

Report of the Chief Executive

GRENFELL RESPONSE UPDATE1. Purpose of report

To update the Committee on actions which have been taken since the last report in January; highlight work currently in progress; and to encourage discussion on potential future work, in response to the Grenfell fire tragedy.

2. Background

The Committee was provided with an update relating to actions taken to improve fire safety in the light of the Grenfell fire tragedy in January. An internal officer working group has now progressed the actions identified in appendix 1 in anticipation of the likelihood that the Grenfell Inquiry will result in significant suggestions for improvement action on the part of all agencies, including local government. The end of appendix 1 highlights some suggestions for future work which could involve local Councillors. The “work in progress” and “suggestions on which Councillor feedback is invited, result from consideration of the report of Dame Judith Hackett “Building a Safer Future” , and a study commissioned by Kensington and Chelsea Council from the Centre for Public Scrutiny. Appendix 2 highlights a brief summary of both these reports.

3. Financial implications

External audit of a number of fire risk assessments led to recommendations for further work to address small breaches to “compartmentalisation”. Joints between fire-separating elements such as compartment walls or floors, should be fire-stopped to maintain the continuity of fire resistance; and openings for timber beams, joists, purlins and rafters, and pipes, ducts, conduits or cables that pass through any part of a fire-separating element should be kept as few in number as possible, as small as practicable, and should be fire-stopped. A capital budget for 2018/19 of £350,000 is available, which will allow for the survey work, the continuation of existing work to improve fire safety, and also allow for commencement of additional work to address recommendations from third party surveys. Once all surveys have been completed we will be able to assess the overall work requirement and further cost implications as we systematically review all of our buildings over a reasonable time period.

Recommendation

The Committee is asked to:

- 1. NOTE the actions already taken and work in progress listed in appendix 1.**
- 2. CONSIDER and RESOLVE accordingly in relation to suggestions at the end of appendix 1.**

Background papers

Nil

APPENDIX 1**ACTION TAKEN**

1. Communication sent to all councillors on 20 June 2017.
2. Additional information sent to Leader, Deputy Leader and Committee on 20 June 2017.
3. The tenant's handbook has been re-written with revised information on fire safety.
4. Audit of all properties we own identified two sets of buildings in respect of which there was insufficient information recorded – leading to subsequent further actions in (a) and (b) below
 - (a) Inspections of older properties in Stapleford ascertained nature of materials used were mineral fibre and not considered to be a high fire risk.
 - (b) Further enquiries in relation to Beeston Square identified cladding used as not of concern.
5. External audit invited to review a number of our in house fire safety risk assessments, and suggest further improvements.
6. Annual testing of smoke detectors integrated into annual gas safety inspections. If no smoke detector is found, one is installed
7. Test of all smoke detectors in retirement living properties confirmed all were in working order.
8. The specification on all building contracts was changed to stipulate that both cladding and composite panels to be used including constituent parts of materials should be fire resistant or incombustible. The matter will be kept continuously under review to take on board any recommendations from the Grenfell Inquiry.
9. Fire safety advice included in tenants newsletter, reminding everyone about fire safety (cooking, candles, cigarettes, flammable items in storage, appropriate disposal of rubbish, no blocking of fire exits, mobility scooter storage, blockage of corridors, knowing escape routes, no propping open of fire door, explaining what the policy is in the event of a fire (stay put/evacuate as appropriate), notifying us if there are concerns etc).
10. Website updated with information on fire safety for tenants.
11. Assurance sought regarding active enforcement of building regulations from Erewash BC our partners. Erewash BC attended meeting of Jobs and Economy Committee at which the annual building control report was scrutinised.
12. A register established of all buildings with any form of cladding/composite panel construction and a five year systematic rolling programme of inspections including random core sampling of products.

13. The regularity of fire risk assessments of non-communal scheme properties and general needs housing was established in accordance with the standard expected in the HHSRS, and documented and monitored.
14. Inventory undertaken of all electrical appliances in temporary accommodation.
15. Identification of privately owned buildings in Broxtowe which may contain aluminium cladding.

Further work completed since January 2018

16. General Housing blocks have had fire risk assessments re-done and all fire detection equipment checked.
17. A representative from Erewash BC which delivers our building control service attended planning committee and gave assurance that building regulations are being actively enforced in Broxtowe.
18. There has been a review of all electrical appliances within housing. Some old appliances were thrown out. There is now a register of all electrical appliances. This makes it much easier and quicker to identify and speedily respond to recall issues, and ensure better documentation and systematic testing of all electrical equipment.
19. An additional £350,000 to cover the cost of independent fire risk assessments and remedial works was included in budgets for 18/19. Work is continuing on a rolling programme basis. Lawrence Avenue and The Spinney have been first to be done. Grove Court and Bexhill Court are next.
20. A proposal is to be presented to next Policy and Performance Committee to increase resources for HMO inspection, licensing and enforcement.
21. A reminder was provided in an SMT briefing on the CDM regulations and the intranet updated with fresh guidance for responsible officers.
22. An internal audit on CDM regs was completed (a reasonable assurance verdict was reported to Governance and audit committee) and the recommendations implemented. As a result of this a new e-learning course was developed and is being rolled out across all relevant officers as a mandatory learning requirement.
23. Data has been provided to the government as requested on our housing stock and known private sector stock in our area.
24. The Chief Executive as the most senior manager responsible for Housing has spent days with front line officers listening to ideas and concerns and interacting with tenants through this experience.

Work in progress

- Following an increase in resources for Leaseholder work as a result of the Oct 17 Housing restructure, work is now in progress to identify any areas of risk where leaseholders may have, for example, replaced front doors with doors which are not providing a high enough fire resistance limit.
- We are conducting a thorough audit of existing doors. From that we could establish an objective list of the true fire resistance of existing doors and then be able to make decisions on prioritising replacements if that was considered important in individual circumstances. This is a significant issue for the whole sector as the fire resistant qualities of most doors supplied by the industry have been shown to be inadequate or wrongly specified.
- Increase resources dedicated to compliance in Housing. There is a separate proposal on this on the Housing Committee agenda within the staffing report
- Develop a clear asset plan for the council's Housing assets. This plan would set out a framework within which annual maintenance priorities are set and capital building projects delivered, providing better strategic co-ordination between housing maintenance and capital works. This will be a specific requirement of the new post holder to be recruited to post H126
- Develop a specific fire safety policy for our Housing buildings
- Ensure each building has a "fire safety digital record". This would include details of what materials went into the construction; full plans for the building; any alterations; a record of any approvals for alterations; fire safety risk assessment; copies of inspection reports
- Ensure the tenant engagement strategy includes reference to fire safety issues
- Ensure there is an identifiable duty holder relating to each building (to be contained in the fire safety policy)
- Increase skills and competence in relation to fire safety and safety compliance generally through internal training.
- Develop a specific housing risk register to feed the corporate strategic risk register
- Revisit the website to ensure it highlights opportunities for tenant involvement, comments, suggestions and complaints in plain English
- Highlight through social media pro-actively decisions up-coming and opportunities to influence and have a say.
- More "you said we did" bulletins to increase confidence that issues raised are responded to

Suggestions on which Councillor feedback is invited

- "Listening days" in local areas (Councillors and Officers) to gather information, concerns. Feed these issues into the committee work plan and tell residents what we have done in response.
- Consider how we can engage and include a wider range of voices in decision making. Tenant representation on existing Committee structures is very limited.
- Consider a safety issues item on a resident engagement committee to enable challenge and scrutiny (this could alternatively be taken on by Housing

performance committee as long as there was tenant engagement) . it would be important to gather tenant feedback and concerns by way of a survey to feed into the group.

- Map out the existing resident and community groups in order to engage through these existing structures.
- More cross departmental and cross committee meetings to discuss things that cut across department/committee boundaries, e.g. the introduction of Universal Credit.

APPENDIX 2

1. Building a Safe Future: Independent review of building regulations and Fire Safety: Implications of the Hackett Review (May 18)

The key issues identified by Dame Judith's report are

Ignorance – regulations and guidance are not always read by those who need to, and when they do the guidance is misunderstood and misinterpreted.

Indifference – the primary motivation is to do things as quickly and cheaply as possible rather than to deliver quality homes which are safe for people to live in. When concerns are raised, by others involved in building work or by residents, they are often ignored. Some of those undertaking building work fail to prioritise safety, using the ambiguity of regulations and guidance to game the system.

Lack of clarity on roles and responsibilities – there is ambiguity over where responsibility lies, exacerbated by a level of fragmentation within the industry, and precluding robust ownership of accountability.

Inadequate regulatory oversight and enforcement tools – the size or complexity of a project does not seem to inform the way in which it is overseen by the regulator. Where enforcement is necessary, it is often not pursued. Where it is pursued, the penalties are so small as to be an ineffective deterrent.

The full report can be read here

<https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-final-report>

Whilst the review applies primarily to so-called "HRRBs" (higher risk residential buildings 10 storeys and over), in some cases the review suggests "applying specific recommendations to a wider set of buildings... where it feels proportionate to do so" (1.6 P 19). This might include

- Blocks under 10 storeys covered by the Fire Safety Order 2015
- Multi-occupancy residential buildings
- Institutions and other buildings used as living accommodation where people sleep

It would therefore be sensible to extract from the Hackett recommendations anything of relevance which can be pro-actively embraced to improve public safety. This would include:

- Developing a clear asset plan for the council's buildings (HRA and office). This plan would set out a framework within which annual maintenance priorities are set and capital building projects delivered
- Developing a fire safety policy for our buildings
- Ensure each building has a "fire safety digital record".
- Increase capacity for fire safety compliance
- Ensure the tenant engagement strategy includes reference to fire safety issues

- Consider a tenant panel specifically relating to safety issues to enable challenge and scrutiny (this could alternatively be taken on by Housing performance committee as long as there was tenant engagement)
- Ensure there is an identifiable duty holder relating to each building
- Increase skills and competence in relation to fire safety and safety compliance generally.

All this work has been picked up and is included in the “work in progress” within appendix 1.

2. Change at the Council

The Grenfell Fire has become a totemic representation of what happens when a local authority faces a catastrophic breakdown of trust between itself and its residents.

Kensington and Chelsea has been lambasted as a Council that

- Didn't listen
- Didn't care
- Didn't respond
- Was more interested in saving money than in protecting lives

The underpinning attitudes and values that the Council presented to its residents directly led to this deep seated anger and mistrust. That Council has been trying to understand where and how it can start to rebuild those relationships, and decided to commission the centre for public scrutiny to undertake evidence gathering from residents (through focus groups, interviews and a survey), from Councillors and from officers to come up with some recommendations for future action.

The report has relevance for all Councils. One of the abiding lessons of Grenfell is that no Council can afford to be complacent about its relationship with the people it exists to serve.

Listed below are some applicable “lessons” which might inform our future Grenfell action plan.

1. The “12 principles” set out in the report as the hallmarks of good governance are very relevant. These are:

- Connecting with residents

***The need to get out of the town hall and talk to people face to face
Meetings that are more informal not bureaucratic
Reducing the distance between senior managers and front line officers
Use of the website and social media to talk to people in their language***

- Focusing on what matters

***Allow residents to influence the work plan of committees
Communicate well about what decisions are going to be made by
committee well in advance***

- Listening to many voices

We need to ensure we are listening to a wide range of voices – the rich and the poor, people in different geographical areas; the loud and the quiet

- Acting with integrity

The need to follow words with action

The need to train officers to engage appropriately with residents and Councillors

- Involving before deciding

The need to involve residents early in decision making and before it is too late to influence or change the course of events

The need for better identification and prioritisation of projects which require early and continued engagement and the need to co-design input opportunities with local residents.

- Communicating what we're doing

Use of plain language

Communicating what decisions have been made and what decisions are coming up in a clear and transparent manner.

Explain the decision-making process in a clear manner and highlight opportunities to complain, question, and engage.

- Inviting residents to take part

Setting up a “listening committee”

Consider importing good practice from other committees (e.g. planning)

Look at co-opting residents to committees for certain issues

Map out the existing resident and community groups in order to engage through these existing structures.

- Being clearly accountable

Recognise and tackle the difficulty where decision making crosses boundaries of decision making (e.g. between different department officers or portfolio responsibility)

- Responding fairly to everyone's needs

Tackle the perception that resources are skewed to responding only in certain geographical areas

A corporate casework system

Share skills and experience of longer serving councillors with new ones

Consider how decisions can be taken closer to the residents

- Working as a team

Encourage cross party working in the public interest

- Managing responsibly

Identify risk and manage it responsibly

- Having the support we need

Use external expertise to bolster the ability to scrutinise and challenge existing practice

Arising out of these recommendations the key areas for improvement action for us to consider are:

1. Managers spend more time on the front line
2. "Listening days" in local areas (Councillors and Officers) to gather information, concerns. Feed these issues into the committee work plan and tell residents what we have done in response
3. More meetings between senior managers and front line officers to listen to concerns and issues
4. Revisit the website to ensure it highlights opportunities for involvement, comments, suggestions and complaints in plain English
5. Consider how we can engage with a wider range of voices in decision making
6. Highlight through social media pro-actively decisions up-coming and opportunities to influence and have a say.
7. More "you said we did" bulletins
8. Map out the existing resident and community groups in order to engage through these existing structures.
9. Consider allocating some resources for use closer to residents through ward councillors to respond to ward issues
10. Develop a housing risk register
11. Cross departmental and cross committee meetings to discuss things that cut across

All of the items at 1-11 are now either "work in progress" in appendix 1 or listed under the "suggestions" section on which Councillor feedback is invited.