

Supplemental Agenda

Fire Services Management Committee

Friday 19 June 2020

11.00 am

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HMICFRS national recommendations

Purpose of report

For discussion.

Summary

The report outlines the current approach taken by the LGA to respond to the four national recommendations made by Her Majesties Inspectorate for Constabulary and Fire & Rescue Services (HMICFRS) in their State of Fire & Rescue report in January 2020 and asks for members of comments on key elements of that approach.

Recommendation/s

That members consider and offer comments on the discussion questions in paragraphs 7, 10, 13 and 16. Members are also asked to comment on the draft letter to the Fire Minister which is attached as **Appendix A**.

Action/s

Officers to note members comments and respond to the Fire Minister about the work of the LGA on the HMICFRS recommendations by his deadline of the end of June.

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HMICFRS national recommendations

Background

1. HMICFRS published their “State of Fire” Report in January. It outlined four recommendations for the sector on the role of the fire service and those that work in it; the pay machinery, including the Grey Book; the need for operational independence for Chief Fire Officers; as well as the introduction of a Code of Ethics. The LGA held discussions on these issues at the LGA’s Annual Fire Conference in March, and Lead Members and the National Fire Chiefs Council (NFCC) have met to discuss these issues further.
2. In May the Fire Minister, Lord Stephen Greenhalgh, wrote to Fire and Rescue Authorities (FRAs) to ask for their views on the recommendations within Tom Winsor’s State of Fire Report. At the Fire Commission he set out his concerns on the recommendations and outlined his particular focus on People, Professionalism and Governance, which link to the recommendations from HMICFRS.
3. This paper explores the recommendations and the LGA response to them further, and provides some questions for discussion. Officers will use members comments to further develop the response to the Minister, a draft copy of which is attached as **Appendix A**.

HMICFRS Recommendations

4. **Recommendation 1: By June 2020, the Home Office, in consultation with the fire and rescue sector, should review and with precision determine the roles of: (a) fire and rescue services; and (b) those who work in them.**
5. The LGA has previously stated that the role of the Fire and Rescue service as set out in legislation is clear. The fire and rescue service’s role is to respond to fires, promote fire safety, respond to road traffic collisions and other emergencies as outlined in the Fire and Rescue Act 2004. Services also undertake fire protection regulatory work through the Fire Safety (Regulatory Reform) Order.
6. We have seen from the COVID-19 response that agreements can be reached between employers and unions to extend the roles of firefighters when necessary. However, to do so requires effective negotiation machinery which has the confidence of those party to agreements. Any changes proposed should be mindful of that and the impact on devolved administrations who were not involved in the inspectorate report.
7. Discussion questions:
 - 7.1. Are members still content that the role of the fire and rescue service is clearly set out?

- 7.2. Do members agree with the assertions in the response on protection work being given a higher focus and the need for Government support to train staff to undertake this work?
8. **Recommendation 2: By June 2020, the Home Office, the Local Government Association, the National Fire Chiefs Council and trade unions should consider whether the current pay negotiation machinery requires fundamental reform. If so, this should include the need for an independent pay review body and the future of the 'grey book'.**
9. The LGA has been conducting work to look at different pay body options if we did not have the National Joint Council (NJC).
10. Discussion questions:
- 10.1. Do members agree that it is important for the sector to retain control of the paybill?
- 10.2. Do members agree that developing options relating to the NJC continue to be explored for the negotiation of pay, terms and conditions across the UK?
- 10.3. If so, what reforms to the current model would members wish to see?
- 10.4. Do members support a review of the Grey Book as previously proposed by the National Employers?
11. **Recommendation 3: By September 2020, the Home Office should consider the case for legislating to give chief fire officers operational independence. In the meantime, it should issue clear guidance, possibly through an amendment to the Fire and Rescue National Framework for England, on the demarcation between those responsible for governance and operational decision making by the chief fire officer.**
12. Lead Members have discussed the issue of operational independence with the NFCC as well as with the Minister. As outlined in the draft response the LGA does not feel that there is a need for further legislation on the role of the Chief Fire Officer and FRA. The response sets out the role of the chief and the chair as we currently understand it.
13. Discussion questions:
- 13.1. Are members content that further legislation is not necessary to delineate the roles of the Chief Fire Officer and the Fire and Rescue Authority?
14. **Recommendation 4: By December 2020, the National Fire Chiefs Council, with the Local Government Association, should produce a code of ethics for fire and rescue services. The code should be adopted by every service in England and**

considered as part of each employee's progression and annual performance appraisal.

15. In discussion with lead FSMC members, officer work is underway with the NFCC to respond to the recommendation. Such work includes, at the suggestion of the NFCC, exploring whether a model code of conduct could be an alternative approach. Early discussion with the Home Office indicates its preference for a single code as described in the HMICFRS recommendation. Another option, which would be closer to the recommendation, is a core code based on Nolan principles, which could be added to but not detracted from. Good principles are good principles regardless of the status. Either a model code or a core code would assist services that are part of a county council and will be expected to comply with the council's code.
16. Alongside the above work on a code of ethics with the NFCC, the Fire Standards Board is in the process of developing a standard to set out that each fire and rescue service should demonstrate:
 - 16.1. A clearly articulated vision and direction for the fire and rescue service and the ethics and values against which it operates.
 - 16.2. A clear statement of the attitudes and behaviours it expects of its employees, consistent with ethical and behavioural codes across the public sector.
 - 16.3. That leaders and employees are both aware of and understand the Service vision and how their roles link to it; and demonstrate ethical standards, values, and behaviours in all that they do.
17. Discussion questions:
 - 17.1. Which approach would members prefer that officers take in responding to the HMICFRS' recommendation:
 - 17.1.1. A single code of ethics, which services would be expected to adopt and which HMICFRS would inspect against?
 - 17.1.2. A model code of ethics, to provide an example which services may adopt?
 - 17.1.3. A core code of ethics, based on Nolan principles which services would be expected to adopt, then be able to add to but not detract from?

Implications for Wales

18. Recommendations by HMICFRS have been made following an inspection of English fire and rescue services, however recommendation three and any changes resulting from it



in England will impact upon the fire and rescue services for Scotland, Wales and Northern Ireland because the NJC is a UK wide body.

Financial Implications

19. Moving away from the NJC as the structure for national pay, terms and conditions negotiations may result in additional costs to FRAs.

Next steps

20. Members to comment on the content of the paper and discussion questions.

21. Officers to note the comments of the members and to finalise the response to the Minister in consultation with FSMC Lead Members by the Minister's deadline.

APPENDIX A

Dear Minister,

Thank you for the opportunity to provide feedback on the recommendations given by the Inspectorate. We are keen to work with you to ensure that the fire and rescue service and fire and rescue authorities are performing well and providing a good service to their communities. The Inspectorate has highlighted a number of areas where they feel further work is needed and the LGA has been considering how we can contribute towards the development of the sector. However, we are concerned that the recommendations will not necessarily help individual fire and rescue authorities and services drive the changes that they need to make to improve services.

Set out below is a consideration of each of the recommendations in turn.

Recommendation 1: By June 2020, the Home Office, in consultation with the fire and rescue sector, should review and with precision determine the roles of: (a) fire and rescue services; and (b) those who work in them.

We feel that the current legislation is clear in setting out the role of the fire and rescue service, namely that service undertake firefighting, prevent fires, attend road traffic collisions, attend other emergencies and enforce the Regulatory Reform order by performing fire protection work. The Fire and rescue national framework sets out that Fire and Rescue Authorities (FRAs) must assess all fire and rescue related risks in their area and that they must put in place arrangements to prevent and mitigate these risks.

It is important that FRAs retain this flexibility to respond to locally identified risks, and we would not want any legislation to undermine this ability. Each FRA will face a unique mix of challenges and risks within their areas, this is especially true as we look towards the future and potential challenges posed by issues such as climate change. We would not want a prescribed list of activities that narrowly prescribe what FRAs can do, and which may overtime become out of date.

Illustrative of the flexibility the current approach affords is the COVID-19 response where the National Employers have secured extensions to the work firefighters can undertake in order to meet the challenges of the pandemic and support other public services where requested. Not all FRAs needed all the additional roles that were agreed, but we were able to facilitate options for FRAs to make the decisions they needed to make.

What is clear however, is that there will need to be a consideration of how the fire and rescue service role in fire protection will be understood going forward. Fire and Rescue Services currently lack trained staff to carry out the required fire protection work, this is an issue across the sector with a chronic shortage of fire engineering expertise. This shortage is exacerbated by the demand for such skills in the private sector, which means that once trained, staff can be lost to better paid jobs elsewhere. To help the sector to fulfil its role in fire protection going forwards the Government needs to act now to set up degree, conversion and apprenticeship schemes to address this.

Recommendation 2: By June 2020, the Home Office, the Local Government Association, the National Fire Chiefs Council and trade unions should consider whether the current pay negotiation machinery requires fundamental reform. If so, this should include the need for an independent pay review body and the future of the 'grey book'.

The current pay negotiation machinery is necessarily complex; it also covers terms and conditions alongside pay and covers the whole of the UK, not just England.

We do not believe an independent pay review body is a necessary or appropriate solution. Pay settlements have been reached by agreement for very many years within the National Joint Council (NJC) at a level FRAs had indicated is affordable and during times when industrial action was being taking elsewhere within the public sector. This position includes during discussions on broadening the role. An independent pay review body restricts both the employer and the employee role in the process, effectively imposing decisions on the sector leaving employers subject to both the financial costs of the decision and the industrial relations consequences. The present well managed employer control over the paybill is important to maintain as is the relationship between employer and employee.

Consideration is being given to what other options are possible and whether evolution rather than revolution of the existing arrangements could achieve better outcomes.

It is clear that the Grey Book is not a barrier to successful local negotiations, with many local areas coming to an agreement with unions about changes, and HMICFRS have acknowledged that areas have managed to undertake successful local negotiations. In some cases, where local negotiation has stalled, the NJC has been able to facilitate that local agreement. Therefore, we would not agree that it is a barrier to improvement. However, we do agree that that Grey Book can be amended to provide greater clarity and the National Employers have been working on a review of the Grey Book to see how it might be improved.

Recommendation 3: By September 2020, the Home Office should consider the case for legislating to give chief fire officers operational independence. In the meantime, it should issue clear guidance, possibly through an amendment to the Fire and Rescue National Framework for England, on the demarcation between those responsible for governance and operational decision making by the chief fire officer.

We do not believe that legislation is needed to provide chief fire officers with operational independence. Fire and rescue authorities have clear lines of accountability with their local communities in a way that chief fire officers do not. Fire and Rescue Authorities are the legally accountable body for fire and rescue services, whilst chief fire officers deliver the services. The FRA is the employer and owns the assets and estate. We therefore question whether operational independence would materially change decisions relating to budget and assets as ultimately, they would still sit with the FRA. The chief fire officer could not dispose of a fire station or change crewing arrangements as responsibility for financial decisions would still rest with the FRA.

However, we would agree that there needs to be a clear understanding by both members and officers of their respective roles in providing executive decision making on one side and operational delivery on the other. In particular, we need clear principles which underlie decision making processes. The LGA and NFCC have agreed to work together to look at these principles and agree an approach going forwards. This would ultimately need to be accompanied by training for senior leaders on both the operational and political side, which we would appreciate Government support for.

Ensuring that officers have access to and receive an appropriate range of leadership training is key to having a professional and consistent fire service. We would wish to see this training available for middle managers to ensure that they are well equipped as they progress through the service.

It is clear that fire and rescue services work best when both the chief fire officer and the FRA are working towards a shared vision, underpinned by clear principles around decision making. We feel that this is achievable without the need for legislation.

Recommendation 4: By December 2020, the National Fire Chiefs Council, with the Local Government Association, should produce a code of ethics for fire and rescue services. The code should be adopted by every service in England and considered as part of each employee's progression and annual performance appraisal.

We believe that the Nolan Principles should provide a basis for work on the code of ethics. However, we believe the work to improve the culture of services will need to go beyond creating a Code of Ethics. In particular, we would wish to ensure a continuing focus on diversity within the fire service, many areas are already undertaking work to ensure that their services are inclusive. We need to ensure that we are drawing our staff from the widest possible pool, and that once we have recruited talented people, we are able to keep them in the service.

We do have some concerns that one single code of ethics will not be possible across the whole of the sector given the complexities of the governance structures (many county services would be expected to apply the county council's code.) Alongside the NFCC we are looking at potential solutions to this issue, including whether a model code of conduct, that services can use as the basis for their own code of ethics, could be created or a core code of ethics that could be added to but not detracted from.

Alongside the above work on a code of ethics with the NFCC, the Fire Standards Board is in the process of developing a standard to set out that each fire and rescue service should demonstrate:

- A clearly articulated vision and direction for the fire and rescue service and the ethics and values against which it operates
- A clear statement of the attitudes and behaviours it expects of its employees, consistent with ethical and behavioural codes across the public sector
- That leaders and employees are both aware of and understand the Service vision and how their roles link to it; and demonstrate ethical standards, values, and behaviours in all that they do.

Building Safety update – Fire Protection Board

Purpose of report

For information.

Summary

This report updates members on developments around the Fire Protection Board that have occurred since the FSMC agenda was sent to members.

Recommendation

That the FSMC Chair write to Fire & Rescue Authority Chairs, Fire & Rescue Portfolio Holders and Police, Fire & Crime Commissioners, outlining the LGA's concerns around Large Panel System (LPS) buildings.

Actions

As directed by members.

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Building Safety update – Fire Protection Board

Background

1. Subsequent to the sending-out of the FSMC agenda, the Fire Protection Board (FPB) has written to CFOs about its programme of work to increase the pace of inspection across all high-rise residential buildings.
2. Copies of the letter and its attachments are appended to this paper and have been forwarded to all FRA chairs, PFCCs and portfolio holders by the LGA.
3. The LGA is represented on the FPB at senior adviser level and supports the work of the board
4. The LGA officer on the FPB requested that the question set in the Technical Guide include a question on whether the building was a large panel system (LPS) building.
5. The LGA's concerns about this issue stem from the following
 - 5.1. A [fire test](#) carried out at Ronan Point (the LPS block that partially collapsed following a gas explosion in 1968) after it was emptied had to be stopped over fears the building would collapse;
 - 5.2. After the Grenfell Tower fire it was [claimed](#) that had the block been built before the lessons of Ronan Point were learned, Grenfell would have collapsed during the fire;
 - 5.3. Structural Safety issued a SCOSS [report](#) on disproportionate collapse of LPS buildings in a fire earlier this year;
 - 5.4. There is no definitive list of LPS buildings and officers cannot be certain that all owners of LPS buildings know that the building is LPS, whether it has been strengthened and whether that work was carried out effective and remains effective.
6. The FPB decided not to include a question about LPS in the Technical Guide.
7. Given the factors set out in paragraph 4, members may be concerned to ensure that:
 - 7.1. no LPS building is judged to be low risk during the process set out in the appendix
 - 7.2. credible plans are in place to fight a fire in any building that is, or might be LPS



Recommendation

8. That the FSMC Chair write to FRA Chairs drawing the above points to their attention.



NFCC
National Fire
Chiefs Council

The professional voice of the
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15th June 2020

Dear Chief,

Fire Protection Board – Building Risk Review Programme

I am writing to outline the next steps of the Fire Protection Board's Building Risk Review (BRR) Programme following the successful completion of the first exercise earlier this year. I would like to express my sincere thanks to all Fire and Rescue Services (FRSs) and their staff who took part in the first exercise covering ACM clad high rise residential buildings in England.

As part of FRSs' ongoing national work to understand and help reduce the risk in high rise residential buildings, the BRR programme is aimed at meeting the ambition set out by the Secretary of State for Housing, Communities and Local Government in Parliament on 5th September 2019 to 'significantly increase the pace of inspection activity across high rise residential and other high risk buildings'¹ and is supported by the allocation of government funding² to ensure all high rise buildings have been inspected or reviewed by the end of 2021.

In order to meet the Secretary of State's commitment and the December 2021 deadline, the Board have agreed that FRSs will be able to use a combination of triage, inspections, and desktop audits to provide information on a minimum data set agreed by the Board on the following buildings in scope:

High rise residential buildings 18m and above in height which were not already covered as part of the first BRR exercise.

The Board recognise that the building owner and/or Responsible Person/s has ultimate accountability for managing fire safety measures for buildings. The objective of the BRR Programme is to demonstrate to the Secretary of State that FRSs are aware of the various elements impacting fire safety in high rise residential buildings and will help identify actions which need to be taken by the Responsible Person/s to rectify any issues. The Board also acknowledges that the response you provide will be a snapshot in time and based on

¹ [Address to Parliament by Secretary of State, Robert Jenrick, regarding Building Safety \(5th Sept 2019\)](#)

² [Letter from the Prime Minister to the Chair of the Public Inquiry into the Grenfell Tower Fire \(2nd June 2020\)](#)

information FRS officers can reasonably obtain on the buildings. Should you raise concerns on any buildings beyond your normal enforcement practises, the Board will work with you and your Fire and Rescue Authority to advise on the appropriate steps.

You have also received a letter regarding the additional funding allocated to your FRS for the BRR Programme through the Fire Protection Board grant. The disaggregation of financing has been based on a floor of £60,000 per FRS plus funding based on Home Office analysis of the proportion of buildings in scope within your FRS's jurisdiction. Conditions have been attached to this funding requiring the money to be targeted at functions to support the completion of the BRR Programme and FRSs will be expected to provide monthly reporting on progress in processing your building stock back to the Board, which will collate reports for the Minister.

Included in the appendices to this letter is a spreadsheet which includes a list of the buildings in scope of the Programme within your FRS's area according to data held by MHCLG, along with columns for entering the information being requested by the Board. Further information on completing responses can be found in the technical guidance appended to this letter. Although we are beginning this Programme with the best information currently available to us, we are aware that issues with the data are likely to be encountered. For this reason, if your FRS is aware of additional buildings in scope, or believe buildings on your list are not in scope, instructions have been provided in the technical guidance for how to report these. This will enable reporting of data discrepancies to inform regular reviews against targets.

As the deadline for complete returns to this Programme is the end of December 2021, there will be time for the Board to adapt and improve the process over time, if required, in order to ensure a streamlined process for FRSs and a smooth data pathway for building information. This data will then be used to inform the new Building Safety Regulator when it is fully operational and help determine which buildings need to be prioritised for a 'safety case' under the new building safety regime. Although the end date is December 2021, FRSs should not wait to complete the Programme and can provide data as soon as you start the process.

It should also be noted that, if you believe it would be beneficial for your FRS to collect data in addition to the information being requested by the Board as part of the BRR Programme in order to inform your own Risk Based Inspection Programmes (RBIP) and Site Specific Risk Information (SSRI) records, then please use this opportunity to do so. As we move forward with this work and the Government's Building Safety Programme continues to gather momentum, there will be a need to categorise high rise residential buildings into different risk levels. The BRR will feed into that risk stratification and further information on how this will work will be provided soon.

I hope this letter, combined with the technical guidance attached, provides you with sufficient information about the BRR Programme and we look forward to working with you further on making buildings safer. If you have any questions, I am of course happy to discuss these with you further and if you have any issues concerning the BRR process please contact BuildingRiskReview@nationalfirechiefs.org.uk.

I am copying this letter to the Head of your Protection Department and a copy of this letter and the associated guidance documents has also been sent to your relevant governance body as requested by the LGA, who are represented on the Fire Protection Board.

Yours sincerely,



Roy Wilsher

**Chair of the National Fire Chiefs Council
Chair of the Fire Protection Board**

Appendix Index:

- A. *Building Risk Review – Technical Guidance*
- B. *Building Risk Review – Reporting Notes*
- C. *Building Risk Review – Response Spreadsheet*



Building Risk Review Appendix A – Technical Guidance

15th June 2020

Introduction

In March 2020, the Fire Protection Board's first Building Risk Review (BRR) exercise focusing on ACM buildings was successfully completed by Fire and Rescue Services (FRSs). The Board is now working on the next steps towards meeting the ambition set by the Secretary of State for Housing, Communities and Local Government to increase the pace of inspection activity across the estimated 11,000 high rise residential buildings (HRRBs) over 18m in height by December 2021.

On 5th September 2019, the Secretary of State for MHCLG stated:

*'I expect all high rise buildings to have been inspected or assured by the time the new building safety regime is in place, or no later than 2021.'*¹

Following this, the Board commissioned further work from London Fire Brigade (LFB) and Greater Manchester Fire and Rescue Service (GMFRS) to determine the feasibility of conducting full audits/inspections on all 11,000 estimated HRRBs in England. LFB and GMFRS collaboratively examined learning and outcomes from the real experiences of the GMFRS High Rise Team activity across all HRRBs in Manchester and applied the same assumptions to the stock of HRRBs in London as a case study.

This feasibility study determined that to answer the two assurance questions designed by the Board for the first BRR exercise on all HRRBs in London could take LFB more than four years based on average assumptions, and more than eight years based on scenario modelling of worst-case assumptions.

As a result, further advice was produced for the Board proposing that FRSs be supported to take a risk-based approach to HRRBs, targeting intervention activities based on a process of triage, in order to determine which HRRBs should be prioritised for full audit/inspection. On 2nd June 2020, the Prime Minister wrote to the Chair of the Grenfell Tower Inquiry, Sir Martin Moore-Bick, outlining the intent that all HRRBs 18m or above in height should be inspected or reviewed by the end of 2021 supported by government funding.²

This process will be known as the BRR Programme.

The Board, in partnership with Government, have secured additional funding for FRSs to contribute towards a process of triage, audits/inspections, data gathering, and possible interventions in HRRBs.

The Home Office wrote to all FRSs on 29th April 2020 outlining extra funding for Fire Protection. Part of this money is from a grant specifically for FRSs to focus on ensuring fire safety in HRRBs 18m and above in height.

¹ [Address to Parliament by Secretary of State, Robert Jenrick, regarding Building Safety \(5th Sept 2019\)](#)

² [Letter from the Prime Minister to the Chair of the Public Inquiry into the Grenfell Tower Fire \(2nd June 2020\)](#)

Purpose

These technical notes are issued to enable FRSs to provide returns effectively and consistently to the Board in line with the funding grant conditions detailed by the Home Office. Returns from FRSs will be expected monthly, with the Board collating and reporting progress to the Minister. Quarterly reports will also be expected, which provide an opportunity to give commentary on the progress of the BRR exercise, expenditure and any emerging or evolving issues.

The Board is now requiring returns on a building by building basis on the remaining c.11,000 HRRBs 18m or above in height not already captured by the first BRR exercise, which focused on identified ACM-clad HRRBs.

To fulfil the conditions of funding, all HRRBs are to be assessed on a building by building basis, triaged by a competent Fire Safety Regulator (FSR), and a minimum question set returned.

The intended purpose of a triage is for the FSR to decide if a fire safety audit/inspection is required or if there is confidence that information already held by the FRS from previous inspections or 7 2 d visits is current enough, and the building risk is relatively low, so that an audit/inspection is not required for the purposes of the BRR. This would mean the HRRB is known to the FRS and features already within the local Risk Based Inspection Programmes (RBIPs) where appropriate.

The minimum data capture and triage decision is required for the purposes of BRR responses/returns to the Board via NFCC, but this is not exhaustive. FRSs may consider greater detail is required to inform decisions or to understand risks within their own FRS, and may wish to use this opportunity to improve local data, such as Site Specific Risk Information (SSRI). This remains a matter for each FRS.

Data collected from the BRR process will support future working with the Building Safety Regulator (BSR) and delivery of the proposed Safety Case regime.

Objectives

- Demonstrate that the portfolio of risk across c.11,000 HRRBs in England is understood by FRSs, targeting resources where risk may be greatest.
- Deliver on the Secretary of State's ambition.

To measure delivery against the above objectives and determine when the programme has been completed, a dataset should be collated by FRSs which will form the basis of reporting requirements outlined in *Appendix B – Reporting Notes*.

It is not expected that FRSs should have to start from scratch, recognising the significant uplift in recent HRRB activity. Where FRSs already have satisfactory current information on known buildings that have been visited, this information should be used to inform the process. *Appendix B* contains guidance on what may be considered a recent audit/inspection.

Although FRSs' own local data collection and recording will be very important, national dataset standards will be required to enable analysis by Government departments overseeing the Programme.

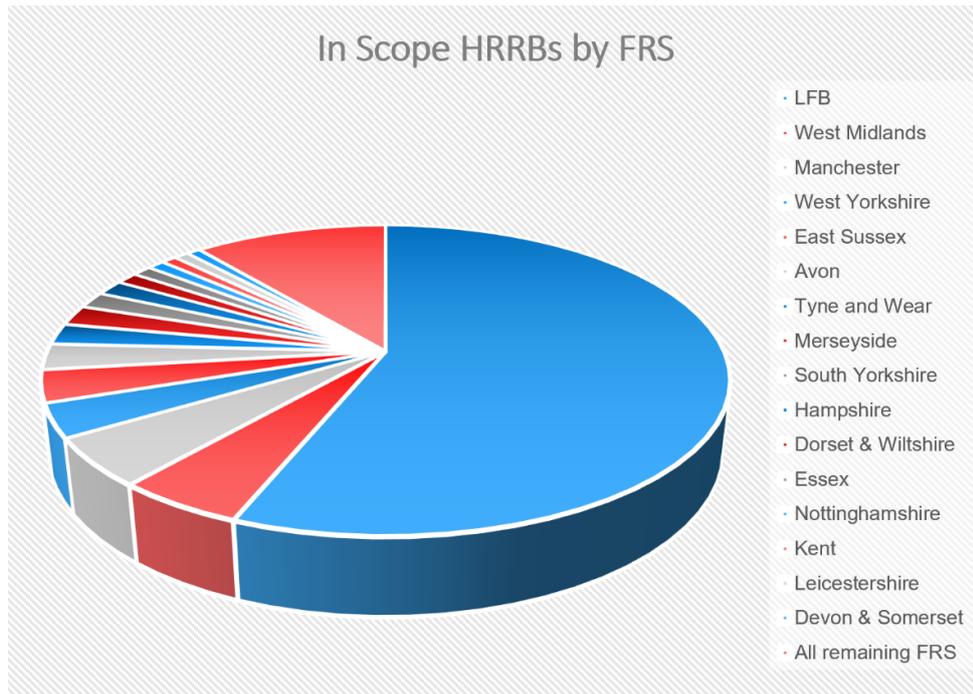
This process will give Government and residents the knowledge that buildings have been visited or triaged by FRSs, and to help ensure priorities for remediation and regulatory work are better informed towards a safer built environment.

Number of HRRBs

An HRRB for the purposes of the Board’s BRR Programme is an HRRB which is 18m or above in height.

The number of HRRBs per FRS and the national proportion of building stock can be seen below. There is a large national disparity, with LFB having approximately 60% of the buildings in scope, which drops to 5.34% for West Midlands Fire Service, who have the second highest number of recorded buildings in scope.

Diagram 1: In scope HRRBs by FRS



Questions have been raised around capturing in scope buildings not on the MHCLG supplied data. It is acknowledged that the dataset provided is not complete, however, it is the most complete set available and a tangible benefit of the Programme is improving on this. One of the benefits of the Programme is an opportunity for FRSs to better understand the built environment. Other in scope HRRBs which are known to FRSs but have not been supplied in the list from MHCLG should be included and notified by FRSs to the Board.

Where FRSs are aware of an in-scope HRRB that does not appear in your local spreadsheet, please notify NFCC by adding it to your reporting spreadsheet.

Where FRSs have buildings in your local spreadsheet that you do not believe should be considered in scope, please notify us of this via the Triage question (outcome 5).

There will be a monthly reporting mechanism through the Board to the Minister of State for Fire to inform delivery against the target and allow a commentary on any significant increases of HRRBs above those estimated.

Triage of HRRBs

It is acknowledged that there is insufficient capacity within every FRS Protection Department to ensure that all HRRBs are audited/inspected by an FSR by December 2021. Therefore, for all in scope HRRBs to be assessed within the timeframe of the BRR Programme, the triage process should be completed.

If relevant current information is not held, a visit should take place. This process has been designed, should you choose, to utilise station-based personnel with no prior Fire Protection knowledge, and with only minimal support from FSRs. Where this approach is taken, the required data should be captured and the information collected should be subject to a desktop assessment carried out by an FSR resulting in one of the following determinations:

1. A recent audit/inspection has been carried out

In this case, the recent audit/inspection can be used to inform the BRR response and complete the minimum question set.

2. No prior audit/inspection of the building has been carried out recently³ and the HRRB is determined to be high risk

In this case the building will be referred for an audit/inspection by an FSR which will inform the Building Risk Review return once complete.

3. No recent prior audit/inspection of the building has been carried out, however, the HRRB is determined to be low risk and is placed into FRS RBIP if appropriate

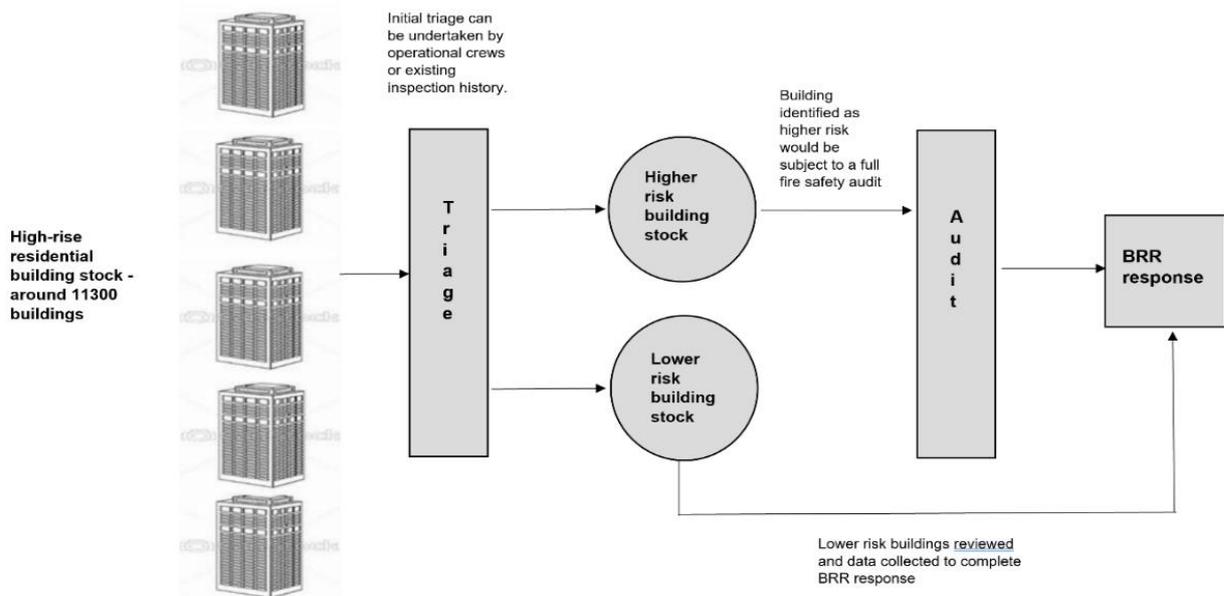
In this case no further audit/inspection is required as part of the BRR and your response and minimum question set should be returned based on the information you collected for the triage.

Diagram 2 below summarises the triage process.

FRSs may wish to proactively write to the Responsible Person/s to raise awareness of [Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings](#). As a minimum, it is suggested that this step is followed where an HRRB is triaged and not audited/inspected at this time.

The BRR Programme will result in all in scope HRRBs being triaged and the highest risk HRRBs being audited/inspected. As a result, HRRBs requiring further action should be identified and become known to FRSs, so that HRRBs can be incorporated into RBIPs where appropriate.

Diagram 2: Triage and Audit/Inspection Process



³ Appendix B contains guidance on what may be considered a recent audit/inspection.

Reporting

Each FRS will be required to report on the following to the Board as stated within the grant funding agreement from the Home Office:

- An initial brief description on trajectory of their programme with milestones
- Monthly return on BRR spreadsheet
- Quarterly commentary on progress and expenditure

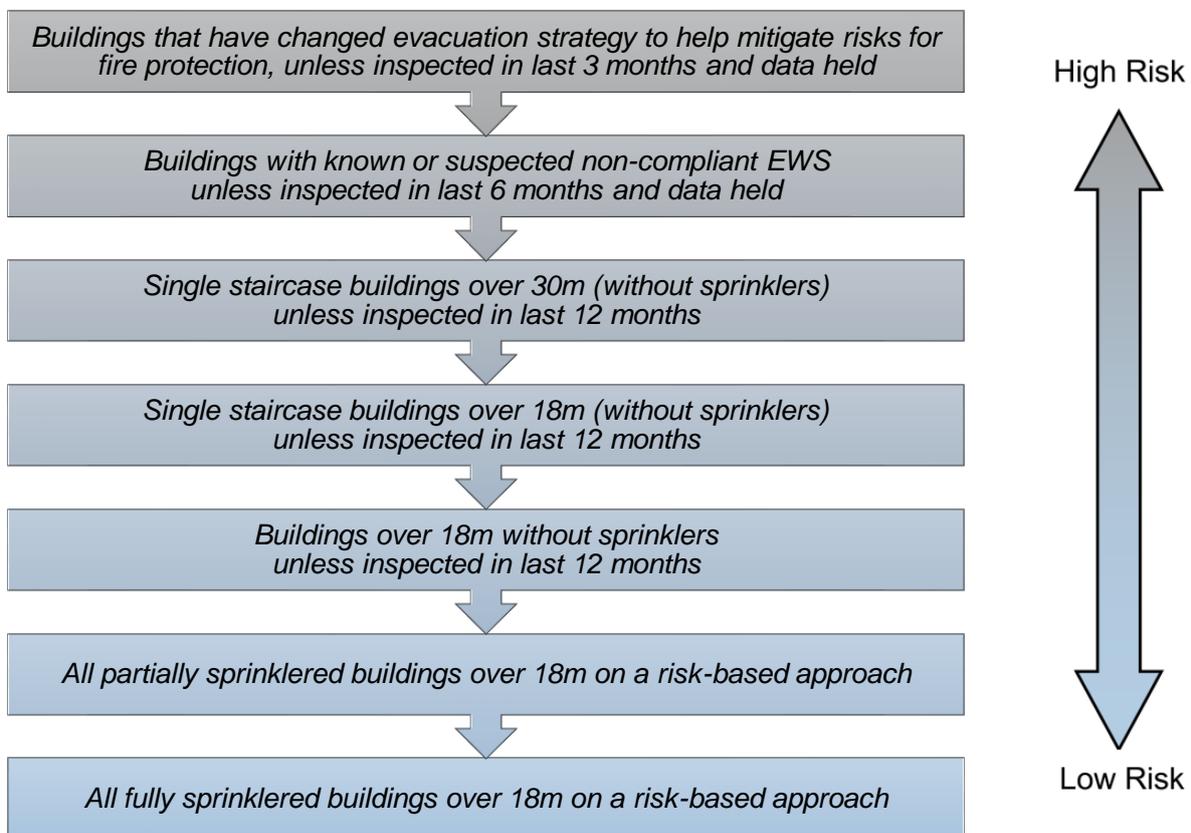
The Board are required to report to the Minister of State for Fire on the BRR Programme and break this down to individual FRS level. Please refer to *Appendix B* for further details on reporting.

Quality Assurance

The Board advise that a suitable quality assurance process is included in any triage process. It would be reasonable to randomly sample 5-10% of the lower risk building stock triaged by FRSs, and for which it has been initially determined that no audit/inspection is required. This 5-10% of buildings can then be subject to a full audit/inspection return in the same manner as the higher risk buildings. This is intended to promote consistency and ensure the FRS assessment of risk can be benchmarked.

The diagram below demonstrates an example risk hierarchy which could be developed from the dataset and existing inspection history where information is available and up to date. This categorises the HRRB stock from perceived highest risk at the top, with risk reducing as you move down the flow chart.

Diagram 3: Example Hierarchy



Building Risk Review Process – Question Set

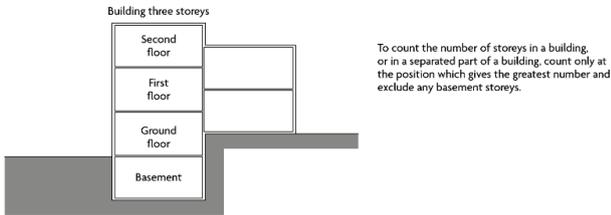
This guidance provides FRSs with a framework to collate information against the data that they are providing. The guidance is not exhaustive, and many FRSs will already have underpinning measures in place alongside additional context or risk mitigation that has already been established over and above that suggested. For others, the guidance can provide a framework to check and balance the arrangements in place to support your responses and is a means to provide additional consistency across FRSs.

Answers in this question set are likely to require input from multiple departments across your FRS, depending on your local governance and structures. It is not intended that all questions can necessarily be answered by fire safety departments alone (e.g. in respect of pre-planned response) and FRSs should ensure appropriate internal processes are in place.

Category	Question	Answer and Commentary
Address Information	Name of Premises	<i>If answers differ from the information supplied from MHCLG, please populate the supplied box next to the prepopulated information.</i>
	Address	
	Postcode	
	UPRN	
FRS Information	Triage Question 1 As part of the triage, was a physical visit to the building undertaken by any personnel?	Yes / No
	Triage Question 2 What was the outcome of the triage?	<ol style="list-style-type: none"> 1. <i>Fire Safety audit/inspection is required as part of BRR</i> 2. <i>No further action required due to recent⁴ audit/inspection of the building</i> 3. <i>No further action required due to building being deemed to be low risk (despite no inspection history)</i> 4. <i>No audit/inspection required due to point 2 or 3 above, but building selected for audit/inspection as part of the QA process</i> 5. <i>Building not in scope of the programme</i>
	Audit Question 1 Where an audit/inspection forms one of the outcomes ⁵ of the triage process – What was the outcome of this audit/inspection?	<ul style="list-style-type: none"> • Satisfactory (no further action) • Informal advice (oral advice) • Non-statutory written advice (any letter or non-statutory notification of deficiencies/contraventions with or without action plan or follow up) • Formal statutory action (Enforcement Notice, Alteration Notice, Prohibition Notice)

⁴ Appendix B contains guidance on what may be considered a recent audit/inspection.

⁵ Either Triage outcome 1: a new audit/inspection is required as part of the BRR or Triage outcome 2: a recent audit/inspection of the buildings has been relied upon to respond to the BRR.

FRS Information	<p>Audit Question 2</p> <p>What was the date of the audit/inspection referred to under Audit Question 1?</p>	<p>DD/MM/YYYY – Currency of this could form a valid risk metric as an audit/inspection is a snapshot in time.</p>
	<p>As far as you can reasonably assess, have you got an effective pre-planned response in place for this building to protect life and property in the event of a fire?</p>	<p>Yes / No</p> <p>Responses provided should be based on FRS use of National Operational Guidance and any additional measures that have been put in place. This could include:</p> <ul style="list-style-type: none"> • Changes to Pre-Determined Attendance • Additional training and operational risk gathering • Wider FRS understanding of premises in area • Specific crew and flexi officer guidance • Resident engagement events • Frequency of site visits and inspections • SSRI gathered • Deviation from agreed procedure specific to the premises based on identified risk or specific operational concerns • Frequency of site training and awareness visits • Processes in place for testing and validating your plan <p>Should a No response be given, the Board would ask that you provide:</p> <ul style="list-style-type: none"> • Clear indication as to the reasons why confirmation cannot be provided • What measures are being taken to remedy the situation • Timescales for the rectification of the situation and provision of a positive response • Do you require NFCC support to help remedy the situation
Building Information	<p>Number of storeys</p>	<p>Numerical value</p> <div style="text-align: center;">  </div>
	<p>Is there a basement?</p>	<p>Yes / No</p>
	<p>Number of staircases</p>	<p>Numerical value – from 1</p>
	<p>What is the evacuation strategy?</p>	<ul style="list-style-type: none"> • Stay put • Simultaneous • Temporary simultaneous • Other

Building Information	Are balconies present	Yes / No
	Can the make up of the External Wall System (EWS) be identified?	<p>Based on information readily available to you from the RP at this time</p> <p>Yes / No / Don't know</p> <p><i>Please note more information on EWS can be found in MHCLG Identifying Details of External Wall Systems – Technical Note</i></p>
	Type of cladding	<p>Based on the information available to you, from the RP – if the type of cladding is unknown, please select 'Do not know'</p> <p><i>Please answer using drop down box (more than one can be selected), answers in line with EWS classifications below:</i></p> <ul style="list-style-type: none"> • Glass • High Pressure Laminate (HPL) • Aluminium Composite Material (ACM) • Other Metal Composite Material • Metal Sheet Panels • Render System • Brick Slips • Brick • Stone Panels / Stone • Tiling systems • Timber/wood • Do not know • Other
	Type of Insulation	<p>Based on the information available to you, from the RP – if the type of insulation is unknown, please select 'Do not know'</p> <p><i>Please answer using drop down box (more than one can be selected), answers in line with EWS classifications below:</i></p> <ul style="list-style-type: none"> • Mineral Wool • Polyurethane rigid foam (PUR) / Polyisocyanurate foam (PIR) • Phenolic foam • Expanded and Extruded Polystyrene (EPS/XPS) • Glass wool • Wood fibre • None • Do not know • Other
	If you have provided a cladding or insulation type above, how was the external wall system information	<ul style="list-style-type: none"> • Information from O&M Manuals • Information from Building Control Body / Application • Product Specification Sheet • BBA Certificate

	confirmed by the Responsible Person/s?	<ul style="list-style-type: none"> • Fire Risk Assessment • Fire Engineers Report • Other Specialist Report • Other
	Type of any firefighting facilities including access and instructions if required	<p><i>Answer using drop down boxes, more than one can be selected:</i></p> <ul style="list-style-type: none"> • Dry riser • Wet riser • Smoke control (AOV, vents, pressurisation etc.) • Firefighting lifts • Premises Information Box (PIB) • Suitable access for fire appliance
	Is there a fire suppression system in the building (sprinkler system, water mist etc.)	Yes / No
	Is there a gas supply to the building?	Yes / No

Impact of COVID-19

COVID-19 could impact on decisions to undertake physical visits and inspections. The BRR Programme has been developed to enable FRSs to use a desktop approach where practicable and appropriate, using existing information held to inform the triage process.

While work on some elements of local RBIPs may be paused, reduced, or suspended due to the impacts of COVID-19, we would encourage FRSs, where practicable, to take the opportunity to undertake any desktop based triaging or data cleansing which could support the objectives of this exercise. Please see NFCC’s [COVID-19 Scenario Based Guidance Auditing Premises](#) for more information.

Guidance to Date

Government [Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings](#)

NFCC [Simultaneous Evacuation Guidance](#)

If you require further assistance or would like to discuss or raise questions concerning the BRR Programme, please email BuildingRiskReview@nationalfirechiefs.org.uk or join the [BRR Workplace page](#).



Building Risk Review Appendix B – Reporting Outcome Note

15th June 2020

Introduction

The outcome of the Building Risk Review (BRR) Programme will be to give Fire and Rescue Authorities, Fire and Rescue Services (FRSs), Government, and residents the knowledge that buildings have been visited, reviewed, or triaged by FRSs, ensuring regulatory work is carried out proportionately and aiming to provide a safer built environment.

This guidance has been developed to assist FRSs to provide returns to the Fire Protection Board in line with the grant conditions detailed by the Home Office. Additionally, it gives clarity around performance measures, reporting metrics, and terminology used in the BRR.

Scope

The scope of the BRR is high-rise residential buildings (HRRBs) 18m. Any HRRBs with identified combustible ACM cladding which were previously captured under the first stage of the exercise, which concluded 31st March 2020, for which a return has already been provided do not need to be considered again.

Baseline Assumption

Following the Secretary of State for MHCLG's assurance that every in scope HRRB will have been assessed or visited by an FRS by December 2021,¹ it has been determined there is not the capacity to audit/inspect every HRRB within that timeframe, as estimates suggest this could take between four to eight years. Therefore, the BRR Programme has been developed with an initial triage and a minimum question set as a result.

If an FRS has audited/inspected the premises recently and there is confidence that this information is current and valid, and the HRRB has featured on the Risk Based Inspection Programme (RBIP), then collection of the data set and triage will suffice for a return.

The minimum requirement for a BRR return is confirmation that each building has had a triage assessment from the FRS and the minimum data set has been returned to the Board.

Measurable Output

A completed triage or audit/inspection as shown below will define a measurable output within the BRR programme for that HRRB, providing the relevant data is captured and returned to the Board on the spreadsheet provided (*Appendix C – Response Spreadsheet*).

¹ [Address to Parliament by Secretary of State, Robert Jenrick, regarding Building Safety \(5th Sept 2019\)](#)

Reporting Definitions

Triage

The triage is the process that the FRS will go through for every HRRB on the data list provided.

As set out in the technical note to FRSs (see Diagram 2 in *Appendix A – Technical Guidance*), a 'triage' is a decision about whether an audit/inspection carried out under the Fire Safety Order (FSO) by a competent Fire Safety Regulator (FSR) is required by December 2021. This decision could be made on the basis of:

- existing recent inspection history reviewed by an FSR; or
- minimum question set, which could be collected by station-based personnel, but is then passed to an FSR to review.

For an HRRB to be considered triaged for the purposes of a BRR response, it requires the FRS to complete and return the minimum question set. This should include answers to all of the questions with the following **exception**:

If the Triage outcome is outcome number 1 (identified as high risk and fire safety audit/inspection is required as part of BRR), then all questions should be answered except for Audit Question 1 and Audit Question 2², which should only be added to your response once the new audit/inspection has been completed.

This information will contribute to reporting on performance measures 1 – 6 (outlined below).

If a BRR response is amended following triage due to updated information becoming available (e.g. an audit/inspection or as the result of a quality assurance process), the spreadsheet should be colour coded as detailed.

Audit

For an HRRB to be considered audited/inspected for the purposes of a BRR response, it requires the FRS to provide the following:

- If not already provided, the minimum question set is completed and returned (i.e. if FRSs use their discretion to move directly to a full FSO audit/inspection by an FSR, this information may not have been submitted yet).
- Answers to Audit Question 1 and Audit Question 2 are completed.

This information will contribute to reporting on performance measures 7 – 9 (outlined below).

If a BRR response is amended following completion of an audit/inspection return (e.g. due to a new audit/inspection or as the result of a quality assurance process), the spreadsheet should be colour coded as detailed.

Is an audit/inspection carried out previously valid for a measurable output?

What constitutes recently?

This is a matter for local FRSs' decision making and will need to be made on a building by building basis according to the circumstances of each building.

² Please see Appendix A for a full breakdown of the BRR question set.

However, as a suggested benchmark FRSs may wish to use the initial publication of Advice Note 14 (18th December 2018) as an indicator of the point at which Responsible Person/s had available guidance about emerging fire safety risks in the wake of Grenfell Tower, including steps they should take in respect of External Wall Systems.

If the premises has been audited/inspected since the publication of Advice Note 14, and there is confidence that the previous inspection history is current and valid, once the minimum data set is captured then the BRR response can be completed.

Advice Note 14 has since been replaced with the Expert Panel's consolidated advice note.

FRSs may wish to proactively write to the Responsible Person/s to raise awareness of [Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings](#). As a minimum, it is suggested that this step is followed where an HRRB is triaged and not audited/inspected at this time.

Data Capture

The completed data will be collated on a spreadsheet in Microsoft Excel format and stored on NFCC's SharePoint.

FRSs are being provided with their own spreadsheets for HRRBs within their jurisdiction.

FRSs will be expected to hold and manage their own records locally and, unless alternative arrangements have been agreed, provide an updated spreadsheet (or a response indicating if there is nil change) to the NFCC secretariat on the 10th of each month (or next business day) for the period of the previous calendar month (e.g. the calendar month of June would be due on 10th July). The first set of returns will be requested on 10th July 2020 unless otherwise agreed.

FRSs can contact BuildingRiskReview@nationalfirechiefs.org.uk with any concerns or queries, or if you would like to arrange a conversation to discuss alternative preferences. NFCC have also set up a new [BRR Workplace page](#) with a repository of important documents and to provide a place for FRS discussion and questions.

Summary data will be compiled monthly by the NFCC secretariat and submitted monthly to the Board and the Minister, broken down by FRS. Supplied known address data from MHCLG, i.e. UPRN, street, and postcode are prepopulated in locked cells. There are cells next to each for any FRS conflicting data to be captured.

Required data fields can be locked down to prevent unauthorised editing and drop-down options provide more consistent answers.

Risk Register

A risk register is being kept identifying potential risks and tracking any issues as the programme moves forward.

Performance Measures

The BRR is an output-based Programme which performance measures can be reported on.

From the monthly BRR spreadsheet return, performance measures which can be analysed and reported on are:

1. Number of data (address and UPRN) cleanses
2. Discrepancies between the number of actual and estimated HRRBs
3. How many buildings have been triaged
4. How many remain to be triaged
5. The number of HRRBs that have received an audit/inspection as part of the BRR programme
6. The number of HRRBs identified which will not receive an audit/inspection
7. The number of audits/inspections completed in line with the trajectory supplied by the FRS
8. Number of enforcement actions taken after an audit/inspection
9. Breakdown of the type of enforcement action taken

In addition, FRSs will provide a quarterly narrative report updating on delivery to the Board, which will allow an explanation of external factors that could affect delivery.

Until otherwise informed by FRSs, there is a working assumption of a straight-line delivery trajectory. FRSs will be requested to supply the Board with a delivery plan, including milestones, allowing a commentary for local delivery challenges based on circumstance. Regular reporting will inform programme progress in line with grant conditions. The NFCC secretariat will develop and provide further detail on the suggested format for the trajectory and delivery plans in due course.

A quarterly report to the Minister from the NFCC secretariat will be made against the performance measures above. The commentary will also allow FRSs and NFCC to suggest improvements on reporting mechanisms as the programme progresses.

An overview broken down by FRS area will be provided by the NFCC secretariat monthly to the Minister.

Further analysis will allow reports on trends within the profile of HRRB stock, based on numbers or triages, audits/inspections, and enforcement action taken. Care is needed around any assumptions drawn, as some FRSs may have already undertaken recent audits/inspections of all HRRBs in their area, and this metric would not capture HRRBs where remediation has taken place and been completed already.

Quality Assurance

The Board advise that a suitable quality assurance process is included in any triage process. It would be reasonable to randomly sample 5-10% of the lower risk building stock triaged by FRSs, to then subject to a full audit/inspection to promote consistency. Further commentary on quality assurance is contained in *Appendix A*.

Project Closure and Completion

As previous pilots and reports have shown, it would not be possible to audit/inspect all HRRBs within the timeframe of the Programme.

Therefore, the Programme will be considered complete once BRR responses have been received for a target of 11,000 HRRBs, confirming they have been triaged and the highest risk HRRBs have been audited/inspected.

Success of the programme will be both the measurable outputs above (performance measures) as well as the following benefits:

- Confirmation from FRSs that 11,000 in-scope HRRBs buildings have, as a minimum, received a triage.
- The minimum dataset is completed and returned for 11,000 HRRBs.
- As a result, HRRBs requiring further action should be identified and become known to FRSs, so that all HRRBs can be incorporated into RBIPs where appropriate.
- The minimum dataset is provided to the Shadow Regulator / New Building Safety Regulator, with the aim of informing a risk prioritisation process on which HRRBs should be prioritised for Safety Cases once the new Building Safety Regime is in place (estimated 2023). The development process for the BRR has included consultation with the Shadow Regulator to confirm validity of the dataset.
- Provide summary trends and analysis to help inform further policy development within the Home Office, MHCLG, and the Shadow Regulator.
- Reassurance to residents.
- Information improving firefighter safety.

Monthly BRR responses will be monitored for trends on the number of in-scope HRRBs. If, as a result of the BRR programme, more in-scope HRRBs are identified above and beyond the estimated 11,000 HRRBs, this data will inform review points for the funding of the programme and will include analysis of the risk profile of the buildings informed by triage and audit/inspection outcomes.

If responses and data cleansing identify there are fewer in-scope HRRBs than estimated, this will inform a review of the target for completion of the programme.

