

**Report of:** Executive Member for Housing and Development

<b>Meeting of:</b>	<b>Date</b>	<b>Wards</b>
Executive	19 July 2018	<b>All</b>
<b>Delete as appropriate</b>	<b>Exempt</b>	<b>Non-exempt</b>

## **SUBJECT: FIRE SAFETY IN COUNCIL HOUSING - EXECUTIVE MEMBER'S RESPONSE TO THE RECOMMENDATIONS**

### **1 Synopsis**

- 1.1 On 22 March 2018 the Executive received a report from the Housing Scrutiny Committee regarding fire safety in Council housing. The report provided recommendations to improve fire safety within the Council's domestic housing stock, including properties currently managed by Partners for Improvement in Islington (PFI).

### **2 Recommendation**

- 2.1 To agree the response to the Housing Scrutiny Committee's recommendations for fire safety in Council housing, as outlined in section 4 of this report.

### **3 Background**

- 3.1 In July 2017 the Housing Scrutiny Committee commissioned a review of the Council's and Partners for Improvement's fire safety management arrangements. The review ran from July 2017 until January 2018. Evidence was received from a variety of sources, including

- Evidence from Council officers;
- Evidence from witnesses, including London Fire Brigade (LFB);
- Documentary evidence, including from Partners for Improvement in Islington (PFI); and
- Scrutiny visits, including networking meetings and London Build Expo Fire Safety Summit

- 3.2 The Housing Scrutiny Committee issued a final report on 30 January 2018 which included twenty-one recommendations. The response to each of those recommendations is set out in section 4 of this report overleaf.

## 4 Executive Response to the Recommendations

- 4.1.1 **Recommendation:** *Islington Council should follow all relevant recommendations for local authorities and social landlords arising from the Grenfell Tower inquiry and the Independent Review of Building Regulations and Fire Safety, and any fire safety guidance issued by the Local Government Association*

**Response:** The Council has been following all relevant guidance issued by the Ministry for Housing, Communities and Local Government and the London Fire Brigade since the Grenfell tragedy. The Council is currently considering the potential implications of Dame Judith Hackitt's review into the regulatory framework relating to fire safety, following its publication in late May 2018 and awaiting the outcome of the Grenfell Tower inquiry.

- 4.1.2 **Recommendation:** *Following the conclusions of the Grenfell Tower inquiry, the review of the Equality and Human Rights Commission, and the Independent Review of Building Regulations and Fire Safety, a report should be submitted to the Housing Scrutiny Committee detailing what actions the council will be taking in response to the recommendations.*

**Response:** A report detailing actions the Council will take following the conclusion of all fire safety related reviews, inquiries and updated guidance will be provided to the Housing Scrutiny Committee in due course.

- 4.1.3 **Recommendation:** *The Housing Scrutiny Committee notes the London Fire Brigade's continued support of the 'Stay Put' policy. Islington Council should clearly communicate the London Fire Brigade's advice to tenants and leaseholders, and promote understanding of when residents should 'Stay Put' and when they should evacuate. Guidance on this should be available in a range of languages and should be displayed in prominent areas.*

**Response:** Bespoke Fire Action Notices for all types of Islington Council properties have been created in conjunction with the Council's communications team and will be installed in the common areas of housing properties in due course. Information contained within the new tenant guide and the Council's website will be reviewed periodically to ensure it provides the most suitable advice, which is wherever possible, block specific. Additional forms of communicating fire safety messages will also be considered.

- 4.1.4 **Recommendation:** *The council should maintain the dedicated email address for residents to report fire safety concerns to the council. This should be displayed in prominent locations and promoted regularly. This information should also be provided to new tenants in a welcome pack*

**Response:** The [Firesafety@islington.gov.uk](mailto:Firesafety@islington.gov.uk) email address has been established as a conduit for resident concerns, enquiries or requests for advice and is referenced in the new tenant guide. This email inbox is monitored on a daily basis to ensure a prompt response to any correspondence. We are also investigating additional, electronic means by which residents can communicate with us on fire safety matters or highlight concerns, including web-based surveys.

4.1.5 **Recommendation:** *Islington Council should work with vulnerable and disabled tenants and leaseholders to co-produce personalised emergency evacuation plans. These must be realistic and achievable. Any remedial works or adaptations that are required to facilitate safe evacuation should be carried out as soon as possible.*

**Response:** Personalised emergency evacuation plans (PEEPs) are commonplace in most workplace buildings (and sheltered accommodation facilities) but are typically reliant on the presence/intervention of a member of staff to execute the plan. It is unlikely to be feasible that such plans, with a reliance on a member of Council staff, can be implemented in general needs housing. Current guidance considers this 'an unrealistic expectation on landlords' and there would be significant resource implications, in particular for Homes and Communities. Vulnerability data is currently being reviewed for complex blocks, with a view to providing this to LFB via a Premises Information Box (PIB), enabling the fire service to prioritise vulnerable residents as dictated by operational necessity. An evaluation of the use of PIBs will be provided to the Housing Scrutiny Panel in due course.

4.1.6 **Recommendation:** *Islington Council should encourage Partners for Improvement in Islington, TMOs and Housing Associations operating in the area to co-produce personalised emergency evacuation plans for their disabled and vulnerable residents, and carry out remedial works or adaptations as necessary.*

**Response:** The Council's approach to ensuring the fire safety of vulnerable residents will be discussed, agreed and implemented via the Homes and Estates Safety Board, which has an independent chair and is attended by representatives of Partners. Once agreed, the Council's approach will be shared with Partners in the interest of consistency.

4.1.7 **Recommendation:** *Islington Council should maintain an up-to-date list of vulnerable council tenants and leaseholders who may need assistance to evacuate and make this available to the London Fire Brigade and Emergency Planning service. This should detail their flat number and floor, and the assistance they require. This information should be kept in a secure information box at the premises.*

**Response:** Vulnerability data is kept by both Adult Social Care and Childrens Social Care on the LAS system, and we can investigate whether it is feasible to make this available to LFS and the Emergency Planning service. There is no obligation for residents to routinely inform the Council of any disability which may be affecting them and as such any information is likely to be incomplete or resource intensive to maintain. Poor quality information could potentially (and unnecessarily) endanger the life of fire and rescue service personnel. The implications of this and of the General Data Protection Regulations (GDPR) coming into effect in May 2018 must be fully considered, as well as the most effective means of gathering such data from residents. We regularly liaise with the LFB on this to ensure they are satisfied with our support for regularly liaise with the LFB on this to ensure that they are satisfied with our support for their operational needs.

4.1.8 **Recommendation:** *Islington Council should encourage Partners for Improvement in Islington, TMOs and Housing Associations operating in the area to make information available to the London Fire Brigade and Emergency Planning service on the location and assistance needs of vulnerable residents.*

**Response:** The Council's approach to ensuring the fire safety of vulnerable residents will be discussed and agreed via the Homes and Estates Safety Board, which has an independent chair and is attended by representatives of Partners. Once agreed, the Council's approach will be shared with Partners in the interests of consistency.

4.1.9 **Recommendation:** *Islington Council and the London Fire Brigade should explore the feasibility of developing a secure electronic solution to accessing the location and assistance needs of disabled and vulnerable residents in an evacuation.*

**Response:** The development of a secure electronic system is likely to require significant resources. As a London (and UK) wide issue, the development of such a system may need to be led by the London Fire Brigade, to capture data not only from housing providers in Islington but across London. The use of LFB's existing IT systems for this is currently being explored but, even if feasible, it is unlikely to have the capacity required.

4.1.10 **Recommendation:** *Islington Council should consider retrofitting sprinkler systems in all high rise housing blocks. The council should review the feasibility of installing sprinklers, the anticipated cost of the works, and model the financial impact of the works on other aspects of the housing service*

**Response:** The Council continues to review its position on the retro-fitting of suppression systems in its housing stock, due to the number of challenges such a programme of work is likely to present. The findings of the Grenfell Tower inquiry, Hackitt review of the regulatory framework and updated fire safety guidance will be considered in formalising the Council's position.

4.1.11 **Recommendation:** *Islington Council should make representations to the government that the cost of retrofitting sprinkler systems and carrying out any necessary fire safety works in local authority housing should be met by central government, given that no additional funds have been allocated to date.*

**Response:** The Ministry for Housing, Communities and Local Government (MHCLG) has recently indicated that some costs associated with remediation work on ACM-clad blocks will be financed by central government. We are in contact with MHCLG about reclaiming the costs of cladding removal and recladding work at Braithwaite House. The funding of fire safety improvements arising from the Grenfell tragedy is being discussed collectively by the London Councils Fire Safety group, which is attended by Islington Council's Director of Housing Property Services. The Executive Member for Housing and Development and the chair of the Housing Scrutiny Committee have written a joint letter to government on this matter.

4.1.12 **Recommendation:** *The Housing Scrutiny Committee supports the zero tolerance approach to keeping items in communal areas adopted by Islington Council and Partners for Improvement in Islington. The Committee would support more targeted communications being issued to residents where problems persist.*

**Response:** The zero tolerance approach to common areas is being managed by Homes and Communities, with the Council's Fire Risk Assessment (FRA) template being amended to reflect this change in policy. Targeted correspondence continues and where offenders are identified, action under conditions of tenancy may also be considered as appropriate.

4.1.13 **Recommendation:** *Islington Council should consider if a suitably qualified and experienced fire engineer is needed to supplement the risk assessment work carried out by the council's in-house fire safety officers. This may provide additional reassurance that fire risks are being managed effectively.*

**Response:** The Council already engages with competent, external fire safety consultants where this is considered necessary. The Council is also investigating 3<sup>rd</sup> party accreditation schemes for fire risk assessment, which would include an independent, expert overview and quality sampling of FRAs completed by the Council's in-house team, in order to provide additional reassurance to residents. In addition, the Council is in the process of recruiting an additional Building Control Officer to provide expert advice and assistance to project teams on the Council's range of construction activities. It is acknowledged that construction work has the potential to compromise fire safety, but also brings opportunities to improve both passive and active fire safety measures when the opportunity arises. The ISO9001 Quality Management System (QMS) is likely to be reviewed and updated, to ensure a robust, consistent approach is applied to construction work which could impact on fire safety.

4.1.14 **Recommendation:** *The council should consider consulting a suitably qualified and experienced fire engineer at the design stage of new build projects. This would help to ensure that properties are designed to the highest possible safety standards.*

**Response:** The Council already engages with competent fire engineers through the design/planning phase of new build projects, although arrangements in this regard will be reviewed to ensure they are sufficiently robust and appropriate. The outcome of the Grenfell inquiry and regulatory framework review will need to be considered as part of this process.

4.1.15 **Recommendation:** *Given that hoarding can be a fire hazard, the council should further promote the services available to help hoarders, and consider installing mobile sprinkler systems in the homes of vulnerable people who are known to hoard.*

**Response:** The Council will continue to work closely with the London Fire Brigade on initiatives where funding may be available to support vulnerable residents through the installation of mobile suppression systems or other appropriate intervention or protective measures. The Council continues to lead the way in innovative approaches to dealing with hoarding. The hoarding panel meets quarterly to discuss serious cases and provide the appropriate support required. We will increase the publicity around the work of this panel, particularly among partners such as TMOs, Co-ops, etc.

4.1.16 **Recommendation:** *Housing Services should work further with the Seasonal Health Intervention Network (SHINE) to target interventions at vulnerable residents who are known to light their homes through candles rather than electricity.*

**Response:** The use of candles as a means of heating/lighting has been implicated in a number of fires in Council properties in recent years and the implementation of this recommendation will be led by Homes and Communities. Other temporary forms of heating such as portable LPG gas may also present a significant fire risk, as well as the potential carbon monoxide poisoning and should also be considered.

4.1.17 **Recommendation:** *The council should routinely monitor if communal area fire doors and front entrance fire doors are working correctly*

**Response:** Regular inspections of communal fire doors are carried out by estate services staff within Homes and Communities to ensure doors are in good condition/working order and/or raising repair works orders as necessary. Additional training on this will be provided to estate services and caretaking staff in due course.

4.1.18 **Recommendation:** *To allow the fire safety features of properties to be easily monitored, the housing asset management plan should be revised to detail the fire safety features of components.*

**Response:** The Council's current strategy, whilst due a review, has adequate provision to demonstrate that we cover the fire safety features of building components. The expected level of detail to be retained has increased post-Grenfell. Steps have been, and are continually being taken, to increase our detailed knowledge of building materials and components. There are significant difficulties in obtaining legacy data about specific details/materials, but all efforts are being taken to get better data to inform any potential risks. Any review of the Council's process in this regard will be conducted in accordance with the findings of the Grenfell inquiry and any new regulatory requirements.

4.1.19 **Recommendation:** *Dry risers in the council's housing blocks should be checked for damage regularly. Staff on estates should be encouraged to report any visible damage or vandalism which would affect their functioning.*

**Response:** Dry and Wet Rising Main installations are inspected, tested and maintained by the Council in line with current British Standards. A visual inspection of such installations (including access to them) is also included in the periodic inspections carried out by Homes and Communities. Additional training on this will be provided to estate services and caretaking staff in this regard in due course, including ways to report any identified defects or concerns.

4.1.20 **Recommendation:** *Housing services should maintain a register of fires in council housing. It is suggested that this register is backdated for ten years. Recording the cause, extent, and other details of fires may help to inform the council's fire prevention work.*

**Response:** The register of Council/PFI fire incidents has now been established with assistance from the London Fire Brigade. A log of recent fire incidents is now incorporated into the quarterly Homes and Estates Safety Board compliance report, which is also presented to the Council's Corporate Management Board periodically. Unfortunately, the LFB data recording system cannot separate Council/non-Council properties and therefore backdating the register for 10 years would involve a significant level of resource. A review of the combined historical data may still be a useful tool in establishing trends and informing discussions with the LFB on future prevention strategies.

4.1.21 **Recommendation:** *The Director of Housing Needs and Strategy should author a report to the Housing Scrutiny Committee detailing her experiences and any learning points from her secondment to the Grenfell Response Team and the Royal Borough of Kensington and Chelsea.*

**Response:** This will be requested of Maxine Holdsworth although the committee should note that Maxine is currently extremely busy fulfilling her important role overseeing the rehousing of Grenfell residents.

## **5 Implications**

### **5.1 Financial Implications**

Costs arising in respect of fire safety measures recommended, agreed & implemented relating to the increase in staffing, equipment, training, IT & communications have been accommodated within overall existing HRA resources.

Many of the recommendations are still under review and as such cannot be assessed in terms of potential costs until those reviews are complete.

The most significant of which relates to items 4.1.10-4.1.11 relating to the retrofitting of sprinklers in high rise blocks which could give rise to extremely high costs that if funded by Islington's HRA would certainly require a programme of compensating savings.

## 5.2 Legal Implications

Fire safety in residential accommodation is currently regulated by Part 1 of the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005. The Order only has limited application to residential properties applying to the common parts and exterior but not within individual flats. As freeholder, the council is responsible for assessing fire safety in its properties, taking such general fire precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe. Under Part 1 of the 2004 Act, the council is empowered to take action in respect of substandard and dangerous conditions through application of the Housing Health and Safety Rating System which is a risk-based evaluation tool to help identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. The council is required to take action where a category 1 hazard is identified.

The collection and sharing of personal data in respect of vulnerable residents must comply with the requirements of the General Data Protection Regulation and the Data Protection Act 2018. Sharing of personal data with the London Fire Brigade would normally be pursuant to a data sharing agreement.

Legal advice and assistance will be provided to Housing Services as necessary in respect of the implementation of the recommendations.

## 5.3 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

Where the proposals in this report may have equalities implications and other implications for residents. Resident Impact Assessments (including assessment of equalities implications) will be undertaken as part of the process of developing and implementing policies and actions arising from this report.

## 5.4 Environmental Impact Assessment

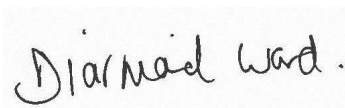
There are no significant environmental implications associated with this report. Any works that come about as a result of the recommendations (e.g. installation of fire suppression systems) will be assessed on an individual basis when the relevant board reports are produced.

## 6. Conclusion and reasons for recommendations

- 6.1 This report details the Executive's response to the recommendations of the Housing Scrutiny Committee.

### Final report clearance:

Signed by:



**Executive Member for Housing and Development**

**Date:** 3 July 2018

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