

## **Joint response - Terms of Reference to the Public Inquiry on the Grenfell Tower fire – ARCH, CIH, Inside Housing and NFA**

This is a joint submission into the Grenfell Tower Public Inquiry to ensure we provide a consistent message across the trade and professional bodies across the housing sector and the trade journal Inside Housing.

Our response is informed by members of the Chartered institute of Housing (CIH), and the expertise of the bodies who represent ALMOs (NFA) and Stock Retaining Local Authorities (ARCH). It also draws from the Inside Housing readership and knowledge built up by their editorial team during extensive coverage of the Grenfell Tower fire and ongoing coverage of fire safety issues in the aftermath of the 2009 Lakanal House fire, and other incidents, including the 2016 Shepherd's Court fire.

### **1. What do you think the Inquiry should cover?**

The stated purpose of the Inquiry is to “ascertain the causes of the tragedy, and ensure that the appropriate lessons are learnt”<sup>1</sup> and to “*examine the circumstances leading up to and surrounding the fire at Grenfell Tower on 14 June 2017... establish the facts and ... make recommendations as to the action needed to prevent a similar tragedy happening again.*”<sup>1</sup>

This broad statement adequately covers the two key overriding questions.

It is vital for the Inquiry to examine what went wrong in the lead up to the fire at Grenfell Tower, during the fire and afterwards. This should include but should not be limited to:

- How did the fire start?
- Why and how did it spread so rapidly?
- Why was compartmentation not effective?
- The focus to date has largely been on the cladding/ insulation used on the building. What other factors contributed to the fire and its spread?
- Did the circumstances of the building and most recent risk assessment support the application of the “stay put” policy?
- How was the “stay put” policy applied by emergency services on the ground, and for how long?
- What processes were in place on the night to communicate any change in approach to “stay put” to emergency service operators and residents?
- At what point was a decision made to evacuate the building? Were there any prior arrangements for evacuation in place and were they adequate – did residents understand them? Were specific arrangements in place for people with young children and those with a disability or other vulnerability?

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<sup>1</sup> Grenfell Inquiry website, About section:  
<https://www.grenfelltowerinquiry.org.uk/about/>

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- How many individuals and organisations had oversight of some aspect of fire safety at Grenfell? How co-ordinated was this and was there a clear line of accountability?
- Would sprinklers have made a difference had they been in place?
- Did dry risers work as required on the night? If not, why not?
- Had a Fire Risk Assessment (FRA) been undertaken following the refurbishment works and what, if any, risks did the FRA identify as a consequence of the refurbishment and alterations to the building?
- Had the management organisation responded to its recommendations?
- Was an up-to-date Fire Risk Assessment (FRA) in place at the time of the fire and was the FRA carried out by qualified “competent” persons?
- Had the fire load of the building fundamentally changed over time and did this contribute to the scale of the event?
- Was the Council’s Emergency Plan up-to-date? What emergency arrangements were in place in the event of a fire of this scale and nature in a residential high rise block - including arrangements for temporary and, where necessary permanent rehousing?

In answering these immediate concerns, it will be vital for the Inquiry to distinguish its remit from:

- The Independent Expert Advisory Panel<sup>2</sup>
- The Industry Response Group<sup>3</sup>
- The criminal investigation

In particular, it is vital to establish how overlap with the IEAP will be identified, avoided and/or managed to ensure that recommendations are provided as quickly as possible to allow prompt remedial action for the safety of tenants in other blocks across the UK.

As the chair has noted, the Inquiry will need to look at *all* relevant circumstances, “well beyond the design, construction and modification of the building itself”<sup>4</sup>. In order to be able to sufficiently address measures to prevent a future tragedy, we believe it will be necessary to ensure that “causes” and “circumstances” are defined broadly to allow full consideration of what appears to be a system failure.

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<sup>2</sup> <https://www.gov.uk/government/news/expert-panel-appointed-to-advise-on-immediate-safety-action-following-grenfell-fire>

<sup>3</sup> <https://www.gov.uk/government/news/new-industry-group-to-ensure-construction-sector-ready-to-meet-building-challenges-after-grenfell-tower>

<sup>4</sup> Grenfell Tower Inquiry, Chair seeks views on terms of reference: [https://www.grenfelltowerinquiry.org.uk/wp-content/uploads/2017/07/Grenfell\\_consultation\\_doc.pdf](https://www.grenfelltowerinquiry.org.uk/wp-content/uploads/2017/07/Grenfell_consultation_doc.pdf)

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This should include consideration of issues that did not directly contribute to the Grenfell Tower fire, but need to change for the future to reduce the risk of a similar future disaster. Questions should include but not be limited to:

- Were the Lakanal Coroner’s recommendations to Southwark Council implemented by K&C?
- Did the delay in implementing the Lakanal Coroner’s recommendations about the Building Regulations have any material effect on the Grenfell refurbishment?
- Is there a need for a fundamental review of fire risk assessment processes? Should there be a requirement to complete fire risk assessments annually, and to act on serious concerns within a set time period?
- Should there be a requirement for mandatory minimum standards of competence for training and accrediting all fire risk assessors?
- Should there be a requirement for landlords/owners to publish a full register of fire risk assessments and/or complete a standard information return detailing issues from fire risk assessments for public inspection?
- Would a register of social housing tower blocks and their risk assessments have any material effect on the Grenfell refurbishment?”
- Is there a need to review active and passive fire risk measures? Are there lessons to be learnt from other countries in the management of fire risks in high-rise residential buildings?
- Would a proactive housing regulatory framework have made a difference?
- What were the concerns of residents about the refurbishments and how were they responded to? Were there any specific concerns expressed about the type of cladding installed on the building or the quality of its installation?
- What routes were available to residents to raise fire safety concerns? Were they able to escalate concerns?
- Is there a need to require the testing of all proposed cladding systems (along the lines of the large scale tests currently being carried out by the Building Research Establishment) prior to any alterations/ refurbishment in order to certify compliance with Building Regulations?
- What impact did the following have on the evacuation and subsequent inability to identify occupants?
  - Number of leaseholders
  - Sub letting/ illegal subletting
  - Overcrowding
  - Airbnb lets
- Were the immediate actions taken to support and rehouse residents adequate - what could have been done differently by the local authority/tenant management organisation and by central government?
- What communication/ consultation was there with residents prior to and during the refurbishment works?

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- How can landlords ensure they are able to adequately scrutinise building and refurbishment work to make sure it meets specification?
- How can learning from fires across the UK and globally be routinely considered and acted upon?
- Are local authorities sufficiently resourced to be able to offer an adequate emergency response, given their heavy budgetary constraints?

### **2. Is there any type of evidence that you think is essential for the Inquiry to obtain?**

- Research and recommendations following previous incidents of fires in high rise blocks in the UK and globally
- Records of Fire Risk Assessments, what issues were raised and how these were actioned
- Breakdown of ownership and management of flats in the block - numbers managed by the Tenant Management Organisation (TMO), Leasehold Right to Buy (RTB), former RTB sold as Buy to Let - how is this information collated, maintained and monitored?
- Information from tenancy records and any tenancy audits on occupancy and residents' profiles
- Copy of the Council's Emergency Plan
- All communication from tenants on concerns and the responses from the TMO and local authority, MPs, housing ombudsman and Homes and Communities Agency.
- All documentation relating to the refurbishment works including surveys, option appraisals, specification, tender evaluation, value for money considerations, design risk assessment, works, site supervision, evidence of compliance with building regulations and final sign off by building control
- Evidence about who was actually in charge of the refurbishment work
- Evidence of the effectiveness of fire suppression systems in controlling fire and fire spread in buildings.

### **3. What should the Inquiry deal with in its interim report?**

Issues addressed in section 1 above to include:

- Immediate lessons for owners and managers of residential tower blocks which need to be put in place as a matter of urgency to improve fire safety, ensure that current buildings are safe, and reassure residents currently living in those blocks
- What fire safety precautions/ actions should be prioritised immediately by landlords/ owners of residential tower blocks in the short term?
- Clear advice to residents about their responsibilities in terms of fire safety in communal areas and individual homes

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- A list of areas for further investigation following the interim report with clear timescales

### **4. What should be left for the main report, so the interim report can be published quickly?**

Issues addressed in section 2 above.

### **5. Would you like to be kept informed of the Inquiry's work? How would you like to be contacted?**

Please could you provide information and updates on the Inquiry's work to the following contacts:

ARCH: [john.bibby@arch-housing.org.uk](mailto:john.bibby@arch-housing.org.uk)

CIH: [debbie.larner@cih.org](mailto:debbie.larner@cih.org)

Inside Housing: [Emma.Maier@insidehousing.co.uk](mailto:Emma.Maier@insidehousing.co.uk)

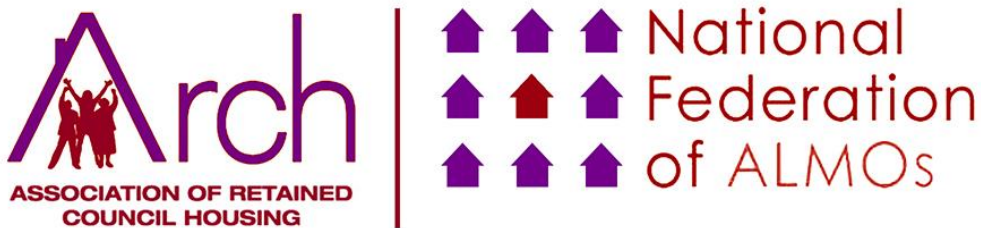
NFA: [Eamon.McGoldrick@almos.org.uk](mailto:Eamon.McGoldrick@almos.org.uk)

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## About us



The Chartered Institute of Housing (CIH) is the independent voice for housing and the home of professional standards. Our goal is simple – to provide housing professionals and their organisations with the advice, support and knowledge they need to be brilliant. CIH is a registered charity and not-for-profit organisation. This means that the money we make is put back into the organisation and funds the activities we carry out to support the housing sector. We have a diverse membership of people who work in both the public and private sectors, in 20 countries on five continents across the world. [www.cih.org](http://www.cih.org)



Together we serve the interest of more than a million homes in England

**The National Federation of ALMOs Ltd (NFA)** is the trade body which represents all arms-length management organisations (ALMOs) across the UK. The NFA represents the interests of ALMOs at the national level, lobbying and negotiating with central government on their behalf. In addition to this the NFA runs a website, organises events and regional meetings for its members and provides advice and briefings. There are 35 ALMOs (arm's length management organisations) across England managing 479,338 properties across 38 local authorities. [www.almos.org.uk](http://www.almos.org.uk)

**ARCH (Association of Retained Council Housing)** is an association of over 60 councils in England that have retained ownership and direct management of council housing. We provide a voice for council housing at national level, lobbying and working with central government on behalf of our members, promoting best practice

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and learning amongst our members through regular briefings, events and regional meetings. [www.arch-housing.org.uk](http://www.arch-housing.org.uk)



Inside Housing is the news service for housing professionals. The weekly magazine and daily website are read by 12,000 CIH members and 9,500 subscribers, as well as 225,000 registered website users. Inside Housing extensively covered the Lakanal House fire in 2009, and in the aftermath ran the “[Safe as Houses](#)” campaign, supported by politicians and over 100 landlords, to make improvements to avoid future fires. In the years since, the editorial team has continued to cover fire safety expansively, building up an expertise on the editorial team, recognised within the housing sector [the national media](#). Work has included numerous FOI and editorial investigations into fire safety issues. [www.insidehousing.co.uk](http://www.insidehousing.co.uk). Full access is available using username: [contact@grenfelltowerinquiry.org.uk](mailto:contact@grenfelltowerinquiry.org.uk) and password: Grenfell