Committee noted that individuals can be sponsored and that the Apprenticeship Levy can be used for this purpose.

- 2.21 The Council currently takes part in the national local government graduate development programme but those who come through this scheme are focussed on strategic management roles rather than technical and professional ones. There are a range of areas besides Building Control where it is also difficult to recruit appropriately qualified and experienced staff and which have an ageing workforce. Examples of such roles are environmental health, planning policy and legal officers.
- 2.22 The Committee is of the view that links need to be developed with schools, colleges and universities to attract suitable candidates. In addition, training and professional development programmes need to be reinstated so that the Council is better able to develop its own staff rather than just relying on recruiting staff that are already qualified and experienced. There will always be the danger that such staff are enticed away by other employers but those who benefit from technical and professional training and development can be tied to the Council for a period of time.
- 2.23 The Committee recommends that a working group be set up to consider how to address the shortage of professional and technical staff in many areas through developing pathways to train and develop new staff as well as incentives to attract suitable individuals.

Recommendation:

That a working group be set up to consider how to most effectively address the shortage of professional and technical staff within the Council through developing pathways to train and develop new staff as well as incentives to attract suitable individuals.

Governance of Fire Safety

- 2.24 HfH has monthly fire safety meetings which are chaired by the Managing Director of Homes for Haringey and feeds into its Health and Safety Board. It also reports on a bi-monthly basis to meetings of the HfH Audit and Risk Committee. Amongst other things, the fire safety meeting considers Fire Risk Assessments (FRAs) and fire safety actions. Ahead of each monthly meeting, meetings take place with the senior managers responsible for each action and they provide an update on progress. For ease of reference, a highlight report of any red or amber actions is produced and

presented to the meeting, where any outstanding issues are raised. An action plan is maintained which is revised and updated after each meeting. The action plan is the main audit trail and contains all the detail.

- 2.25 HfH has an annual budget of approximately £3m for fire safety. All their procedures were reviewed following the Grenfell fire and they are now all in line with LFB guidance. The general policy of HfH is that the frequency of fire risk assessments is determined by the risks identified at each inspection. For instance, high risk buildings are inspected on a six monthly basis, medium risk buildings annually and low risk every two years. This is a visual inspection rather than a more disruptive type. Estate Services staff do weekly inspections are expected to report any work required between fire risk assessments. This also acts as a post inspection to show that the recommendations have been acted on.
- 2.26 Chris Liffen from HfH stated that he was comfortable with the current division of responsibilities and was confident that HfH's internal systems, such as audit and capability of staff, meant that the many areas of compliance are managed effectively. Future challenges would be:
- Ensuring the recruitment and retention of capable staff, with growing competition for them meaning pay rates were rising in a challenging way;
 - Operating without as complete a set of records as would be desirable; and
 - The need to retain institutional knowledge – for example, if HfH's relationship with the Council changed.

Fire Risk Assessments

- 2.27 Weekly fire risk assessments are completed on all HfH properties. Full assessments take place periodically, with their frequency dependent on the level of risk. Fire risk assessors are directly employed and report to the Head of Health and Safety. Any issues that need to be dealt with, such as repairs, are raised with services.
- 2.28 Action is being taken to employ additional fire risk assessors in order that detailed assessments can be undertaken more frequently. Such assessments are more intrusive and can involve, for example, opening ducts. It is anticipated such regular detailed assessments will become a specific requirement.
- 2.29 The Committee noted that there was no national standard for qualification as a fire risk assessor. A LFB representative who had given evidence to the review undertaken by Islington Council emphasised the importance of fire risk assessments being completed by a suitably qualified and competent person and

suggested that local authorities may wish for their fire risks to be assessed by a fire engineer. These hold professional qualifications to at least degree level and are accredited by the Institution of Fire Engineers. Islington has recommended that consideration be given to supplementing the work of Islington's in-house assessors with reference to a suitably qualified Fire Engineer. All fire risk assessors at HfH are appropriately qualified and members of the Institute of Fire Safety Managers.

- 2.30 HfH faces difficulties in recruiting and further efforts are being made. Fire Risk Assessors were currently attracting salaries of £55-60,000 per annum and HfH can currently only offer £38,000. HfH has been looking to agree a contract with a company to provide cover should it be required, with payment being per assessment undertaken. Bob McIver, Head of Building Control, reported that Local Authority Building Control (LABC) can provide fire risk assessors if required. They are a consortium of local authorities who could compete with private sector organisations for such work. Mr Liffen agreed to investigate this option.

Recommendation:
The Homes for Haringey be requested to approach Local Authority Building Control to explore the possibility of them providing fire risk assessors for Homes for Haringey as and when required.

- 2.31 The Committee noted that HfH now publish details of their FRAs on the HfH website and tenants can request copies via a dedicated e-mail address. This was implemented from June 2018. The full versions of assessments are not published as sections of these are of a technical nature and, in addition, they are updated on a regular basis. No requests for copies have been received so far. The Committee suggests that additional information for residents be included on the relevant web page by providing details of the date of the last inspection and when the next one is due.

Recommendation:
That additional information by HfH for residents on Fire Risk Assessments be included on the relevant web page by providing the date of the last inspection and when the next one is due.

3. POST GRENFELL RESPONSE

Introduction

- 3.1 The Committee looked at the response that was made to the immediate issues that became known following the Grenfell fire and the actions that were taken to address them.

Aluminium Composite Material (ACM)

- 3.2 Following the Grenfell fire, high-rise buildings with the same ACM cladding as Grenfell Tower were identified and the cladding sent for testing. In their second round of testing, the Ministry for Housing, Communities and Local Government (MHCLG) found that approximately two thirds of buildings were non-compliant with fire safety requirements and therefore required further audits. There were 188 such buildings in London and data was gathered on the type and size of these to enable a risk assessment to be drafted before deciding which required further inspection.
- 3.3 The LFB has statutory powers to require corrective work to be undertaken if identified by fire safety audits. In the past, cladding was not something that could be included as requiring change. As an external feature, it is not within the remit of the Regulatory Reform (Fire Safety) Order 2005 but the LFB can recommend that its removal be considered.

Homes for Haringey

- 3.4 The Committee heard that there are 54 blocks in Haringey over 18 metres tall (approximately 6 floors) and 3337 dwellings. No Homes for Haringey (HfH) properties were found to have ACM cladding. 26 of the 54 blocks have only a single stairwell escape route. The remainder all have at least two exits. All buildings above 18 metres have wet risers and these are inspected every six months. A wet riser is a supply system intended to distribute water to multiple levels or compartments of a building, as a component of its fire fighting systems.
- 3.5 Although the onus for ensuring fire safety compliance is with HfH, the LFB provides support where asked and often visits blocks to ensure familiarity in case of having to tackle a fire there. The LFB has undertaken one recent audit in a HfH building.
- 3.6 HfH reviewed the safety of its buildings in line with guidance that it received from the MHCLG and the LFB. There have been a number of workstreams arising from this:
- A risk assessment of integrated window panels has been completed and HfH is now looking at replacing the majority of these. This work will be prioritised and take place over the next 24 months. The costs of this had not yet been established. The works will have a knock on effect on other areas of work.

- Work has also taken place to review all stock investment work where compartmentation may have been breached when new rising services were installed. All work where HfH have complete records (since 2006) had been reviewed and HfH were now reviewing all pre 2006 investment works;
- HfH have completed intrusive surveys of one of their seven timber framed buildings and whilst, they were satisfied that the building was constructed in line with building regulations, it was possible that resident alterations could have breached compartmentation. They were developing communications for residents and prioritising automatic fire detection in these blocks;
- Historically landlords have only completed type 1-2 risk assessments, which are non-intrusive communal area surveys. HfH is to start type 3-4 fire risk assessments, which include intrusive surveys in communal areas and within properties. These risk assessments would help to identify breaches in compartmentation on vertical risers;
- Fire risk assessments of street properties have been completed and action is being taken to install automatic fire detectors within all of them. This will be completed within the next two years, cost £4 million and involve 528 individual houses. In the event of fire, properties will be evacuated so sprinklers were not required. The alarms will be linked and not individual as they are at the moment. Full training on the new system will be given to residents;
- The positioning of rubbish chutes and bin stores has been reviewed and remedial action taken if required; and
- There is a sign replacement and installation programme.

Housing Associations and Private Residential Blocks

- 3.7 Following the Grenfell fire, the Council was requested to provide information to the Government on use of cladding in private buildings and housing association buildings. As building developers can use private building control inspectors instead of the Council's service, the level of information held by the Council was limited.
- 3.8 A number of blocks owned by Newlon Housing Trust in Tottenham were nevertheless found to have at least some ACM cladding. One of its buildings is a modern building and has a number of fire safety systems, including a sprinkler system, wet riser, a firefighter's lift and smoke evacuation valves. Newlon committed to remove and replace the ACM cladding as soon as it was found to have failed safety tests and the work is expected to be completed by July. A block in Hornsey owned by One Housing Group was also partly clad with ACM. One Housing have also committed to remove this cladding.
- 3.9 There were no private blocks over six storeys which were found to have ACM cladding.

Emergency Planning

- 3.10 A key area that came under focus following the Grenfell fire was Emergency Planning. The Committee heard that the Council's emergency plans are regularly reviewed and tested as part of the Haringey Resilience Forum, which is a statutory partnership body. Following the Grenfell fire, the Council undertook a local review of the lessons learnt. A number of staff were also deployed to assist in the response with Kensington and Chelsea. In addition, the Chief Executives of London Councils commissioned a peer review of London local authority resilience arrangements. A further multi-agency review was also undertaken following the peer review.
- 3.11 Key actions resulting from these were as follows:
- The Council has developed its mobilisation plan and put in place arrangements to ensure that there are enough people in Emergency Response roles in order to mobilise staff effectively;
 - A workshop was held with voluntary, community and faith groups to help them understand how the response to a major incident worked;
 - The Council has taken steps to ensure that staff will be visible in the eventuality that the Council has to respond at scale;
 - Long standing mutual aid relationships exist with other London boroughs. A piece of work was underway as part of the London-wide Resilience Forum to standardise the emergency plans for each London borough so they are structured in the same way; and
 - A London-wide Memorandum of Understanding had been put in place with the British Red Cross.
- 3.12 The London Resilience Forum are responsible for co-ordinating emergency planning and resilience arrangements across London. Sitting underneath this forum are a number of sector panels, one of which was the local authorities sector panel which was responsible for the standardisation of emergency plans.
- 3.13 The Committee noted that it may not be possible to find suitable accommodation within the Borough to re-house people in the event of a major incident, given the housing shortage. On a pan London basis, the number of void-properties held by any individual authority is constantly changing and the exact figure at that point in time would be required to determine what capacity there was. Andrew Meek, the Council's Head of Organisational Resilience, emphasised that having joint arrangements in place with the other London local authorities was crucial and would allow an accurate assessment to be undertaken quickly.
- 3.14 A voluntary sector capabilities assessment is being developed to determine the capacity of the voluntary and community sector to assist in emergency control response. This has involved a questionnaire being sent out to each of the voluntary/community/faith, groups in order to establish their relative capabilities in being able to respond to an emergency and establish which particular group/s they have links with. The Committee noted that HfH have their own emergency plan. Systems have been tested twice in recent months and had been found to work well.

Communication

- 3.15 All residents of blocks over six floors were either written to or visited following the Grenfell Tower fire to outline action that was to be taken in response to it. Information has also been made available to leaseholders. All communications are available in community languages.
- 3.16 The HfH Letting Team go through fire safety issues with all new tenants and details are also included within their Welcome Pack. In addition, six monthly visits are made to residents. Support staff are available on site and support plans could be developed with residents if required. Staff look to see if people are heavy smokers or hoarders and the LFB can visit in such circumstances.
- 3.17 HfH has held fire safety days with the LFB but these have met with mixed levels of success. Residents associations have been used to publicise them and there is also regular communication with leaseholder organisations. The Committee feels that the Council's Communications Team could be used to publicise LFB Fire Safety Days for residents and that, in addition, schools could have a role in promoting them.

Recommendation:
That the Council's Communications Team be used to publicise LFB Fire Safety Days for HfH residents and that, in addition, consideration be given to using local schools to promote them.

The "Stay Put" Policy

- 3.18 The "Stay Put" policy that was in operation at Grenfell Tower is based on the principle that the LFB should be able to extinguish any fire within an individual property without it spreading externally. It is dependent on the effective compartmentation of individual flats to prevent fire spreading to other properties. The Committee noted evidence from the LFB that the policy will almost certainly be considered by the Public Inquiry. In the meantime, it remains in place for relevant high rise blocks.
- 3.19 The Grenfell fire is likely to have diminished the confidence that residents and the public have in the policy. In Haringey, the policy has been reinforced by HfH through its magazine and website. The Committee noted that there had been a small fire in a tower block in Islington shortly following the Grenfell fire and this had led to panic. Following this, letters had been sent out to all tenants clarifying the policy in respect of their property and signage had been addressed.
- 3.20 There was a fire in a block in Islington more recently though and the compartmentation of flats had worked very well and enabled the fire to be contained. The "stay put" policy is flexible though and can be overridden if required. Mr Liffen stated that initially after the Grenfell fire, there were

significant concerns raised by residents about the stay put policy and confidence was low that residents would adhere to the policy. A change in this feedback had been detected over the last 12 months.

- 3.21 The Committee is of the view that guidance from the LFB tends to have more impact than that issued by local authorities. It was for this reason that Tower Hamlets recommended that there be joint communication on fire safety issues. However, Mr Liffen reported that it has become more difficult to get the LFB to agree to the use of their logo in publicity and communications over the last 12 months.
- 3.22 The Committee is of the view that it is essential that there is effective communication with residents to ensure that there is clarity about fire safety arrangements, particularly the “stay put” policy. It therefore recommends that a written communication strategy be developed by HfH and that this also includes measures to involve Council services and schools.

Recommendation:

That a written communication strategy be developed by HfH and shared with the Committee outlining how residents will be engaged with and involving the Council, LFB and schools.

Reporting of Fire Safety Concerns

- 3.23 One particular issue arising from the Grenfell fire was the fact that, prior to the fire, residents had continually raised concerns about fire safety which had not been responded to adequately or effectively. It is therefore of importance to ensure that residents are able to raise concerns and that these are followed up in a timely and effective manner. In addition, this also needs to be communicated back to residents so it is clear that concerns have been acted on.
- 3.24 Mr Liffen reported that the reporting of fire safety concerns by residents was encouraged when undertaking Fire Risk Assessments. Assessors talk to residents as part of this process. Routine issues can be reported via the HfH Contact Centre. The repairs team review the prioritisation of reports and fire safety concerns were channelled through the health and safety process. There is also an e-mail address for reporting and action is taken to ensure it was widely publicised.
- 3.25 Committee Members expressed concern that delays in getting through to the Contact Centre could discourage people from reporting fire safety issues. They also felt that consideration should be given to how fire safety concerns could best be categorised in order to encourage timely reporting, with the setting up of a dedicated telephone number as an option.

3.26 The Committee is of the view that it is essential that there is clarity on how residents. It therefore recommends that HfH publishes this information on its website

Recommendations:

- That further consideration be given to how fire safety concerns could best be brought to the attention of HfH by residents in order to encourage timely reporting, with the setting up of a dedicated telephone number considered as an option; and
- That HfH publishes how fire safety concerns and issues are managed and reported on through its governance structures.

Feedback from Residents

3.27 The Chair visited a meeting of the HfH's Resident Scrutiny Panel to obtain their views regarding current fire safety issues. The following matters were raised:

- Clear and informed communication with residents is important so that they have the time and the information to understand fully the reasoning behind decision-making;
- One member who had attended the advice workshops around fire safety provided by the Borough Fire Commander regarding the 'stay put' policy stated that it was not really known by those in sheltered housing or those with disabilities living in general needs housing;
- A question was raised about the advice and procedures being offered to disabled residents and if there was any change because no communication had been received;
- There was a question around whether leaseholders had anything in their leasehold agreements or other specific information provided covering fire safety;
- Concern was raised regarding tenants renting from leaseholders and what fire safety information is provided;
- There was a discussion around fire safety notices being required in communal foyers and assurance was given that this was work in progress. Resident Panel members confirmed that they felt that the use of notices was very poor, with many out of date or non-existent. It was felt that street properties were not being given the fire safety consideration that they should have and this should be addressed, looking at equality regardless of building type and tenure;
- There needed to be clarity about who was responsible for fire alarms, monitors and exit strategy and carrying out random testing;
- Members reported that the facility of fire buckets and fire extinguishers had been stopped. It was confirmed that this was a direct result of changing the strategy from attacking/fighting the fire and using CO2 to safely evacuating and calling the emergency services. This again showed that information needed to be shared widely and maybe should be cascaded through resident associations, estate monitors and advocates;

- Fire doors were often wedged open and this was putting residents at risk. It was suggested that clearer notices could be put up making it clear that it was a breach of the tenancy agreement. The possible use of door sensors was raised but this might be too expensive but could be trialled where persistent problems are found. It was felt that this should be recorded in both tenant and leasehold agreements so that action can be taken where continuous action takes place that adversely affects the safety of all residents;
- A number of Resident Panel members felt that no priority was given to dealing with faulty or broken fire doors and that this needed to be changed. Many reported that it can take months to get fire doors fixed and this should have an emergency priority;
- It was suggested that more focused resident events actions should be held including:
 - Information leaflet put through every home;
 - More information in Home Zone;
 - Recruit resident fire safety wardens to report and talk with residents;
 - Make Chairs of TRA's responsible for ensuring that briefings for residents are timely and planned on a regular basis;
 - Ensure that sheltered scheme managers update and inform their residents on fire safety and make this an activity that is recorded as part of their appraisal. Ensure that fire safety criteria are included in residents support plans; and
 - Ensure that building fire risk assessments are published and are accessible to all residents.

3.28 Strategic engagement is being considered by the HfH Board and the intention was to increase the amount that took place. The Committee agreed that the issue be included in the work plan for the Housing and Regeneration Scrutiny Panel.

Recommendation:
That strategic engagement by HfH with residents be included within the work plan for the Housing and Regeneration work plan.

4. ADDITIONAL FIRE SAFETY MEASURES

Introduction

- 4.1 In the light of the Grenfell fire, various additional fire safety measures for high rise blocks have been considered. Some of these may be required because of the outcomes of the public inquiry and the implementation of the recommendations of the Hackitt review. Newer high rise blocks have dry risers, vented lobbies and sprinklers and are therefore safer. HfH has looked at the cost implications of various fire safety measures, including the use of sprinklers and alarms. However, the Committee noted that the efficacy of fire safety measures needs to be balanced against their cost and there is not a straightforward response to the issues.
- 4.2 Particular problems can arise when residents compromise the fire safety infrastructure. This can include changing fire doors, removing, damaging self-closing mechanisms, or obstructing corridors with bikes, pushchairs or mobility scooters. Fire door repairs and accompanying fire-safety mechanisms are one of the larger maintenance demands for HfH and it can sometimes be difficult to ensure residents' support. For example, seven fire doors were repaired in one tower block, of which four were found broken again within days.
- 4.3 Mr Liffen reported that some refurbishments had caused compartmentation to be lost and work had been undertaken to reinstate it where this had been found to have happened. It was not possible to completely sure that properties were still compartmented as there was a lack of comprehensive records, which was why more detailed assessments were now being undertaken.
- 4.4 The Committee is concerned that it is not currently known for certain if all compartmentation is still sound as this may have implications for residents where the "stay put" policy is in operation. It would therefore request that an update on this issue be submitted to the Housing and Regeneration Scrutiny Panel on the outcome of the more detailed assessments that are now being undertaken.

Recommendation:

That an update on outcome of the programme of more intrusive fire risk assessments that are currently taking place be submitted to the Housing and Regeneration Scrutiny Panel and, in particular, the soundness of compartmentation of where assessments have taken place.

Sprinklers

- 4.5 Since sprinklers were made compulsory for properties over six floors in Scotland, there have been no fatal fires in high-rise blocks. It can take 20 minutes for the LFB to attend a fire but sprinklers can be activated in around

30 seconds. The LFB stated that sprinklers could be helpful in suppressing fire and as a mitigating measure but felt that they were not a panacea. This was reflected in the different regimes across the UK in relation to requirements for sprinklers.

- 4.6 Mr Liffen stated that, whilst there was nothing in the Hackett report that would require sprinklers to be fitted retrospectively, it was possible to consider them as part of risk assessments. However, he did not think retrofitting was always practical. The installation of sprinklers needed to be considered carefully given other housing management issues and as they can be set off accidentally. Flats had not been designed to accommodate sprinklers and fitting them could breach current compartmentation, which prevents the spread of fire.
- 4.7 Another consideration is potential water damage from situations when sprinklers are activated in error. Some residents do not have contents insurance and would be adversely affected in such circumstances. Mr Liffen stated that consideration needs to be given to whether high rise blocks should be prioritised for any retrofitting of sprinklers first as it could be argued that supported housing had a greater need, particular where residents had restricted mobility or smoked heavily. HfH have eight portable misting devices and two of these were currently in use to assist vulnerable residents.
- 4.8 The Committee noted evidence from a scrutiny review that Islington Council had undertaken on fire safety that the existing internal plumbing system within flats could be used and it was possible to install them in a way that did not compromise the compartmentalisation of flats. Although the Islington review had been in favour of retrofitting sprinklers, it recognised that the cost was likely to be prohibitive as it would cost £97 million to retrofit sprinklers in all 10 storey plus properties in Islington. They had therefore recommended that representations be made to the government regarding the cost.
- 4.9 A similar scrutiny review by Tower Hamlets also considered the cost of retrofitting sprinklers. They recommended that the feasibility of retrofitting be looked at in detail, with priority being given to properties that posed the highest risk. The Committee noted that sprinklers could be used to deal with instances where individuals had been identified as hoarders and that it was possible to install mobile systems where people were considered to be high risk.
- 4.10 The London Assembly published a report on sprinklers in March 2018. It did not recommend them being installed in all existing building as they felt that this was not immediately feasible due to the considerable cost. It instead recommended that buildings where the most vulnerable people live are prioritised and that the Mayor should establish a specific fund to finance this in 200 high risk buildings over the next five years.
- 4.11 The Committee noted that the costs of retrofitting of sprinklers were likely to be very heavy though and felt that, with a limited budget, it would be

necessary to prioritise installation if it was required. It was agreed that the issue would be considered further when there was greater clarity on what might be required by Hackitt and/or the recommendations of the Grenfell Inquiry.

Recommendation:

That the issue of the retrofitting of sprinklers be considered further by the Committee when there is greater clarity on the implementation plans for the recommendations of the Hackitt review and/or the recommendations of the Grenfell Inquiry.

Composite Fire Doors

- 4.12 Traditional fire doors have cores that are made either of timber or of metal, such as aluminium. The main feature of composite fire doors is that they have fireproof cores that are made from materials that are strong, light and fire resistant. Composite fire doors are only normally used for front doors. It was found that the composite fire doors used at Grenfell Tower did not provide the 30 minute fire protection required and had failed tests. They are not currently being produced, pending evidence that they are fire resistant on both sides. HfH has 6,400 of these and were awaiting test results before deciding what action to take. If they all failed, the cost of replacing them will be circa £7 million and take two years to undertake.
- 4.13 The Committee heard that HfH are in constant dialogue with the LFB, who had indicated that no immediate action is necessary on the doors. The HfH Commercial Team were looking at possible contractual recourse if the doors failed tests. However, action by organisations that bought the doors could lead to the manufacturers becoming insolvent and, in addition, some manufacturers were no longer in existence. Leaseholders would not be charged for replacement of the doors, if this was required.
- 4.14 The Committee noted that leaseholders were required to obtain consent for replacing doors. Details are looked at by a surveyor and, in addition, a certificate has to be provided when the door is fitted. Instances where changes have been made without consent were identified when fire risk assessments took place. Leaseholders could be asked to replace the doors if necessary. Mr McIver reported that it was required that changes be referred to building control.

Communal Areas

- 4.15 The Committee noted the importance of having clear communal areas so that residents escape routes in the event of fire were not obstructed. In response to this, some housing providers have a zero tolerance policy on keeping communal areas clear.

- 4.16 HfH has undertaken a Clear Communal Area pilot scheme in four areas. In these areas, any obstructions in communal areas are automatically moved. Previously, warning had been given. Penalties and charges can be incurred, if appropriate. The Committee noted that the pilot had been very successful and will be rolled out across the borough in June. Signs informing tenants of the new rule will be going up soon. Work had also been undertaken with residents to help them relocate items. In addition, additional storage facilities had been provided.
- 4.17 In respect of the lack of fire extinguishers in communal areas and of fire marshals in HfH properties, the Committee noted that the Local Government Association's "Fire Safety in Purpose Built Flats" Guidance ("the LGA Guidance") states that it is not normally considered necessary to provide fire extinguishers or hose reels in the communal areas in general needs purpose built blocks of flats. Such equipment should only be used by those trained in its use. It is not considered appropriate or practicable for residents in a block of flats to receive such training.
- 4.18 If a fire occurs in a flat, the provision of fire extinguishing appliances in the communal areas might encourage the occupants of the flat to enter the common parts to obtain an appliance and return to their flat to fight the fire. LFB advice to residents is that they should not tackle fires themselves and that this should be left to the professional fire fighters. HfH have provisions in place to support fire fighting in general needs purpose built blocks of flats, which include dry risers and premises information boxes in high rise blocks, fire action notices, and signage.
- 4.19 Fire drills and practice evacuations with fire marshals are normally used in buildings such as offices to reinforce fire awareness training. It is not felt either practical nor necessary to carry them out in purpose built blocks of flats where a "stay put" policy is in operation. Most blocks are designed for this policy.

Vulnerable Residents

- 4.20 Ensuring the occupancy of each property was known and whether they had any vulnerabilities was a priority for HfH after the Grenfell fire. This data can be shared with the LFB if needed. However, it is sometimes difficult to reconcile residents' willingness to be forthcoming with the need to prevent fraud. HfH is continually trying to keep up to date with who is residing in their properties but there are issues in identifying leaseholders and with illegally sub-let properties.
- 4.21 The scrutiny review undertaken by Islington recommended that there should be personal evacuation plans for all vulnerable people who lived in high-rise blocks. In particular, it is important that the LFB can find out quickly where such people are located. However, they also found that it can be difficult to determine who is living in blocks due to the number of leaseholders and sub-letting. Tower Hamlets found that 57% of leaseholders were sub-letting their

properties. They also found that there were likely to be properties in multiple occupation as well as overcrowded.

- 4.22 Some properties have information boxes on site that the LFB can access in emergency. Islington's review recommended that up-to-date information on vulnerable tenants be kept by housing management with details kept on site in an information box that could be accessed by the LFB. The LFB would welcome such a system and are particularly interested in knowing the location of tenants with oxygen cylinders, which could pose a very serious risk in the event of a fire.
- 4.23 In Haringey, the Committee noted that HfH have support staff who are available on site and that personal plans for evacuation can be developed for vulnerable residents if required. Staff looked to see if people were heavy smokers or hoarders and the LFB could visit in such circumstances. There is a vulnerability register that is shared with the LFB

Residential Care Homes and Sheltered and Hostel Accommodation

- 4.24 The Committee received a briefing on the issue of fire safety in residential care homes, sheltered accommodation and hostel accommodation commissioned by the Council. It noted that the Council's Commissioning Service has worked closely with the LFB to reduce the risk of deaths from fire for vulnerable residents. There have been a number of deaths due to fire in recent years, particularly where residents smoke. A summary document and person centred risk assessment checklist from the LFB were forwarded to all care providers during last summer highlighting the importance of identifying risks with regard to service users who may smoke, be bed bound and use equipment such as air mattresses or emollients to protect skin, all of which increase the risk of a fire spreading. In response, providers have identified staff training needs and been working to ensure that all the most recent information is incorporated in fire safety policies. Some providers have been working directly with the LFB to carry out audits of practice, to ensure full compliance.
- 4.25 Following the fire, assurances were sought from care and support providers that fire safety was reflected in their policies and practice and was of importance to them in their service delivery. Procedures were highlighted, with a particular focus on arrangements relating to fire spread and evacuation in a tower block and or a building with cladding. Wider issues about fire awareness and safety were also raised. This was in recognition of the fact that, locally, those most at risk of injury or death from fire are older people who continue to smoke in their own properties as they become more vulnerable.
- 4.26 In addition to sheltered housing provided by HfH, the Council commissions a range of providers to deliver supported housing and floating support in people's own homes. Following the Grenfell fire, a survey was carried out with all housing related support providers. Providers work across age ranges and care groups, often with vulnerable residents. All providers responded and the results of the survey were risk rated, using a RAG system. There were no

providers who accommodated their service users in tower blocks or used cladding. Commissioning officers now raise fire safety with all providers at regular contract monitoring meetings, covering not just the fabric of the building and evacuation procedures but also wider issues of fire safety awareness amongst those staff directly providing support.

- 4.27 The Council also contacted all care home providers in Haringey and those out of borough supporting a Haringey resident to raise awareness about fire safety. No care home provider operates from a block or in a building where cladding does not reach current standards. All providers have fire safety policies and certificates in place and regularly carry out fire evacuation drills with the input of the London Fire Brigade. For those Haringey residents receiving care in their own homes, issues relate to the awareness of fire safety amongst front line care staff and their ability to raise concerns in a timely fashion where risks have been identified.
- 4.28 Following the Grenfell fire, the Provider Forum, which is well attended by all providers operating in and on behalf of the borough, discussed fire issues a number of times. This has been reinforced through quality assurance and contract monitoring processes, particularly in relation to the need to ensure training has been taken up by all front line staff.
- 4.29 Fire safety is a feature of inspections for those services regulated by the Care Quality Commission. There is also an annual quality assurance process of providers that is undertaken by the Commissioning Service. This includes reference to FRAs, fire safety awareness, policy and procedures and training. Any concerns can be referred to the LFB. However, providers are not specifically required to provide formal training in FRAs. Visits can either be arranged or unannounced if there are concerns.
- 4.30 The Committee noted that the LFB has a specific project group of five Inspecting Officers who had recently undertaken a sample of Care Homes across London, applying a more robust approach to inspection. This included scrutinising the compartmentation within buildings and how well this supported a Stay Put Strategy and Progressive Horizontal Evacuation. From 177 premises sampled, 50% had resulted in a level of enforcement action.
- 4.31 In respect of Osbourne Grove, it was noted that Amey, the Council's facilities management company, was responsible for managing the premises and that they had commissioned an external company to undertake FRAs.
- 4.32 Statutory responsibility for producing a FRA rests with the building owner, unless it is delegated under the terms of a lease. In practice, this typically means that it is the responsibility of the care home provider. In any event, a responsible provider should ensure that this is done as part of meeting their contractual and legal health and safety obligations.
- 4.33 The Committee is of the view that commissioners should require care home providers to confirm that all individuals undertaking FRAs on their behalf are

appropriately accredited as way of increasing confidence that fire risks were being identified fully.

Recommendation:

That commissioners should require care home providers to confirm that all individuals undertaking FRAs on their behalf are appropriately accredited.

4.34 The Safeguarding Adult Board has also taken action to raise fire safety issues. Fire safety and compliance were identified both as a risk on the Board's Strategic Risk Register and as a priority on the Board's Strategic Plan, overseen by the Quality Assurance Sub-Group, comprising the Council and partners. The Board has been the conduit for wider dissemination of fire safety measures and has also circulated the LFB's information pack and person centred risk assessment checklist mentioned above to all Board members. A collective Safeguarding Adult Review (SAR) learning event was also held, with partners and the LFB following the sad death of a local resident in a fire. This was a focused learning event to identify actions which could have been taken in response to this individual's needs. These include further training for all front line care workers led by the LFB and further consideration of the issues raised by the incident.

Recommendation:

That the feasibility of relevant FRAs being reported to the Adults Safeguarding Board be considered.

Appendix A

The Panel received evidence from the following:

- Adreena Parkin-Coates and Rebecca Burton - London Fire Brigade;
- Chris Liffen and Kim Graves – Homes for Haringey;
- Michael Westbrook – Housing and Growth;
- Emma Williamson – Planning;
- Bob McIver – Building Control;
- Charlotte Pomery – Commissioning;
- Homes for Haringey Residents Scrutiny Panel;
- Elizabeth Bailey – Tower Hamlets Council; and
- Councillor Mick O’Sullivan and Jonathan Moore – Islington Council.

Appendix B

List of documents submitted or considered as evidence:

Never Again: Sprinklers as the next step towards safer homes – London Assembly

Fire Safety Scrutiny Review Report – L. B. of Tower Hamlets Housing Scrutiny Sub-Committee

Fire Safety in Council Housing – L.B. of Islington Housing Scrutiny Committee

Independent Review of Building Regulations and Fire Safety: Final Report - Dame Judith Hackitt DBE FREng

Housing block names have been redacted to adhere to MHCLG guidance