Building Safety After the Grenfell Tower Tragedy: What Happens Next?

Claire Morrissey – Senior Associate



www.shoosmiths.co.uk

Grenfell Tower

- 72 deaths
- 70 more injured
- Largest loss of life in a residential property since WW2
- Lakanal House warnings
- The Public Inquiry
 - List of Issues
 - What have we learnt so far?
 - What is still to come?



Building a safer future

- Former Head of the HSE, Dame Judith Hackitt was tasked with undertaking a review of fire safety and building regulations in the UK.
- Issues included: lack of engagement with the guidance and legislation, lack of regulatory oversight, lack of real enforcement threat/penalties, race to the bottom on fees.
- **Recommendations included**: new regulatory framework (clarifying roles and responsibilities), new joint regulator and working on giving residents more of a voice.

Building a Safer Future

Independent Review of Building Regulations and Fire Safety: Final Report

PHASE 1 REPORT

- October 2019
- Recommendations addressed:
 - Use of combustible materials
 - Testing and certification of materials
 - Plans internal layout
 - Lifts
 - Sprinkler systems
 - Fire doors

Grenfell Tower Inquiry	
GRENFELL TOWER INQUIRY: PHASE 1 REPORT	
REPORT of the PUBLIC INQUIRY into the FIRE at GRENFELL TOWER on 14 JUNE 2017	
Chairman: The Rt Hon Sir Martin Moore-Bick October 2009	

Building (amendment) Regulations 2018

- Came into force 21st December 2018
- Applies only to relevant buildings
- Building height | 8 metres
- Requirement that:



- "...materials which become part of an external wall, or specified attachment, of a relevant building are of European Classification A2-s1, d0 or A1."
- Material change of use:

"...any external wall, or specified attachment, of the building **only contains** materials of European Classification A2-s I, d0 or A I."

Building safety programme

- MCHLG led programme
- Currently consulting on extending cladding ban including lowering the 18 metres threshold to 11 metres
- Independent Expert Advisory Panel established to: "recommend to the government any immediate action it thinks that the government should take that will improve public safety and help to identify buildings of concern."
- Advice for Building Owners of Mutli-storey, Multioccupied Residential Buildings
- ACM and unsafe non-ACM cladding
- New clarified Approved Document B 2019

Industry response group

- Competency Steering Group
 - Set up by the IRG to "tackle competency failings"
- Raising the Bar Interim Report August 2019
 - Proposes "radical and wide-ranging" measures which aim to improve competence in design, construction, inspection, maintenance and operation of high risk residential buildings ("HRRBs").
- 67 recommendations
 - Building Safety Competency Committee
 - Individuals working on HRRBs to be registered/certified
 - Building Safety Regulator Register

Working group 8 building safety co-ordinator

- Independent Review of Building Regulations and Fire Safety: Final Report - February 2019
 - Role of the Building Safety Co-Ordinator
 - Bringing in core behaviours to deliver culture change
 - Extending the roll of the Building Safety Co-Ordinator to other building types
- Golden Thread of information
- Licensing and Building classification
- Resident voice and engagement
- Delivering competency



The Fire safety bill

- First reading 19th March 2020
- Extending remit of the RRFSO 2005
 - Will include multi-occupied domestic residential premises
- Will require the responsible person to take into account the structure and external walls of the building and fire doors
- Undertake a RA to identify the risk to the safety of persons from fire
- Regular lift inspections with findings summarised in monthly reports to local fire and rescue service
- Implementation and regular review of evacuation plans

What's next?

- Phase 2 of the Public Inquiry
 - Will consider questions about the **adequacy of Building Regulations** at the time of the refurbishment
 - Other active and passive fire safety measures
 - Materials testing
 - The role of the parties involved in the refurbishment including Building Control
- The Building Safety Bill
 - Announced in Queen's Speech December 2019
- The Building Safety Regulator



HOW to GET ahead (1)

The Golden Thread of Information

- Do you/your clients have correct and up to date information about buildings and is it saved in electronic format?
- What is the hazard profile of the building?
- Where are the records, plans and schematics kept?
- Is there a gap in any of the information?
- How does building information align with the management of health and safety within the building?
 - Asbestos?
 - Legionella?
 - Movement of vehicles?



How to get ahead (2)

Build Competency

• Developing the role of the **Building**

Safety Co-Ordinator



- Competency and qualifications the competency framework
- Leading and delivering safety
- Understanding building systems and operations
- Demonstrating control
- How will it work in practice?
 - How will works undertaken by third parties be signed off, monitored and/or supervised?

How to get ahead (3)

Fire Safety

- Increase involvement in the fire risk assessment process
 - Do you understand what the FRA says?
 - Is the FRA as detailed as it needs to be?
 - Assisting to close out remedial actions
- What documentation do you need to collate to create a Fire and Emergency File ("FEF")?
 - How will the **review** of the FEF be managed?
 - What about works carried out at the building which might have an effect on the fire and emergency arrangements?



How to get ahead (4)

Building Relationships with the LFA

- What kind of relationship do you/your clients have with local fire and emergency services?
- What information do they have about your buildings at the moment?
- Do they need to be told about anything specific?
 - Unusual access routes
 - Specific building materials
 - Access to risers
 - First aid arrangements







Get in Touch

Claire Morrissey Shoosmiths LLP Claire.Morrissey@shoosmiths.co.uk

03700 86 4189 **UK direct dial** +44 (0) 7889306035 **Mobile**