

6 March 2018

Time 6.00 pm **Public Meeting?** YES **Type of meeting** Scrutiny
Venue Training Room, Ground Floor, Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

Membership

Chair Cllr Stephen Simkins (Lab)
Vice-chair Cllr Barry Findlay (Con)

Labour

Cllr Ian Angus
Cllr Paula Brookfield
Cllr Jasbir Jaspal
Cllr Rupinderjit Kaur
Cllr Louise Miles
Cllr Peter O'Neill
Cllr Lynne Moran
Cllr Zee Russell
Cllr Jacqueline Sweetman
Cllr Linda Leach

Conservative

Cllr Arun Photay

Quorum for this meeting is four Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

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Tel/Email 01902 555046 or julia.cleary@wolverhampton.gov.uk
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Agenda

Part 1 – items open to the press and public

Item No. *Title*

MEETING BUSINESS ITEMS

- 1 **Apologies for absence**
- 2 **Declarations of interest**
- 3 **Minutes of the previous meeting** (Pages 3 - 6)
[To approve the minutes of the previous meeting as a correct record.]
- 4 **Matters arising**

DISCUSSION ITEMS

- 5 **Recommendations from the Scrutiny Fire Safety Scoping Group** (Pages 7 - 58)
- 6 **Scrutiny Review of the City's Apprenticeships Offer - update** (Pages 59 - 62)
[Cllr Gakhal to present update report]
- 7 **Dukes Park Petition - Update** (Pages 63 - 70)
- 8 **Work programme and Annual Scrutiny Event Planning** (Pages 71 - 78)
[To consider the Board's work programme for future meetings.]
- 9 **Briefing Paper - Summary of Communities and Local Government Select Committee Scrutiny Report** (Pages 79 - 86)

Attendance

Members of the Scrutiny Board

Cllr Stephen Simkins (Chair)
Cllr Ian Angus
Cllr Paula Brookfield
Cllr Jasbir Jaspal
Cllr Peter O'Neill
Cllr Arun Photay
Cllr Lynne Moran
Cllr Jacqueline Sweetman
Cllr Barry Findlay (Vice-Chair)
Cllr Linda Leach
Cllr Philip Bateman MBE
Cllr Greg Brackenridge

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
Apologies for absence were received from Cllr Zee Russell. Cllr Philip Bateman attended as a substitute for Cllr Rupinderjit Kaur and Cllr Greg Brackenridge attended as a substitute for Cllr Louise Miles.
- 2 **Declarations of interest**
There were no declarations of interest.
- 3 **Minutes of the previous meeting (5 December 2017)**
Resolved:
 - (a) That the minutes of the meeting be approved as a correct record and signed by the Chair.
 - (b) That Cllr Leaches apologies be recorded for the previous meeting.
- 4 **Matters arising**
There were no matters arising.
- 5 **Review of Contributions to Non-residential Adult Social Care**
Helen Winfield, Head of Service – Community Financial introduced a report in relation to the review of contributions to non-residential adult social care, the outcome of public consultation and the final proposals

The report gave details on the outcome of the public consultation, approved by Cabinet on 19 July 2017, on the review of contributions to non-residential adult social care which took place from 4 September 2017 to 26 November 2017. The consultation was later than the original dates proposed (24 July to 15 October) in order to avoid the summer holiday period and therefore maximise participation.

The report also set out revised proposals, following consultation, for a scheme based on individual financial assessment to replace the current banded contributions scheme for those in receipt of non-residential council support under the provisions of the Care Act 2014.

Following the consultation, it was now proposed that instead of a 20% disregard of disability benefits for DRE which would involve different amounts being applied dependent on the level of disability benefits received, a standard disregard of £12.00 per week be allowed for all service users in receipt of a disability benefit plus a 30% disregard of the enhanced disability premium (EDP) where it was included in a person's individual MIG.

Currently, the EDP was £15.90 and therefore the disregard would be £4.77 per week. Those service users with more significant DRE would still be able to request an enhanced financial assessment which would look at all evidenced DRE to consider higher disregards where applicable. However, with standard disregards at this level it was anticipated that such assessments would be kept to a minimum.

Officers referred to the case studies which provided examples of what a person might be expected to pay under the proposed new and old scheme.

Section 7.1 showed a table which highlighted the current scheme, the proposed individual assessment and then a summary of changes.

Appendix 1 of the report addressed concerns brought up regarding the asking of intrusive questions. This would be an Individual assessment but there would still be a standard regard to avoid those intrusive questions.

The Panel considered that even though the disability related expenditure covered a huge range and negated the need for intrusive questions for some people this might not be sufficient for all people and the question was raised as to whether there was an appeals process.

Officers confirmed that there was not an appeals process at that point but an enhanced financial assessment could be carried out.

The Panel congratulated Officers on the report.

Resolved: That the comments of the Panel be noted.

6 **Work programme**

The Panel considered the work programmes for the Scrutiny Board and Scrutiny Panels. The Panel considered that areas for future scrutiny could include:

- Policing,
- The Fire Authority,
- West Midlands Combined Authority,
- Transport,
- Health,
- Relationships with partner organisations.
- The Impact of universal credit.
- Combined Authority devolution plus other organisations due to come under the CA.
- The combination of Health and Social Care at a National Level. (Concern that one might end up being the poor relation).

The Scrutiny and Systems Manager requested that the Panel consider the format for the next Scrutiny Away Day.

Resolved: That the information be noted.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 20 March 2018
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Report title	Recommendations from the Scrutiny Fire Safety Scoping Group	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Peter Bilson Cabinet Member for City Assets and Housing	
Corporate Plan priority	Confident Capable Council	
Key decision	Yes	
In forward plan	Yes	
Wards affected	(All Wards);	
Accountable Director	Tim Johnson, Strategic Director Place and Deputy Managing Director Kate Martin, Service Director, Housing Sean Aldis, Chief Executive, Wolverhampton Homes	
Originating service	Scrutiny – Vibrant and Sustainable City Scrutiny Board	
Members of the Review Group	Councillor Philip Bateman Councillor Patricia Patten Councillor Jacqueline Sweetman Councillor Paul Singh Councillor Louise Miles Sue Roberts (MBE), Wolverhampton Homes Board Chair Bob Deacon – Unison Representative and Wolverhampton Tenants Association Representative Barry Appleby – Chair of the Disability Advisory Group on Leisure Activities Karen Ryder – Co-ordinator One Voice	
Accountable employee	Julia Cleary Tel Email	Systems and Scrutiny Manager Tel: 01902 555046 julia.cleary@wolverhampton.gov.uk
Report to be/has been considered by		

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

Recommendation for decision:

Cabinet (Resources) Panel is recommended to:

1. Approve the Executive response to the Scrutiny Group's recommendations (Appendix 1).

1.0 Purpose

- 1.1 To bring to the attention of Cabinet (Resources) Panel the findings and recommendations of the scrutiny scoping exercise into fire safety and to agree the executive response.

2.0 Background

- 2.1 At the meeting of the Vibrant and Sustainable City Scrutiny Panel on 29 June 2017 a recommendation was made that the Scrutiny Board consider whether a review should be undertaken in relation to fire safety in tower blocks.
- 2.2 At the meeting of the Scrutiny Board held on 4 July 2017 the Board considered the recommendation from the Vibrant and Sustainable Scrutiny Panel and resolved that a scoping exercise be undertaken to assess how the Council had responded to the Grenfell Tower Fire.
- 2.3 Scrutiny Board considered that it would be best to put a full scrutiny review on hold until the formal, Government investigation into the Grenfell Tower Fire was concluded and any new regulations or guidance issued by Central Government.
- 2.4 There are currently two inquiries underway as a direct result of the Grenfell Tower fire:
- i. A public inquiry into the fire led by Sir Martin Moore-Bick and;
 - ii. An Independent Review of Building Regulations and Fire Safety led by Dame Judith Hackitt.
- 2.5 The recommendations listed below have therefore been sectioned into those that can and should be implemented immediately and those that whilst sound in principle, may be best put on hold pending the findings and recommendations of the above-mentioned reviews as any pre-emptive action in these areas could lead to duplication of work, work being pursued in the wrong areas and more disruption to tenants and other affected persons than is necessary.
- 2.6 The work carried out by the Group has been recognised and commended by Members of the political and non-political leadership of the Council and in particular the expertise and dedication of the Chair of the Group. A request has therefore been made by Council Leaders that this group remain in place and reconvene immediately following the publication of the final recommendations from the Hackitt Review and Moore-Bick Inquiry to consider the findings and to advise the Council on how best to proceed with the implementation of any outstanding or new recommendations which may at that time be appropriate.
- 2.7 More recently (January 2018), the Ministry of Housing, Communities and Local Government's (MHCLG) Permanent Secretary, Melanie Dawes has given evidence to the Communities and Local Government Select Committee to state that local authorities are responsible for making their buildings safe and that the Government will not be dictating

exact types of cladding to be used etc., these judgements will still need to be made by each individual local authority.

- 2.8 By carrying out an in-depth scoping exercise the Council will be ready to act immediately when new regulations or recommendations are issued by Government following the conclusion of the official enquiry.
- 2.9 Scrutiny Board was clear that tenants were to be central to the scoping exercise and that witness sessions needed to be held with professionals from inside and outside of the Council.
- 2.10 The Group considered that public safety, the safety of those working or visiting public buildings and those attending educational establishments was of paramount importance and is central to all of the recommendations.
- 2.11 The Group would like to thank all of the witnesses who attended the evidence sessions.

The Scrutiny Scoping Group met on three occasions and interviewed the following witnesses:

Date of Meeting	Witnesses
19 September 2017	Wolverhampton Homes <ul style="list-style-type: none">• Lesley Roberts, Chief Executive• Simon Bamfield, Head of Commercial Services and Stock Investment.
	West Midlands Fire Service <ul style="list-style-type: none">• Jason Holt, Station Commander• Pardeep Raw, Team leader for Black Country North Fire Safety Team Watch Commander
	City of Wolverhampton Council Health and Safety <ul style="list-style-type: none">• Phil Reilly, Health and Safety Advisor
	City of Wolverhampton Council, Corporate Landlord <ul style="list-style-type: none">• Tim Pritchard, Head of Corporate Landlord• Neale Shore, Compliance Officer
31 October 2017	Wolverhampton Homes <ul style="list-style-type: none">• Lesley Roberts, Chief Executive• Simon Bamfield, Head of Commercial Services and Stock Investment.

	<ul style="list-style-type: none"> • Myk Kozuba, Stock Investment Manager • Darren Baggs, Assistant Director – Housing
	<p>City of Wolverhampton Council School Safety</p> <ul style="list-style-type: none"> • Phil Reilly, Health and Safety Advisor • Natalie Barrow, Health and Safety Advisor
	<p>City of Wolverhampton Council Emergency Planning</p> <ul style="list-style-type: none"> • Mick Shears, Resilience Officer
17 November 2017	<p>City of Wolverhampton Council</p> <ul style="list-style-type: none"> • Tim Johnson, Strategic Director-Place and Deputy Managing Director • Mark Taylor, Strategic Director-People • Meredith Teasdale, Director of Education • Tim Pritchard, Head of Corporate Landlord
	<p>City of Wolverhampton Planning and Building Control</p> <ul style="list-style-type: none"> • Stephen Alexander, Head of Planning • Stewart Hitchcox, Senior Building Surveyor

2.12 The Grenfell Tower Fire

On 14 June 2017, a fire spread through the Grenfell Tower, a 24 storey residential housing block in North Kensington, London. Seventy-one people died and many more lives were changed. The tower provided social housing in 127 flats and management of the block was the responsibility of the Kensington and Chelsea Tenant Management Organisation.

- 2.13 The City of Wolverhampton Council (CWC) has a total of 36 high-rise tower blocks which are managed by Wolverhampton Homes (WH) on behalf of CWC. The individual blocks range from 9 to 23 storeys in height and have between 33 to 126 units per block. In total, there are around 2,164 high-rise units of which 58 are leasehold (2.7%).
- 2.14 The vast majority of these blocks were built in the 1960's, with some in the early to mid-1970's. In addition to the 36 high-rise tower blocks Wolverhampton also has an additional 11 blocks of flats that are 6 – 8 storeys. None of these have any cladding systems.
- 2.15 All the blocks are designated as general needs blocks, which means they are occupied by a mixture of families, couples and single people.

2.16 The Grenfell Tower Inquiry

2.17 Following the Grenfell Tower Fire, the Prime Minister requested Sir Martin Moore-Bick to set up a public inquiry and to consult with the victims, family members and other interested parties on the scope of the terms of reference for the review.

2.18 On 10 August 2017 Sir Martin wrote to the Prime Minister to set out the terms of reference as follows:

1. To examine the circumstances surrounding the fire at Grenfell Tower on 14 June 2017, including:

(a) the immediate cause or causes of the fire and the means by which it spread to the whole of the building;

(b) the design and construction of the building and the decisions relating to its modification, refurbishment and management;

(c) the scope and adequacy of building regulations, fire regulations and other legislation, guidance and industry practice relating to the design, construction, equipping and management of high-rise residential buildings;

(d) whether such regulations, legislation, guidance and industry practice were complied with in the case of Grenfell Tower and the fire safety measures adopted in relation to it;

(e) the arrangements made by the local authority or other responsible bodies for receiving and acting upon information either obtained from local residents or available from other sources (including information derived from fires in other buildings) relating to the risk of fire at Grenfell Tower, and the action taken in response to such information;

(f) the fire prevention and fire safety measures in place at Grenfell Tower on 14 June 2017;

(g) the response of the London Fire Brigade to the fire; and

(h) the response of central and local government in the days immediately following the fire;

and

2. To report its findings to the Prime Minister as soon as possible and to make recommendations.

2.19 Some of the terms of reference listed above are specific to the Grenfell Tower fire but those in bold represent areas that this Council and its Partners must also be able to

provide evidence and assurances of if requested to do so and to be confident that any response to any emergency is the right response.

- 2.20 Following the Grenfell Tower Fire, the Royal Borough of Kensington and Chelsea (RBKC) was heavily criticised as evidence in the below excerpt from the Independent Grenfell Recovery Taskforce Initial Report on 31 October 2017:

RBKC failed its community on the night of 14 June and in the weeks following. Prior to that we have heard that RBKC was: distant from its residents; highly traditional in its operational behaviours; limited in its understanding of collaborative working and insular, despite cross borough agreements; and with a deficit in its understanding of modern public service delivery.

- 2.21 The Grenfell Tower Inquiry is still in the early stages with a Procedural Hearing scheduled for Wednesday 21 March and Thursday 22 March 2018. The Procedural Hearing will review the progress of the first phase of the inquiry and finalise the timeframe for the evidential hearings.
- 2.22 **The Hackitt Inquiry: Independent Review of Building Regulations and Fire Safety**
- 2.23 This review, led by Dame Judith Hackitt is tasked with urgently assessing the effectiveness of current building and fire safety regulations and related compliance and enforcement issues. The focus of the review is on multi occupancy high rise and residential buildings. The Review's two main priority areas are to develop a more robust regulatory system and to provide further assurances to residents that the buildings they live in are safe now and for the future. This second priority area therefore links directly to the work also being carried out by the Scrutiny Scoping Group.
- 2.24 The Terms of Reference for the independent review are as follows:
1. To map the current regulatory system (i.e. the regulations, guidance and processes) as it applies to new and existing buildings through planning, design, construction;
 2. **To consider the competencies, duties and balance of responsibilities of key individuals within the system in ensuring that fire safety standards are adhered to;**
 3. To assess the theoretical coherence of the current regulatory system and how it operates in practice;
 4. To compare this with other international regulatory systems for buildings and regulatory systems in other sectors with similar safety risks;
 5. To make recommendations that ensure the regulatory system is fit for purpose with a particular focus on multi-occupancy high-rise residential buildings.

- 2.25 As with the Terms of Reference for the Moore-Bick Inquiry, there will be an overlap with the work of the Scrutiny Scoping Group and in particular in relation to number 2.
- 2.26 An interim report including recommendations was published in December 2017 and the final report is expected by Spring 2018. A copy of the Interim Report can be found here:

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

3.0 Recommendations

- 3.1 There is some very good work being carried out by Wolverhampton Homes, West Midlands Fire Service and the City of Wolverhampton Council at an operational level. Communications between the organisations are good and were praised by all those interviewed.
- 3.2 Clear steps to improve fire safety procedures have already taken place since the Group began its scoping exercise such as the designation of the Deputy Managing Director as the Strategic Lead for Health and Safety at the Council and steps such as this are welcomed by the Group.
- 3.3 However, there are areas where concerns have been raised by the Group and these are addressed in the recommendations at Appendix 1.
- 3.4 As stated above, this group will remain in place and reconvene immediately following the publication of the final recommendations from the Hackitt Review and Moore-Bick Inquiry to consider the findings and to advise the Council on how best to proceed with the implementation of any outstanding or new recommendations which may at that time be appropriate.

4.0 Progress against initial scoping document

- 4.1 At the first meeting of the Group a scoping document was agreed and this is attached at Appendix 3

5.0 The Findings of the Group:

5.1 The Responsible Person

Recommendation 1. Recommendation 2. and Recommendation 3.

In relation to a workplace, the Responsible Person is the employer, if the workplace is to any extent under their control

- a) In relation to any premises not falling within the above, the Responsible Person is:
- i. The person who has control of the premises (as occupier or otherwise) in connection with the carrying on by them of a trade, business or other undertaking (for profit or not); or

- ii. The owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.
- b) In most circumstances the owner, employer or occupier of the premises is responsible for ensuring and maintaining the correct fire safety and procedures.
- c) Wolverhampton Homes has a policy which specifies how fire safety responsibility is delegated. At the moment, the responsibility and duty of care sits with the Stock Investment Manager who is a specialist member of staff for fire safety and he is supported by specialist health and safety officers.
- d) In relation to the person responsible for fire safety for the City of Wolverhampton Council this was confirmed to be the Deputy Managing Director, who currently chairs the Corporate Landlord Board.

5.2 A Competent Person

A competent person is described as someone who:

- a) Understands the relevant fire safety legislation and the associated guidance documents;
- b) Has appropriate training, education, knowledge and experience in the principles of fire safety;
- c) Has an understanding of fire development and the behaviour of people in fire;
- d) Understands the fire hazards, fire risks and relevant factors associated with occupants at special risk within buildings of the type in question; and
- e) Has appropriate training and/or experience in carrying out fire risk assessments.
- f) At the moment there is competence at various levels within the Council ranging from external consultant who carry out complex Fire Risk Assessments to internal Fire Officers who can undertake straightforward Fire Risk Assessments. There is also an internal level of expertise as referenced in recommendations 3 and 15.

5.3 Section 41 Member Role Description

<i>Recommendation 5.</i>

Members appointed as lead members for their constituent authorities, under Section 41 of the Local Government Act 1985, are required to:

- a) answer questions put to them at meetings of their constituent council relating to the discharge of functions of the Fire and Rescue Authority;
- b) Report back to their constituent authorities on the work of the Fire Authority, in accordance with any requirements within their authority's procedural standing orders, overview and scrutiny processes, or other monitoring arrangements.
- c) Three appointments are made to the West Midlands Fire and Rescue Service at Annual Council signifying a nominated lead member for the purpose of answering questions at council meetings in relation to the Joint Authority concerned.

5.4 **Wolverhampton Homes**

Recommendation 20. and Recommendation 21.

- a) Wolverhampton Homes manage and look after more than 23,000 homes on behalf of The City of Wolverhampton Council.
- b) Wolverhampton Homes are an Arm's Length Management Organisation (ALMO) setup in 2005.

5.5 **Role of the Concierge**

Recommendation 10.

- a) The role of the Wolverhampton Homes concierge staff is to ensure that all fire safety measures are in place on a daily basis and all checks made are monitored.
- b) The concierge staff ensure clean, safe and secure environments for the residents.
- c) There are 48 buildings with CCTV at door entry level which is monitored 24/7 centrally.
- d) Onsite checks and litter picking activities are carried out.
- e) The role of the concierge (and Keepers) is to prevent fire not to fight it.

5.6 **Training and Expertise**

Recommendation 9. and Recommendation 10.

- a) Wolverhampton Homes - The Stock Investment Manager and Responsible Person is supported by external partner organisations and in particular a fire safety consultant from Jacobs who is an ex fire fighter and Graduate Member of the Institution of Fire Engineers (the consultant also holds a NEBOSH General Certificate and IOSH Fire Safety Management qualification). There is also a specialist fire safety advisor within the Health and Safety Team who liaises regularly with the Fire Service.
- b) Wolverhampton Homes concierge staff have training in relation to areas such as the use of evacuation chairs and general fire training and received separate fire safety training in December 2017. The Manager of the Concierge staff is a former fire fighter.
- c) The training for concierge staff will be carried out by a professional training provider and will cover areas including fire doors, dry riser cupboards, the seals around dry risers and any washers and wheels, combustible items and dealing with equipment left behind by contractors.
- d) The City of Wolverhampton Council Interim Compliance Officer has appointed 3 Area Facilities Officers who have undertaken fire risk assessment training so will be able to carry out low risk, low complexity risk assessments once they are signed off as competent.
- e) The Council does have experienced and qualified employees but they do not appear to be in the right areas and there appeared to be vacancies that are being filled by

bringing in consultants. Corporate Landlord is currently reviewing staffing requirements to undertake compliance related activities.

f) An interim recommendation from the Hackitt Inquiry states:

There is a need to be certain that those working on the design, construction, inspection and maintenance of complex and high-risk buildings are suitably qualified. The professional and accreditation bodies have an opportunity to demonstrate that they are capable of establishing a robust, comprehensive and coherent system covering all disciplines for work on such buildings. If they are able to come together and develop a joined up system covering all levels of qualification in relevant disciplines, this will provide the framework for regulation to mandate the use of suitable, qualified professionals who can demonstrate that their skills are up to date. This should cover as a minimum:

- *engineers;*
- *those installing and maintaining fire safety systems and other safety-critical systems;*
- *fire engineers;*
- *fire risk assessors;*
- *fire safety enforcing officers; and*
- *building control inspectors.*

I would ask these bodies to work together now to propose such a system as soon as practicable. I will launch this work at a summit in early 2018.

5.7 The Wolverhampton Homes Fire Safety Committee

- a) The Fire Safety Committee is responsible for reviewing all fire safety measures and lessons learnt, the Committee meets regularly and is chaired by the Director of Operations. The Committee feedback to the Chief Executive and to the Board.
- b) Outcomes from the Fire Safety Committee included work to ensure that all cables in communal areas were now neatly strapped up and work being undertaken in relation to flat entrance doors with only 1 leaseholder door out of 70 now needing to be changed or issued with a certificate of compliance.

5.8 The Tenancy Agreement

<i>Recommendation 24.</i>

- a) In some areas, such as Aston in the West Midlands there is an agreement regarding Houses in Multiple Occupation that if a tenancy agreement changes that the Landlord informs the Fire Service and they arrange to carry out a safe and well visit with the new residents. This is built into the tenancy agreement.
- b) All tenants and leaseholders receive information and guidance (including a personal visit from the concierge, a video and a leaflet) outlining what action should be taken in an emergency.

- c) There are 2200 leaseholders, some on a 125 year lease.
- d) Any changes made to a property by a leaseholder must be compliant with current regulations.
- e) The full lease in relation to a tenancy agreement does sit with Wolverhampton Homes and only with the leaseholder for a specified time.
- f) Any changes to an entrance door made by the leaseholder are the responsibility of the leaseholder and Wolverhampton Homes will only step in as a last resort if after enforcement steps have been taken the door is still not compliant with regulations and safety is threatened.
- g) Wolverhampton Homes have in the past considered taking injunctive action but this can be expensive and recovery of money is not easy.
- h) Wolverhampton Homes currently has 3 different leases in operation and creating a new lease to include a clause relating to Wolverhampton Homes replacing non-compliant doors and recovering the money could lead to extensive legal costs and an even more complex situation with tenants all abiding by different terms and conditions.
- i) Most flats also have a fire door within the dwelling and it is important to ensure that this is not removed. Greater powers of entry are required to enable officers to check these doors along with checks of gas safety certificates, hard wired smoke detectors and internal compartmentalisation.

5.9 West Midlands Fire Service

<i>Recommendation 22.</i>

- a) Prevention - representatives of the Fire Service visit businesses to ensure that premises are safe for employees. Operational crews carry out Safe and Well visits with the aim of visiting every domestic dwelling across the West Midlands.
- b) Protection - audits are carried out under the Fire Safety Legislation of all communal areas, every fire door is checked, stairwells are checked and all areas of compartmentalisation are checked.
- c) Site Specific Risk Inspections (SSRI) are also carried out in targeted areas such as tower blocks.
- d) In an emergency fire situation, the Incident Commander from the Fire Service takes control.
- e) During the witness session with the Fire Service it was stated that funding would be arranged where there was a requirement and that resources were not an issue.

However, the more recent the response from the West Midlands Fire Service to the provisional financial settlement states that whilst the Service are pleased to see the additional 1% flexibility in referendum limits which could provide potential for some level of increased Council tax funding, it is also disappointed not to receive some recognition in the settlement for the likely impact that the Grenfell Tower tragedy will have on the demands of the Service and the relatively low benefit the additional 1% flexibility provides compared to other Fire and Rescue Authorities, given WMFRA has the lowest Council Tax band D in the country.

5.10 Risk Assessments and Inspections including Fire Safety Inspections (including addressing disability issues for tenants)

- a) Site Specific Risk Inspections (SSRI) are carried out by the Fire Service in targeted areas such as tower blocks.
- b) All tower blocks have now been highlighted as targeted areas and should therefore be visited.
- c) During the visit the Fire Service make themselves available to residents and Safe and Well visits can be carried out there and then or future appointments made.
- d) The Fire Service has jurisdiction in the public areas only so can look at areas such as fire escapes and compartmentalisation. As with private dwellings, people living in tower blocks can request a free Safe and Well visit from the Fire Service.
- e) Regarding private dwellings, these falls under different legislation and are the responsibility of the leaseholder or landlord.
- f) The Fire Service is still the enforcement body in relation to fire safety in private dwellings.
- g) Following the Grenfell Tower fire, the Council's Health and Safety Advisor met with the Fire Service and carried out an audit and inspection of all the high-rise blocks.
- h) One of the key responsibilities of the responsible person under the Fire Safety Order (whether undertaken by themselves or a competent person on their behalf) is to carry out a fire risk assessment and put in place fire prevention and mitigation measures that adequately reduce the life safety risk to those on or in the vicinity of the premises to as low as reasonably practicable.
- i) The fire safety measures covering the common parts of residential buildings that must be adequate for compliance with the Fire Safety Order comprise the following
 - i. measures to reduce the risk of fire and the risk of spread of fire;
 - ii. the means of escape from fire;
 - iii. the measures necessary to assist people in the use of the escape routes, such as emergency escape lighting, fire exit signs and measures for smoke control;
 - iv. where necessary, fire extinguishing appliances;
 - v. any fire alarm system necessary to ensure the safety of occupants;
 - vi. an emergency plan;
 - vii. maintenance of all of the above measures; and
 - viii. maintenance of measures required by legislation for use by fire-fighters.
- j) The fire risk assessment must be regularly reviewed. For example, when refurbishment of a building occurs, the responsible person must ensure that their fire risk assessment is reviewed to mitigate the additional risks the alteration process may impose on the building and its residents.

5.11 City of Wolverhampton Council and Corporate Landlord

Recommendation 1. Recommendation 2. Recommendation 3. Recommendation 14. Recommendation 16. Recommendation 17. and Recommendation 18.

- a) The remit of Corporate Landlord includes the Council's assets, facilities management and projects and works
- b) The Council has Health and Safety Advisors who act as a liaison with Wolverhampton Homes and the Fire Service.
- c) During the first few meetings of the Group it was very unclear as to who was responsible at a strategic level for Fire Safety at the City of Wolverhampton Council and what the Policy was at this level regarding fire safety and the co-ordination of resources. Since those initial meetings, it has been announced that the Deputy Managing Director will be taking a lead responsibility for health and safety across the Council and that quarterly reports will be considered at a strategic level to ensure that actions are being delivered and issues in relation to resources addressed.
- d) It is important that there is a single point of contact in relation to fire safety at a strategic level in the Council.
- e) There are apparent vacuums and structural issues in the City Council in relation to fire safety and the Responsible Person needs to be identified along with a number of competent people. This to be addressed by the review being carried out by Corporate Landlord to enable resources to undertake compliance related activities.
- f) Fire Safety Management does not fall within the remit of the Health and Safety Team in the City Council.
- g) The Council has a good understanding of the wider estate and is keeping a close watch regarding national enquiries and developments.
- h) All buildings have been checked but not all buildings have been tested. Consideration must in some instances be given as to whether the required information in relation to a building can be collected in another way rather than testing.
- i) There are issues in relation to the capacity of the Council to test all of its buildings but steps can be taken to provide assurances for elected members and the public that the buildings are safe.
- j) The Council does not currently have a policy to fit sprinklers in all new builds and seeks technical advice from consultants in relation to each project individually. There is no legal requirement to fit sprinklers and there are alternative views as to whether they should be fitted as standard.
- k) The technical advice provided to the Council comes from a number of specialist bodies including the architects and the Fire Service.
- l) Sprinkler systems are considered as part of an overall fire management approach and different buildings will require different systems.
- m) Retrofitting sprinklers is more expensive than fitting them into a new build.
- n) Fire safety training is to be provided to concierge staff in the i10 building.
- o) From March 2018, there will just be one fire alarm system in the Civic Centre.

5.12 Schools, academies, further education establishments

<i>Recommendation 11. Recommendation 13. and Recommendation 26.</i>
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- a) There are 165 corporate properties and 42 community schools and the Council is currently in the process of ensuring that these have a managed fire risk assessment programme in place.
- b) 11 new schools have been fitted with sprinklers in Wolverhampton.
- c) There are concerns in relation to how previous risk assessments were carried out in schools prior to 2015 which came to light following an audit.
- d) Officers instructing fire risk assessments in community schools now apply the same standard as across other areas of the organisation with a competent person carrying out fire risk assessments.
- e) The fire risk assessments from the 42 community schools are providing the Council with the information required to ensure that the right solutions are in place in these schools in relation to fire safety.
- f) The Council is awaiting information to be returned by the schools regarding cladding which is taking some time and information from constructors is poor. These risks are now being addressed and assessed through the Fire Risk Assessment which will now include risks associated with cladding.
- g) 10 fire risk assessments have been commissioned and this will be a rolling programme throughout 2018/2019.
- h) Corporate Landlord are working closely with a fire safety consultant from Jacobs who is an ex fire fighter and Graduate Member Institution of Fire Engineers.
- i) Areas considered to be of high risk are being addressed with immediate effect.
- j) Schools present a very complex fire concern (science blocks with flammable equipment, issues regarding technology rooms, arson and smoking)
- k) At the moment there is no local, comprehensive data to show how many fire incidents have taken place in schools over the last 5 years.
- l) There is currently a lack of in house expertise at the Council and consultants are relied upon to carry out all but low risk fire risk assessment. There is ongoing recruitment but training and professional development is essential to ensure that outcomes and recommendations from fire risk assessments can be followed up. Feedback from Corporate Landlord has indicated that consultants will continue to be used to undertake more complex Fire Risk Assessments. However, Corporate Landlord does acknowledge the need to continue to develop competencies and provide resources to action any significant findings identified in the risk assessments and to manage fire risk generally. The undertaking of a Fire Risk Assessment is but one part of overall fire risk management.
- m) Sometimes it can be beneficial to bring in outside expertise as and when required but care must be taken to ensure that the Responsible Person and competent persons are permanent members of staff. Outside expertise can help to provide validity and objectivity but there must be a backup and responsibility internally should the external provider fail to deliver. Corporate Landlord will continue to develop in house

competencies and resources and agree that suitable and sufficient competencies should be retained in house.

- n) The expertise that is already present at the Council does not appear to be utilised to its full capacity or in the right area and is not joined up.
- o) There have been no additional requests from schools for fire risk assessments following the Grenfell fire.
- p) A centralised data system is being put in place regarding schools and this will include information on fire safety.
- q) The Council is fully in control and aware of all estates managed directly but has less control and information regarding what individual schools are doing regarding the outcomes of fire risk assessments and fire alarms and testing. At the moment, there are not sufficient resources to investigate this area and the Council must rely on each school managing this correctly. Ideally the Council would like to be able to log all of this information online as part of an overall compliance package as at the moment events are being checked and logged retrospectively. The cooperation of schools is required for this and all community schools have been asked to complete a monthly return which has been set up as an interim measure. To date, less than 10% of community schools have completed this monthly return for January 2018.
- r) Each school has a duty of care to the children that attend there and there are premise managers and business managers in place to ensure that this duty of care is adhered to.
- s) Residential Schools have been prioritised and assessments carried out by an external consultant.

5.13 Testing

<i>Recommendation 6. And Recommendation 8.</i>

- a) Aluminium Composite Material Cladding (ACM cladding) panels are commonly used for cladding buildings, typically as a form of rainscreen.
- b) Rainscreen cladding (sometimes referred to as a 'drained and ventilated' or 'pressure-equalised' façade) is part of a double-wall construction. The rainscreen itself simply prevents significant amounts of water from penetrating into the wall construction. Thermal insulation, airtightness and structural stability are provided by the second, inner part of the wall construction.
- c) ACM cladding consists of two skins of aluminium bonded to either side of a lightweight core of materials such as polyethylene (PE), polyurethane (PUR), profiled metal or a mineral core. It is a popular product because of its precise flatness, variety of surface finishes and colours, light weight and formability. However, during a fire, the panels can delaminate, exposing the core material.
- d) The original advice from the Government was that if there was cladding on a tower block then a sample needed to be sent to the national testing body (BRE Group) and if the cladding failed, then the tower block would be revisited by the Fire Service with the Responsible Person and a plan of action drawn up.
- e) Due to demand, the DCLG amended the original advice and the national testing body (BRE Group) sought only to test ACM cladding;

- f) The latest government guidance is only focused on aluminium composite materials with a polystyrene core;
- g) Wolverhampton Homes has a good record of what its buildings are clad in and those with mineral wool wall systems are not deemed to be a risk. Discussions regarding testing are however ongoing.
- h) 6 out of 18 high rise blocks in Wolverhampton have been tested and every block has been visited and advice sought.
- i) There is conflicting advice regarding whether existing cladding should be removed and tested or whether a replicate piece should be tested.
- j) In relation to the cladding, Wolverhampton Homes have tested Graisle and Heathtown which have some similarities to Grenfell as they have rainscreen cladding but it is made out of very different materials to that used on Grenfell. Graisle is pure aluminium and has a top safety rating. Heathtown is meeting the building regulations and the cladding there is made from non-combustible materials.
- k) Actual panels have been removed from blocks and fire breaks checked. The only difference with Graisle is that there has been no need to take a panel away for further testing as the cladding is pure aluminium with nothing inside.
- l) Other blocks with cladding are all rendered solution which is fixed directly to the wall and all the regulations and certificates confirm that these meet and exceed standards.

5.14 Emergency Planning

<i>Recommendation 15. and Recommendation 19.</i>

- a) Wolverhampton Homes have an emergency plan and this would swing into action prior to the full Council plan taking effect. The date of the last test of the emergency plan was in 2015 and this included testing of communications and rest centres. In the event of an emergency there would be enough beds to accommodate all residents from a tower block.
- b) The Tactical Control Room at the Council does not have disability access and this needs to be remedied as a matter of urgency.
- c) The list of potential rest centres is out of date and should be looked at to take into consideration using local faith group centres which could be closer to affected areas.
- d) Rest centre managers and responders are not currently trained in relation to mental health and this would be beneficial to allow them to immediately signpost any concerns and get help immediately for a person in need. It would also be beneficial to have staff trained in sign language present at rest centres.
- e) The City of Wolverhampton Council Emergency Planning and Resilience Team is a team of two that cover emergency planning, business continuity and priority functions in the Council.
- f) There are about 35-36 Duty Managers and they are available 24/7 during the week they are on duty.
- g) The Duty Manager will assess and coordinate an appropriate response to a major incident, approve resource allocation and brief the Duty Director.

- h) There are approximately 10 Duty Directors who are ultimately responsible to the Managing Director.

5.15 Corporate Manslaughter

Recommendation 17.

- a) There is a possibility that corporate manslaughter charges may be brought against those who had responsibility for the flats at Grenfell and this could include Council employees and elected members.
- b) Wolverhampton Homes has a clear governance structure which sets out responsibilities and delegations. All employees are aware of this and their responsibilities.
- c) The Board of Directors at Wolverhampton Homes have received legal, corporate manslaughter and health and safety training and are fully aware of what is expected of them and their responsibilities.
- d) The Board have a health and safety champion who attends officer meetings to provide challenge and scrutiny.
- e) The people with responsibility and the organisations they support have a duty to ensure that they are not prohibited in any way from carrying out their duties.
- f) There is a need to ensure that when employees or councillors are sitting on a Board, that they have a full understanding of their duties under the Directors Act and that their first duty is to the Board. An individual may have different responsibilities when acting as a board member and as a councillor and these differences need to be fully understood.

5.16 Planning and Building Regulations

Recommendation 12. and Recommendation 25.

- a) There are two regulatory regimes that are relevant to new developments. These are covered by planning applications and building regulation applications.
- b) Building Regulations deal with health and safety which includes fire safety.
- c) Planning covers areas such as amenity, impact on the neighbourhood, environmental impact and transport issues.
- d) Building Regulation applications do not have to come to the Council and some applications are dealt with by private Building Control bodies known as Approved Inspectors.
- e) When an application for building regulations is received by the Council the plans and specification are checked for compliance with the Building Regulations. If the design is considered deficient in any way a report identifying the concerns is sent to the applicant or their agent to enable them to address the issues. The Council will consult the Fire Service in accordance with the Regulatory Reform (Fire Safety) Order 2005 in relation to the design where there are fire safety issues.

- f) The responsibility for building in accordance with the Building Regulations lies with the person carrying out the work. Where a Building Regulation application has been deposited with the Council a Building Control surveyor will carry out a limited number of site inspections during the construction phase to try and ensure that the work is in compliance with the all aspects of the Building regulations, including fire safety.
- g) The Fire Service does not sign off the fire checks, it can only advise through the consultation process. Only the Local Authority or an independent Building Control body can sign the application off but it is extremely unlikely that the Local Authority would disagree with the Fire Service and a common understanding is normally agreed.
- h) If the Fire Service recommend sprinklers, then this can be made as a recommendation to the contractor but as the current Regulations do not make sprinklers mandatory then it can only be a recommendation.
- i) All of the recommendations made by the Local Authority and the Fire Service are recorded.
- j) Once the building is complete then responsibility for enforcement matters related to fire safety passes to the Fire Service and it can make further recommendations under the Regulations that come into force once a building is occupied.
- k) At the moment, it was not possible to have a Council policy that stated that all new builds had to have sprinklers as this would fall outside of the legal scope of the Regulations. This was currently the policy in Wales where the Welsh Government had carried out a consultation process and implemented a requirement that all new builds must have sprinklers. Where the Council is the client it can request specifications that are above the minimum requirement in the Building Regulations but this would be a client requirement as opposed to a Building Regulation requirement.
- l) A recent publication and review sponsored by the Department for Communities and Local Government (DCLG) has stated that the building industry is aiming for minimum compliance, that enforcement measures are poor and that competence levels amongst builders and regulators is weak:

'It has become clear that the whole system of regulation, covering what is written down and the way in which it is enacted in practice, is not fit for purpose, leaving room for those who want to take shortcuts to do so'

https://uk.reuters.com/article/uk-britain-fire-regulations/after-uks-grenfell-tower-fire-deaths-review-calls-for-culture-change-idUKKBN1EC1M8?utm_source=applenews

- m) The Panels that were retrofitted to the Grenfell Tower and the majority of other similar ACM systems in the UK failed the BS 8414 combustibility test which the building industry's guidance states cladding should adhere to.
- n) The Group were generally concerned as to the lack of power provided to the Fire Service and Local Authority in relation to building regulations and the ability of contractors to disregard any recommendations that are not legal requirement.

- o) A review of the current Building Regulations is also backed by the National Fire Chief Council:

‘The NFCC support the concept of risk assesses retro fitting of sprinklers in existing building and would also welcome the prioritisation of a review of the Building Regulations (Approved Document B) to ensure fire safety requirements keep pace with new building developments’

(<http://westbridgfordwire.com/notts-fire-rescue-supports-national-fire-chiefs-council-position-sprinklers/>)

- p) In relation to high-rise residential buildings, there are two key legal frameworks, each with different scope, requirements and enforcing authorities:
- a. The Regulatory Reform (Fire Safety), Order 2005 which is enforced by the Fire and Rescue Service and;
 - b. The Housing Act 2004 and in particular, the Housing Health and Safety Rating System (England) Regulations 2005 which is enforced by the Local Authority Environmental Health Officers (EHOs).
- q) The requirement for a ‘responsible person’ is within the Fire Safety Order.
- r) The Order states that there must be a responsible person in every relevant premise to carry out and regularly review a fire risk assessment for the premise. In residential premises, the fire risk assessment must consider whether the fire safety measures in place in the **common parts** of the building are suitable and sufficient to minimise the life risk to those lawfully on, or in the vicinity of the premises and, where necessary, to implement and maintain improved fire safety measures that reduce the risk from fire.
- s) In most premises to which the Fire Safety Order applies, the local Fire and Rescue Service will be the enforcing authority.
- t) The Housing Health and Safety Rating System 2005 (HHSRS), is a reactive system that assesses likely harm to tenants in relation to 29 identified hazards, including one for fire risk.
- u) The HHSRS provides Local Authorities through its EHOs with a range of powers to investigate and where necessary, require landlords to improve standards and remove hazards.
- v) EHOs cannot take enforcement action against Local Authorities;
- w) The HHSRS looks at both the individual dwelling and the common parts of the building.

5.17 Disability Awareness

<i>Recommendation 18.</i>

- a) At the moment, there is no disability access audit carried out as standard.
- b) As local authorities move more towards the independent living agenda then disability access needs to be given much greater consideration;
- c) The Fire Service assigns a Vulnerable Persons Officer once a vulnerable person has been identified as living at a premise.

- d) Wolverhampton Homes has a good general awareness of disability access issues and in 2010 a piece of work was carried out to look at accessibility in high rise blocks and this is continuously under review.
- e) Information is held in relation to approximately 80% to 90% of residents but care has to be taken to respect tenants privacy.
- f) Less information is held regarding leaseholders as they often do not want to provide the requested information. In some cases flats could also be sublet and information regarding this would not be available.
- g) There is a Social Housing Fire Safety Group and part of the remit of the Group is to monitor any repeat incidents to ascertain if these are due to vulnerable residents who need additional support or guidance.
- h) Wolverhampton Homes has a 5 year programme in place to look into access issues for disabled people but this does not form part of the current fire risk assessment.
- i) In relation to schools there are specific fire risk assessments for people with disabilities and training is provided. There are also assurances for pupils with Education Health Care Plans.
- j) When visiting schools, guests are not normally asked if they have any accessibility requirements which is a failing as it is important to know where these guests are and their requirements in an emergency. Schools must have an accessibility strategy but there is uncertainty as to the extent and implementation of these.
- k) In relation to consultation with disability groups during construction this has not been as strong as it was previously at the Council. Improvement is being made and it is hoped that with the new Corporate Landlord approach, bringing together all new buildings in the Council that the different departments can work closer together and advice from disability groups and the Access Officer can be taken on board and integrated more successfully.

5.18 Communications – Council, Fire Service and Wolverhampton Homes

- a) There are good relationships between Wolverhampton Homes and the Fire Service, visits have been done and areas for improvement pointed out and timescales agreed.
- b) There are good communications between Wolverhampton Homes and the City of Wolverhampton Council.
- c) Stay Put advice is still in force for tower blocks as these are not designed for simultaneous evacuation.
- d) Wolverhampton Homes have carried out a large scale consultation exercise regarding, 'Stay Safe Stay Put' and this has been reinforced with 'Are you Ready?' workshops.
- e) There have been four incidents recently where communal alarms have sounded and resident have stayed put, there is no evidence to suggest residents will not follow the stay put advice unless directed to do so by the Fire Service.
- f) Communications from the Fire Service regarding the Safe and Well visits could be improved as there was a general misunderstanding that they were just for elderly people.

- g) The Council's Health and Safety Advisor has visited all the tower blocks with the Fire Service following the Grenfell fire and was reassured by the faith the residents have in the service and no concerns or worries have been voiced.
- h) The Wolverhampton Homes Residents Association meets regularly and to date no concerns regarding fire safety have been raised.
- i) Information distributed by Wolverhampton Homes following the Grenfell Tower fire was very limited in format and language and this should be addressed for any future communications and where possible should include braille
- j) Wolverhampton Homes use a database system (Northgate) which is refreshed daily in relation to residents and leaseholders (where information is available). There is a list of tenants with disabilities and this can be shared immediately with partners such as the Fire Service in an emergency. The list is on a shared drive so can be accessed easily.

5.19 Other partners including local businesses

- a) The first requirement following Grenfell has been to complete a template sent out by the Department for Communities and Local Government requesting information on all high-rise blocks. This request referred to all high-rise tower blocks in the area and not just those that were the responsibility of the Council and as such partner organisations have been liaised with.
- b) The Council's Housing Management Database is shared with the Fire Service and within 12 hours the Council as landlord is informed of any incidents or fires.
- c) The i10 building - investigations are still ongoing as to what is inside the cladding.

5.20 Access Issues for Emergency Services

- a) The Fire Service visited every block of flats within a week of the Grenfell fire to check areas such as access and egress.
- b) When carrying out a Site-Specific Risk Inspection (SSRI) consideration is given as to whether an appliance can gain access and if there are concerns then this is tested.
- c) Wolverhampton Homes have introduced an infrastructure programme and are looking to completely refurbish lobby areas and areas around lifts to ensure compliance.
- d) All dry risers and doors are now accessible with one key which the Fire Service also have.

6.0 Evaluation of alternative options

- 6.1 All of the above recommendations have been considered in depth by the scoping group following close examination of the facts and discussions with expert witnesses. It is considered that these recommendations provide a balanced and pragmatic response to the evidence provided.

7.0 Reasons for decisions

- 7.1 The Council as employer and corporate landlord has a duty of care to all employees in relation to fire safety and must ensure that this is managed and coordinated at a Strategic level. The Council must designate a Responsible Person who has responsibility for:
- carrying out fire risk assessments of the premises and reviewing them regularly
 - telling staff or their representatives about the risks they have identified
 - putting in place and maintaining appropriate fire safety measures
 - planning for an emergency
 - providing staff information, fire safety instruction and training
- 7.2 The same is true of Wolverhampton Homes which also has a duty of care to the tenants and leaseholders living in its properties.
- 7.3 The Council, its elected members, tenants, employees and members of the public must be confident that all necessary steps have been taken to ensure that a tragedy such as happened in Grenfell cannot happen in Wolverhampton.
- 7.4 The fact that this is the case needs to be communicated and the public must be assured that their concerns are being listened to and where appropriate, acted upon.

8.0 Financial implications

- 8.1 The Chair of the scoping group considered that safety should be the predominant factor when considering the evidence and as such there are a number of recommendations that if agreed would subsequently require a much more in depth financial analysis and separate reports would need to be considered at executive level in relation to these areas.
- 8.2 The main areas where there would be financial implications should the recommendations be taken forward relate to:
- The use of sprinklers in all new builds and refurbished buildings
 - Cladding systems and testing
 - Training for concierge and civic office facilities employees (keepers)
 - Training for Councillors and employees sitting on management boards
 - Recruitment of additional in house expertise in relation to fire safety
 - Resources required for the production of and implementation of a fire safety strategy at a strategic level
 - Resources for the management of school fire safety management including the possibility of additional staff to visit schools.

- Legal costs associated with bringing all current leases under one lease for Wolverhampton Homes.

[CWC/0000000/WV]

9.0 Legal implications

The legal implications are dealt with throughout this report. The Council is required to comply with all relevant legislation relating to fire safety.

[TS/30012018/W]

10.0 Equalities implications

- 10.1 A number of equalities implications were identified during the witness sessions as stated above and rather than address these in detail in this report it is recommended that a separate piece of work be carried out by a working group set up through the Scrutiny Board. This working group will draw up an action plan with targets covering areas such as emergency egress, reasonable adjustments and equality and diversity.
- 10.2 The working group will report back to the Scrutiny Board on a regular basis.
- 10.3 As with the financial implications, where a specific report is required to be approved by the Executive in relation to the recommendations then specific equality implications will be considered at that time.

11.0 Environmental implications

- 11.1 There are no direct environmental implications associated with this report.

12.0 Human resources implications

If any changes to current staffing structures or recruitment is required, the appropriate HR Policies must be adhered to. Any relevant training for Councillors, Managers and other employees must be procured through appropriate Council procurement channels and will be processed via the Councils workforce planning team using current training processes. Consultation with relevant trade Unions will be undertaken within appropriate timescales.

13.0 Corporate Landlord implications

- 13.1 Corporate Landlord has played a major part in the scoping exercise and many of the recommendations relate to areas of responsibility that sit within this department such as community schools, the civic offices, the i10 building and other corporate buildings and the carrying out of fire risk assessments.
- 13.2 As shown in the main report, there will be many implications for Corporate Landlord should the recommendations be agreed but the scoping group is thankful to the officers from the department for their openness in providing the requested information and

confident following the discussions that the recommendations are appropriate and in some instances already being actioned.

14.0 Schedule of background papers

14.1 None

15.0 Appendices

15.1 Appendix 1: Executive Response Sheet

15.2 Appendix 2: The Case for Sprinklers

15.3 Appendix 3: Original Scoping Document

Recommendations to the Cabinet (Resources) Panel	Timescale	Comments	Executive Response
1. That a very clear management structure be put in place in relation to the responsibility for fire safety within the City of Wolverhampton Council.	Immediate		
2. That there be one overarching and cohesive Fire Safety Strategy that ensures all operational and strategic areas are integrated and working; with greater Council oversight as detailed in recommendation 4.	Immediate	It is vital to have a clear fire safety policy. This will include the management structure referred to in recommendation 1. and all fire and health and safety protocols.	
Page 33 3. That Strategic Executive Board receive regular reports from a suitably trained and experienced fire officer who is also someone managing the Council's duty of care as detailed in the management structure referred to in the first recommendation.	Immediate	Responsible Officer to sit within the Corporate Landlord. Fire Safety engineering experience to be required along with an ability to manage the Fire Risk Assessment programme.	
4. That the Leader write to ministers at the Department for Communities and Local Government and the Home Office to request the changes in legislation included in these recommendations and to lobby for funding to retro fit sprinklers in all schools and high rise buildings in line with advice from the Association of Chief Fire Officers and the Fire Service.	Await Outcomes of Moore-Bick and Hackitt Inquiries, To be agreed in Principle.	As per the original remit of the Group, it will be more productive to await the recommendations from the inquiries and write to the Government at that time in support of recommendations	

made once we are aware of the situation regarding funding and any legislative changes at a national level.

Hackitt Inquiry Interim Recommendation:

Consultation with the fire and rescue services is required on plans for buildings that are covered by the Fire Safety Order, but does not work as intended. Consultation by building control bodies and by those commissioning or designing buildings should take place early in the process and fire and rescue service advice should be fully taken into account. The aim should be to secure their input and support at the earliest stage possible so that fire safety can be fully designed in.

<p>5.</p>	<p>That the Section 41 Member reports to Full Council at least twice a year and that the Leader addresses fire safety issues in the annual state of the City address.</p> <p>That the Section 41 Member is invited to meetings of the Council's Executive to discuss issues relating to fire safety as and when they arise.</p>	<p>Immediate Action – refer to Constitution Working Group for consideration as part of review of Code of Conduct for Members on Outside Bodies.</p>	<p>Awaiting clarification from Democratic Services Manager as to what is stated in the current Code of Conduct for Members serving on Outside Bodies.</p>	
<p>6.</p>	<p>That in principle it be agreed that only the highest rated fire-retardant materials, including cladding systems are promoted for any future builds or refurbishments.</p> <p>Reasons must be provided as to why a specific material has been chosen if not the highest rated.</p>	<p>Await Outcomes of Moore-Bick and Hackitt Inquiries</p>	<p>As per the original remit of the Group, the Council should await the recommendations from the inquiries which may also seek to address this. Should a decision be made now it could be contrary to the final recommendations and require remedy.</p> <p>Hackitt Inquiry Interim Recommendation:</p> <p>The government should significantly restrict the use</p>	

			<p>of desktop studies to approve changes to cladding and other systems to ensure that they are only used where appropriate and with sufficient, relevant test evidence. Those undertaking desktop studies must be able to demonstrate suitable competence. The industry should ensure that their use of desktop studies is responsible and in line with this aim.</p>	
<p>7.</p>	<p>That the Council or any subsidiaries of the Council such as Wolverhampton Homes or wholly owned companies such as WV Living, agree in principle that in any buildings under major refurbishment or any new builds, strong consideration is given to fitting sprinklers and hard-wired smoke alarms/fire detectors.</p> <p>Reference to this consideration and the reasons for and against fitting sprinklers and hard-wired smoke alarms/fire detectors should be detailed and mitigating measures listed that will assure safety and negate the need for sprinklers and hard-wired smoke alarms/fire detectors to be fitted.</p>	<p>Await Outcomes of Moore-Bick and Hackitt Inquiries</p>	<p>As per the original remit of the Group, the Council should await the recommendations from the inquiries which may also seek to address this. Should a decision be made now it could be contrary to the final recommendations and require remedy.</p> <p>Feedback from Corporate Landlord is clear that a Policy to fit sprinklers and hard-wired smoke alarms/fire detectors in every building is not a viable</p>	

way forward as in many cases this may not be the best option for the protection of life.

There are significant differences in residential and high-rise or complex buildings where a stay put policy is in place or people may be asleep compared to the majority of Council owned premises where an evacuation procedure is deemed to best safeguard those in the building.

Sprinklers and other such measures will be considered where there is concern following a Fire risk Assessment that the fire could spread due to the nature of the building.

It is acknowledged that in the case of schools the use of sprinklers may ease damage to the buildings or disruption to education but the focus of this review is on the protection of

			<p>life and other mitigating measures can provide this assurance.</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 38</p>	<p>8. That where necessary every tower block and every building owned by the Council with a cladding system needs to be independently tested as a matter of urgency (the whole system and not just the cladding) and a paper submitted to Full Council to confirm that this has been done including information on outcomes of the testing and any remedial actions required.</p> <p>Where it is deemed not necessary to test a building then reasons must be provided.</p>	<p>To be addressed through a Fire Risk Assessment Programme</p>	<p>Testing has been undertaken by Wolverhampton Homes.</p> <p>The Council has focused on buildings containing sleeping accommodation.</p> <p>Cladding on Council buildings is being assessed via an ongoing regime of Fire Risk Assessments, along with other potential risks and hazards</p> <p>A dedicated team would need to be brought together to carry out all of the actions details in the recommendation.</p> <p>The Fire Risk Assessment will be a visual non-intrusive inspection by an expert and decisions will be made following this inspection as to any further action required.</p>	

Hackitt Inquiry Interim Recommendation:

Building developers need to ensure that there is a formal review and handover process ahead of occupation of any part of a new high-rise residential building. While there are legitimate reasons to allow occupation in a phased way, the practice of allowing occupancy of buildings without proper review and handover presents barriers to the implementation of any remedial measures identified as part of the completion process.

Hackitt Inquiry Interim Recommendation:

It is currently the case under the Fire Safety Order that fire risk assessments for high-rise residential buildings must be carried out 'regularly'. It is

			recommended that the responsible person ensures these are undertaken at least annually and when any significant alterations are made to the building. These risk assessments should be shared in an accessible way with the residents who live within that building and notified to the fire and rescue service.	
9.	That the Local Authority concierge staff and their managers undertake additional fire safety training and if possible a shadowing or mentoring programme be agreed with Wolverhampton Homes.	Immediate		
10.	That fire safety training be made mandatory for all concierge staff and keepers as part of their induction programme and on an annual basis. This training should also include disability awareness training and the use of evac chairs.	Immediate		
11.	That in due course, following the carrying out of Fire Risk Assessments; a list be made available of building materials and construction details in relation to all schools, academies and vulnerable persons' homes.	To be addressed through a Fire Risk	Information is available for more modern buildings and a significant amount of information does exist for older buildings	

That and action plan with timescales be produced in relation to this with

Assessment Programme

but there is and will not exist one list detailing everything.

There is a significant amount of data in relation to schools but this is spread across a multitude of systems.

Recommendations can be addressed by a Fire Risk Assessment which will look at the building holistically and will include an assessment of the risks associated with cladding.

Hackitt Inquiry Interim Recommendation:

There is a need for building control bodies to do more to assure that fire safety information for a building is provided by the person completing the building work to the responsible person for the building in occupation. Given the importance of such information for ongoing maintenance and fire risk

			assessment, proof should be sought that it has been transferred	
Page 42	<p>12. That in relation to Planning and Building Regulations, the Council investigate the possibility of conditions being introduced for all new buildings and refurbishments to require that sprinklers, hard wired fire detection equipment and the highest rated fire-retardant materials are used.</p> <p>[Please see link to Hackitt Inquiry: https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-terms-of-reference]</p>	Await Outcomes of Moore-Bick and Hackitt Inquiries	As per the original remit of the Group, the Council should await the recommendations from the inquiries which may also seek to address this. Should a decision be made now it could be contrary to the final recommendations and require remedy.	
	<p>13. That the Council provide sufficient resources so that a qualified in house officer is available to go into all community schools to check compliance with fire safety regulations and fire risk assessments.</p> <p>That discussions are held with non-community schools to recommend that they also agree to the above officer visiting them to check compliance with fire safety regulations and fire risk assessments.</p>	Immediate	<p>An option under consideration is that this could be carried out by a member of the Health and Safety Team currently auditing schools.</p> <p>Legal implications must also be considered should a fire occur in a non-Local Authority School caused by something that was not identified in the Council led Fire Risk Assessment.</p>	

	<p>14. That Information on the Council website in relation to fire safety be updated regularly.</p>	<p>Immediate</p>		
	<p>15. That in relation to Emergency Planning, the Group support the idea of regional coordination of emergency planning however, care must be taken to ensure that capacity and expertise remains within the Council to enable it to liaise effectively with the relevant authorities regarding fire safety and emergency planning.</p>	<p>Immediate</p>	<p>Steps must be put in place now to ensure this.</p>	
<p>Page 43</p>	<p>16. That an audit be carried out of access roads and parking areas next to and all the way around flats, key corporate buildings and high risk schools (those that have sleeping accommodation) to ensure that emergency vehicles, turntable ladders and hydraulic platforms are able to gain access.</p>	<p>Immediate</p>		
	<p>17. That training be provided to all employees and councillors with responsibility for fire safety or who sit on Boards with responsibility for fire safety in relation to their legal obligations and responsibilities.</p> <p>This training to include information regarding corporate manslaughter and health and safety issues.</p>	<p>Immediate</p>	<p>Cllr Milkinder Jaspal (Cabinet Member for Governance which includes Health and Safety) is due to attend IoSH leading safety training course to include corporate manslaughter.</p> <p>This training is also to be undertaken by members of the Strategic Executive Board and Wider Management Team.</p>	

18.	<p>That a working group be set up through the Scrutiny Board. This working group will draw up an action plan with targets covering areas such as emergency egress, reasonable adjustments and equality and diversity.</p> <p>The working group will report back to the Scrutiny Board on a regular basis.</p>	Immediate		
19.	<p>That the current list of rest centres to be used in an emergency be revised and updated and where possible</p>	Immediate		
Recommendations to Wolverhampton Homes				
20.	<p>That Information on the Wolverhampton Homes website be updated more regularly (last update on Wolverhampton Homes website was 1 August 2017).</p>	Immediate		
21.	<p>That Wolverhampton Homes consider bringing all the existing leases under one lease with fire safety at the heart of it.</p>	immediate	<p>Will require significant legal input. But WH could begin to investigate the possibilities of this.</p>	
Recommendations to the Fire Service				
22.	<p>That in relation to the Fire Service Safe and Well visits there needs to be improved communicating and advertising. There is a perception by the public that these may just be for older people. Consider a region wide system like that used in the Aston area of Birmingham where there the visits are opt out rather than opt in.</p>	Immediate		

Recommendations to the Government				
23.	That the Government look at current legislation that states that private companies are not required to disclose the outcomes of fire risk assessments.	Await Outcomes of Moore-Bick and Hackitt Inquiries		
24.	That the Government consider a change to legislation to allow landlords greater powers of entry to check areas such as gas and electrical safety, dampening systems, fire doors and alarms etc.	Ongoing	Being considered as part of the next stage of the Hackitt Inquiry,	
25.	That the Government carry out a review of the current Building Regulations (Approved Document B). [Please see link to Hackitt Inquiry: https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-terms-of-reference]	Underway	Hackitt Inquiry Interim Recommendation: The government should consider how the suite of Approved Documents could be structured and ordered to provide a more streamlined, holistic view while retaining the right level of relevant technical detail, with input from the Building Regulations Advisory Committee. Given that reframing the suite of guidance may take some time, in the meantime I would ask the government to consider any presentational changes that will improve the clarity of	

			Approved Document B as an interim measure.	
Recommendation to the Secretary of State for Education				
26.	That in relation to schools that are no longer in Local Authority control or are free schools there be enhanced monitoring and enforcement rights for the Local Authority in relation to fire safety and fire risk assessments.	Immediate		

Sprinklers and Automatic Water Suppression Systems

1. Many of the recommendations and comments in the main report refer to and deal with the issue of sprinklers, both for new builds and retro fitting.

Recommendations

Recommendation 4. Recommendation 7. Recommendation 11. and Recommendation 12.
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1.1 As has been stated in the report, there are some mixed views in relation to the fitting of sprinklers but having considered all the evidence put before them, the Scrutiny Scoping Group is firmly of the opinion that sprinklers save lives and should at the very least be fitted as a matter of course along with hard wired smoke alarms/fire detectors in all new builds and buildings undergoing major refurbishments.

2.0 Evidence for the implementation of Sprinklers/Automatic Water Suppression Systems

2.1 Water Suppression Systems are already mandatory in countries such as the United States and Wales for all new build properties. These systems can prove invaluable in helping to save lives and to reduce damage caused to a property by fire.

2.2 A recent statement from the National Fire Chiefs Council (NFCC) (supported by Nottinghamshire Fire and Rescue Service) has come out in favour of sprinklers stating:

'Sprinklers are the most effective way to ensure that fires are suppressed or even extinguished before the fire service can arrive...They save lives and reduce injuries, protect firefighters who attend incidents and reduce the amount of damage to both property and the environment from fires'

2.3 The NFCC did however also make it clear that sprinklers formed part of an overall fire safety solution and that it supported the concept of a *'risk assessed retro fitting of sprinklers in existing buildings'*

The Statement goes on to say that sprinklers are extremely reliable and that they extinguish or contain a fire on 99% of occasions.

2.4 It is also the current strategy of the West Midlands Fire and Rescue Authority (WMFRA) to:

Encourage the installation of Automatic Fire Suppression Systems (AFSS) where persons or premises are identified as being high risk in the Authority's Integrated Risk Management Plan.

And the West Midlands Fire Service state that they are:

Fully committed to promoting the installation of AFSS in all premises where their inclusion will support the vision 'Making West Midlands Safer, Stronger and Healthier'. (WMFS Briefing Note: Audit Committee)

2.5 Fire Safety Officers in the West Midlands have now also updated a response Building Control letter template in support of the use of sprinklers to say:

Sprinklers save lives, property and businesses. In a recent study looking at their activation in emergency situations (2011-16), sprinklers were found to have extinguished fires in 99% of cases where they activated. This Authority wholly supports the installation of sprinklers and other suppression systems where appropriate, which can only help to make the West Midlands safer, stronger and healthier.*

** Efficiency and Effectiveness of Sprinkler Systems in the United Kingdom, National Fire Chiefs Council (NFCC) and National Fire Sprinkler Network (NFSN)*

2.6 Sprinkler protection is also looked on very favourably by insurers of schools and other buildings, who can give premium discounts of up to 75%, and remove the compulsory excess, which can be as much as £1m.

3.0 Concerns relating to Sprinklers/Automatic Water Suppression Systems

3.1 Damage due to accidental activation:

3.2 Much less water is discharged by a sprinkler than would be discharged by the Fire Service. A fire sprinkler uses between 1/25th and 1/100th of the water used by each Fire Brigade hose (*Fire Sprinkler Association: <http://www.firesprinklers.org.uk/>*). Over 50% of fires are controlled by one or two sprinkler heads and are limited to an average of 5 meters squared; without sprinklers this average goes up to 21 meters squared with the associated enhanced costs and disruption. Should a school protected by sprinklers experience a fire, damage will be localised and the remainder of the school unaffected. Even the damaged part of the school can be back in use within hours instead of months.

3.3 Statistics also show that accidental operation occurs in only one in 16 million cases and in most of these cases the cause is human error (*Fire Sprinkler Association: <http://www.firesprinklers.org.uk/>*). Each sprinkler head is independent and is activated by heat with a thermal element set to operate at a fixed temperature, in most fires just one sprinkler head is activated and is sufficient to deal with the fire.

4.0 Cost

4.1 The Group agree that retro fitting sprinkler systems is generally more costly than fitting in a new build but this must be considered against the cost of fire damage and the possible savings from insurance.

4.1 Cost of School Fires in the UK

Fire Protection Association (FPA) have estimated the average cost of a large loss school fire to be approximately:

2009 (rebuild)	£330,000
2014 (rebuild)	£2.8 Million

(WMFS Briefing Note: Audit Committee)

4.2 The estimated cost annually (based on figures from 2009 to 2014) from large fires in educational buildings is £67.2 million. However, a rebuild will take time, temporary accommodation is required and the education of thousands of children will be disrupted. There is also evidence to suggest that it is children from the most disadvantaged backgrounds that are most likely to be affected by such an event and that even a short break from education affects future success:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412638/The_link_between_absence_and_attainment_at_KS2_and_KS4.pdf

4.3 Different Approaches:

- i. A fire at a large high school in the West Midlands where 1000 pupils had to be evacuated spread rapidly through the science block with more than 100 fire fighters in attendance. The fire caused major damage and some disruption to transport links and long term stability for the pupils. The damage was estimated to have been approximately £15 million. The school has been rebuilt without sprinklers.
- ii. Conversely following a fire at the National Motorcycle Museum in Birmingham which destroyed hundreds of rare and vintage motorcycles, the building was rebuilt with sprinkler protection. (*Efficiency and Effectiveness of Sprinkler Systems in the United Kingdom: An Analysis from Fire Service Data; May 2017; Optimal Economics*).

4.4 Costs for fitting sprinklers in a new build school

The Scottish Fire & Rescue Service, have identified the costs for installing fire suppression in three new Scottish schools was between 1% and 2% of the total build cost:

School	Cost of sprinklers	% of overall cost
X	£590k	1.8
Y	£400k	1.7
Z	£180k	2.1

These figures vary with figures released by the Education Minister in October 2015, which refer the inclusion of sprinklers adding between 2% and 6% to the cost of works.

5.0 Locally

5.1 Birmingham City Council has already pledged to retrofit sprinklers to the 213 blocks it owns at a cost of £31 million.

5.2 *Sprinklers Stop Fire in Wolves*

<https://www.wmfs.net/sprinklers-stop-wolves-fire/>

Firefighters were called to a student block in Culwell Street housing 20 occupants on Friday 8 September. The fire crews arrived within 4 minutes but due to the buildings sprinkler system the fire was already out/ The fire had started in a chip pan on the 14th floor, Group Commander Simon Hardiman, the Head of Fire Safety, stated:

Fortunately, the building's sprinkler system was actuated and prevented a fire which could have caused considerably more damage than the small amount which did occur.

The fire was contained by just one sprinkler 'head'. Our crew remained on site for a short while to assist with the initial clean-up work. However, thanks to the sprinklers, they were able to leave within half an hour and be ready to respond to other emergencies.

Sprinklers are the most effective way to ensure that fires are suppressed or even extinguished before firefighters arrive. They save lives and reduce injuries, protect fire crews and reduce damage by fire to both property and the environment.

In the last 12 months, the National Fire Chiefs Council (NFCC) and the National Fire Sprinkler Network (NFSN) have worked together to investigate the effectiveness and reliability of sprinkler systems. In 99 per cent of incidents at which they actuate they extinguish or contain the fire.

Sprinklers are an effective part of an overall fire safety strategy, and can be used to improve fire safety in a range of new and existing buildings.

Along with the National Fire Chiefs Council, we support the risk-based, retrospective fitting of sprinklers in existing buildings.

City of Wolverhampton Council

Overview and Scrutiny in Wolverhampton

Scrutiny Scoping Exercise: Fire Safety

Scrutiny Scoping Exercise: Fire Safety in Tower Blocks

1. Reasons for conducting the scoping exercise

- 1.1 At the meeting of the Vibrant and Sustainable City Scrutiny Panel held on 29 June 2017 a recommendation was made that the Scrutiny Board consider whether a review should be undertaken on fire safety in tower blocks.
- 1.2 At the meeting of the Scrutiny Board held on 4 July 2017 the Board considered the recommendation from the Vibrant and Sustainable Scrutiny Panel and resolved that a scoping exercise be undertaken to assess how the Council had responded to the Grenfell Tower Fire.
- 1.3 Scrutiny Board was concerned that to carry out a full scrutiny review at this stage would not be the most effective option and that it would be best to wait until the formal investigation into the Grenfell Tower Fire was concluded and any new regulations or guidance issued by Central Government.
- 1.4 Scrutiny Board agreed that a scoping exercise would enable the Council to be ready to move forward immediately with any future regulations or recommendations issued by Government following the conclusion of the enquiry.
- 1.5 By setting up a group such as this the Council can ensure that tenant representatives and representatives of disability groups are included as co-opted members.
- 1.6 The scoping exercise will ensure that tenants are central to the investigations and witness sessions will be held with professionals from inside and outside of the Council.

2. Background

- 2.1. On 14 June 2017 a fire broke out at Grenfell Tower, a 24 storey residential housing block in North Kensington, London. The tower provided social housing in 127 flats and management of the block was the responsibility of the Kensington and Chelsea Tenant Management Organisation.
- 2.2 A public enquiry is being carried out into the fire.
- 2.3 The City of Wolverhampton Council (CWC) has a total of 36 high-rise tower blocks which are managed by Wolverhampton Homes (WH) on behalf of CWC. The individual blocks range from 9 to 23 storeys in height and have between 33 to 126 units per block. In total, there are around 2,164 high-rise units of which 58 are leasehold (2.7%).
- 2.4 The vast majority of these blocks were built in the 1960's, with some in the early to mid-1970's. In addition to the 36 high-rise tower blocks

Wolverhampton also has an additional 11 blocks of flats that are 6 – 8 storeys inclusive. None of these have any cladding systems.

- 2.5 All the blocks are designated as general needs blocks, which means they are occupied by a mixture of families, couples and single people.
- 2.6 In 2011, 8 high-rise tower blocks that had previously been designated as sheltered schemes, were decommissioned and were converted back to general need accommodation. Since then, the tenant profile in these specific blocks has not fundamentally changed and the needs of residents in these blocks through age and mobility etc. remains relatively high.
- 2.7 The Group is keen to ensure that the Independent Living Agenda is taken into consideration during the exercise and that areas such as sustainability, fire safety and mobility are considered in relation to all new builds and refurbishments.

3. Key question(s) that the review is seeking to answer

The overall aim of this review is to assess the response of the City of Wolverhampton Council to the Grenfell Tower Fire.

- 3.1. In view of the complexity of the issue the scoping exercise will be focused on four broad areas of work. This will ensure that the scoping exercise achieves a balance between being sufficiently robust and ensuring that different sides of the issue are properly explored, while also being sensitive to the subject.
- 3.2 The scoping exercise is expected to cover two full days and address the following areas:

A. Background – Legislation and Regulations

Housing Act 2004 Part 1 and Part 2
Management of Houses in Multiple Occupation Regulations 2006
Building Regulations 2010
The Regulatory Reform (Fire Safety) Order 2005

Statutory responsibilities and who does what:

- Role of Wolverhampton Homes
- Role of the Fire Service
- Role of the Council and Corporate Landlord
- The Responsible Person/Competent Person
- Role of the Concierge and Fire Marshals
- TMOs
- Risk Assessments and Inspections including fire safety inspections (including addressing disability issues for tenants)
- Communications – Council, Fire Service and Wolverhampton Homes (types and format of communications)
- Management of estate

- Contractor arrangements
- Emergency Planning (including disability issues)
- Training
- Compliance and enforcement – notices

Resources

- Are sufficient and the right resources available to the Council and Emergency Services
- Do people know how to use the resources such as fire extinguishers

B. The Council's initial response to the Grenfell Tower Fire

Communications:

- What information, the format of communications and to who?
- Involvement of:
 - Tenants,
 - Residents,
 - Councillors,
- Schools, academies, further education establishments
- Residential care homes
- Other partners including local businesses
- Trust
- Safe and Well visits

Chronology of events

C. What the Council is doing now.

Testing Standards

- Materials and Construction
- Procedure and testing schedule – cladding and insulation
- Testing in Council, public and private buildings
- Result of testing so far
- Testing of electrical equipment, gas appliances and smoke detectors in tenants and non-tenants flats
- Ongoing communications

D. What are the plans for the future.

Fire Safety Measures

- Sprinklers
- Alarms
- Smoke detectors
- Cladding

- Modernisation/maintenance – wires/electrics/disability access and escape routes
- Communications - the need for tenants to trust the advice given by the Council and Fire Service and for the communications to be in the right formats.
- Ensuring that those housed above the ground floor can use the property safely
- Awareness of the disabilities of all the people in the property (not just tenants)

Emergency Planning

- Existing plans and date of last review
- Who is responsible
- Communications framework
- Category 1 and 2 Responders
- The Voluntary Sector and community organisations
- Provision of emergency housing/evacuation centres
- Resources to deal with psychological impact of an emergency
- Local Resilience Forum

4. Outcomes expected from conducting this work

- 4.1. There will be an increased level of awareness and knowledge among Councillors, tenants and residents in relation to the measures and steps that have been taken and continue to be taken in Wolverhampton following the Grenfell Tower Fire.
- 4.2 There will be an understanding of how the Council communicates the above measures and steps with tenants, residents and councillors.
- 4.3 There will be an understanding as to whether these communications are sufficient for tenants to trust the advice given by the Council and Fire Service and whether tenants will adhere to this advice in an emergency.
- 4.4 There will be increased transparency and understanding of which organisations are accountable for what.
- 4.5 There will be an enhanced understanding of what steps are being taken to ensure that tenants with a disability are equally protected and able to access services in an emergency situation.
- 4.5 A view will be taken as to whether what we currently do is good enough and what standards the Council should be aiming to achieve.

5. Resources – Member Involvement

5.1. The membership of the Scrutiny Scoping Group has been agreed:

Chair of Scrutiny Group

Councillor Greg Brackenridge

Councillors on the Group:

Councillor Philip Bateman

Councillor Jacqueline Sweetman

Councillor Patricia Patten

Councillor Paul Singh

Councillor Louise Miles

Co-opted Group Members

Sue Roberts (MBE), Wolverhampton Homes Board Chair

Bob Deacon – Unison Representative and Wolverhampton Tenants Association Representative

Barry Appleby – Chair of the Disability Advisory Group on Leisure Activities

Karen Ryder – Co-ordinator One Voice

Scrutiny Officer

Julia Cleary

6.0 External Organisations expected to contribute

Witnesses:

- Wolverhampton Homes
- City of Wolverhampton Council Corporate Landlord
- City of Wolverhampton Council Emergency Planning
- West Midlands Fire Service
- West Midlands Fire Authority
- Tenants
- Representatives from the voluntary sector
- Local councillors and cabinet members
- TMOs
- Wolverhampton Federation of Tenants' Associations

7. Meetings and Evidence Gathering

7.1. It is suggested that wherever possible evidence should be heard in person from witnesses. Witnesses should be encouraged to submit evidence in advance to give opportunity to review members to prepare questions.

7.2. At this stage it is envisaged that there will be a need for 2 meetings of the Group

Meeting

Objective

Witnesses

Meeting	Objective	Witnesses
Session 1	<ul style="list-style-type: none"> • Context for the review • Agreeing the scope of the review • Statutory responsibilities • Initial response to the Grenfell Tower fire and Communications timeline 	<ul style="list-style-type: none"> • Wolverhampton Homes • Corporate Landlord • Emergency Planning • West Midlands Fire Service • West Midlands Fire Authority
Session 2	<ul style="list-style-type: none"> • Fire Safety – Sprinklers etc. • Emergency Planning • Public Question and Answer Session • Recommendations 	<ul style="list-style-type: none"> • Wolverhampton Homes • Emergency Planning • West Midlands Fire Service • Voluntary Sector • TMOs

8. Report Drafting – Key Stages – to be agreed at first meeting

Activity	Target Date
Draft report completed	
Consideration of draft report findings and recommendations by the scoping group.	
Draft report presented to Directorate Leadership Team Meeting, Relevant meeting with Wolverhampton Homes, Strategic Executive Board and the relevant Cabinet Member(s) for comment on the content and recommendations.	
Scoping group approve final draft report.	
Report to be considered by Scrutiny Board	
Report presented to Cabinet.	

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Scrutiny Board

6 March 2018

Report title	Scrutiny Review of the City's Apprenticeships Offer - Update	
Cabinet member with lead responsibility	Councillor John Reynolds City Economy	
Wards affected	All	
Accountable director	Tim Johnson, Strategic Director, Place	
Originating service	Scrutiny and Systems	
Accountable employee(s)	Angela McKeever	Head of Skills
	Tel	01902 551445
	Email	Angela.mckeever@wolverhampton.gov.uk
Report to be/has been considered by	List any meetings at which the report has been or will be considered, e.g.	
	Strategic Executive Board	19 December 2017
	People Leadership Team	13 February 2018

Recommendation(s) for action or decision:

The Scrutiny Board is recommended to:

1. Consider progress made to implement the recommendations from the review which concluded in September 2016.

1.0 Purpose

- 1.1 The purpose of this report is to update Scrutiny Board on the progress made to implement the recommendations of the Scrutiny Review of the City's Apprenticeships Offer that was presented to Cabinet on 13 September 2017.

2.0 Background

- 2.1 The scrutiny review group met to consider evidence from witnesses with knowledge and insight into the issues under investigation. The review report made a series of recommendations to further improve the quality of current city-wide apprenticeships offer and highlight those areas where action was needed to create successful pathways to sustainable employment for local people.

3.0 Progress against recommendations

- 3.1 Overall, there is good evidence that progress has been made to implement the review recommendations however there is ongoing challenge in meeting the Council target of 193 apprenticeship starts by April 2018. The target for City of Wolverhampton Council is 110 apprenticeship starts and 83 for the maintained school workforce where it is the employer.

4.0 Questions for Scrutiny to consider

- 4.1 The members of scrutiny board are asked to comment on progress against the recommendations detailed in Appendix 1.

5.0 Financial implications

- 5.1 There are no explicit funding implications arising from implementation of the review recommendations.

6.0 Legal implications

- 6.1 There are no anticipated legal implications associated with the content of this report.

7.0 Equalities implications

- 7.1 Inequalities were highlighted during the review process and the recommendations were developed to ensure that these inequalities were addressed. The review group considered those minority ethnic groups and the challenges facing other groups who are underrepresented in several apprenticeships starts.
- 7.2 The review group recommendations are intended to improve the current offer and to address specific barriers which limit opportunities for people with protected characteristics to consider this as an option to improve their knowledge and skills.

8.0 Environmental implications

8.1 There are no environmental implications related to this report.

9.0 Human resources implications

9.1 The introduction of the apprenticeship levy has financial and resource implications for CWC and other public bodies in meeting their respective national targets for national apprenticeship starts. The original review report included a specific recommendation on importance of monitoring progress towards the target for CWC of 50 apprenticeship starts and it is important that this progress is regularly reported.

10.0 Corporate landlord implications

10.1 There are no corporate landlord implications related to this report.

11.0 Schedule of background papers

11.1 Cabinet Scrutiny Review of City's Apprenticeship Offer – 13 September 2017

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Scrutiny Board

6 March 2018

Report title	Dukes Park Petition - Update	
Cabinet member with lead responsibility	Councillor Paul Sweet Public Health and Well Being	
Wards affected	Bilston East	
Accountable director	John Denley, Director of Public Health	
Originating service	Community Safety	
Accountable employee(s)	Karen Samuels	Head of Community Safety
	Tel	01902 551341
	Email	Karen.samuels@wolverhampton.gov.uk
Report to be/has been considered by	People Leadership Team 21 February 2018	

Recommendation(s) for action or decision:

The Scrutiny Board is recommended to:

Consider and comment on anti-social behaviour relating to the Dukes Park play area following implementation of the Petitions Committee recommendation.

1.0 Purpose

- 1.1 To provide an update on anti-social behaviour (ASB) linked to the Dukes Park play area following implementation of the Petitions Committee recommendation.

2.0 Background

- 2.1 A petition was received on 30 January 2015 requesting the removal of the children's play area at Duke's Park estate located in the Bilston East ward due to issues of ASB by young people. The petition contained 85 signatures from residents of the Duke's Park estate and the surrounding area seeking the removal of the children's play equipment within the centre of the estate.
- 2.2 The petitioners claim that Barratt Homes' sales representatives said that the play area would consist of toddler play equipment and that plans showing the content and layout of the park were not readily accessible or known to residents. Residents maintained that initial proposals were for the development of a toddler play area, not the resulting play area for older children.
- 2.3 Residents reported extensive ASB centred around the play area with reports of groups of young people congregating, shouting, using abusive and racist language, causing vandalism, arson, racing motor vehicles and causing intimidation. The issues were raised at Partners and Communities Together (PACT) meetings in November 2014 and 9 March 2015, and brought to the attention of ward councillors. The park at the time fell within the responsibility of Barratt Homes, the developer of the estate.
- 2.4 Reports were received at Petitions Committee on 24 April 2015, 11 September 2015 and 6 November 2015 detailing the planning position, proposals for handover of the site to the City of Wolverhampton Council (CWC) and the multi-agency response to address the ASB.
- 2.5 The multi-agency response to address ASB was prompt and comprehensive with proportionate enforcement action taken against young people identified as having been involved in ASB. The level of partnership resources going in to responding to the ASB was considerable over this period and not sustainable beyond the short term. The multi-agency response included:
- An increased Police patrol strategy including use of the anti-social behaviour van and an increased Police presence in the vicinity;
 - Removal by Barratt Homes of the large swing;
 - Deployment of a Domehawk camera to provide a deterrent to anti-social behaviour and to aid the identification;
 - Consideration of a Section 35 dispersal order;
 - Young people in the local area signposted to the weekly Kicks session held in Bilston on a Wednesday evening;

- Contact made with Sandwell Metropolitan Borough Council to agree a joint response;
- Trenches dug by Barratt Homes in an attempt to prevent vehicles driving over the grassed areas.
- Meetings held with partners and representatives of local residents and issues discussed;
- Police met with the bordering neighbourhood Policing team at Princes End to make them aware of issues and support was offered;
- Local schools (RSA Academy and South Wolverhampton & Bilston Academy) approached and talks given to students;
- Deployment of Domehawk CCTV camera;
- Regular contact made with residents by way of reassurance visits, follow up calls to complainants and monitoring Facebook pages;
- Warning letters issued to six young people identified as being involved in ASB (none had previous involvement with Police);
- Joint Police/youth worker patrols to engage young people and divert to available local provision;
- Trading Standards indicated that they did not receive any complaints from residents about under-age sales of alcohol or received any credible intelligence to justify undertaking test purchasing in the locality.
- Offensive graffiti was promptly removed by the Council. The Council maintained a watching brief on the play area, with monthly visits carried out.
- All litter cleaning and repairs were reported promptly to Barratt Homes for action. The location was litter picked by Council staff on a number of occasions following concerns from local residents about glass and litter.

3.0 The Planning Position

- 3.1 A total of 131 new houses and the children's play area were granted by the local planning authority on 17 Dec 2010. The planning permission was subject to a S106 legal agreement which requires the provision of the public open space and the children's play area. The Council's planning guidance is that on new housing estates play areas should be more than 20 metres away from the houses. The installed play area clearly complied with this policy (the nearest houses are approximately 30 metres away).
- 3.2 The housing estate, the public open space and the play area had been properly approved in accordance with planning law and policy. The public open space fit in well with the layout of the houses, and the raising of the play area provided a central and attractive landscape feature enhancing the visual amenity and appearance of the area and providing informal surveillance so families with young children feel safer when using the play equipment during the day.
- 3.3 As part of the S106 legal agreement, an arrangement was in place for the CWC to eventually adopt the public areas of the new estate (involving the highway, lighting and public open spaces). This was scheduled to take place in 2016 after which, the Council would own the play area and undertake the maintenance of the site. The Council received a financial sum to contribute towards play area inspections, maintenance and

repairs covering the ten year period following adoption. This payment is referred to as a 'commuted sum'. Beyond this period, the Council would be expected to absorb any on-going maintenance and repair costs to the play area.

4.0 Consultations

- 4.1 Given the lack of play provision within the ward, Public Health was consulted on the potential impact of removing the play area. Public Health confirmed that it would not be in support of removal of the play area due to the health issues associated with Bilston East. For reception year and year six, obesity rates for school years 2009 - 2010 to 2013 - 2014 in Bilston East were 14.8% and 29.8% respectively. These rates were significantly higher than the national and local averages, and in the case of year six this is the worst ward in Wolverhampton. Obesity remains a key priority for Public Health with one of the objectives being to create a less obesogenic environment. Provision of play areas are a key resource that can help to off-set the obesogenic environment.
- 4.2 The access standard for children's play areas is a ten minute walk, or approximately 800m walking distance. There are no formal children's play areas within 800m walking distance of the Duke's Park estate.
- 4.3 To inform Petitions Committee recommendations, a local survey was conducted of all households on the new estate and local ward councillors; preferences were sought on retaining the existing play equipment, modifying the existing facility to a toddler play area or complete removal of the play area. Letters were hand delivered to all 262 households on the Dukes Park estate on 8 May 2015. Responses are summarised below:

- Option 1: Retain the play area as it is now – 15 residents indicated their preference for this option;
- Option 2: Remove the large play equipment and replace it with equipment designed for pre-school age children – 11 residents indicated their preference for this option;
- Option 3: Remove all the play equipment (and the fence and the hard standing) and grass the site over – 46 residents indicated their preference for this option.

5.0 Summary of Options

- 5.1 A number of options considered by Petitions Committee are summarised below:

Options	Considerations
<p>Option One: Barratt Homes to be asked to apply to CWC for permission to remove the children's park area and undertake remedial works to grass the area. To remove the play area, Barratt Homes would need to apply to vary the S106 agreement which</p>	<p>46 residents responded saying they want the play area to be removed The estate would eventually hold 1,000 residents – cannot determine what their views would be Removal would be contrary to CWC's strategic aim to reduce obesity particularly</p>

<p>required the installation of the play area in accordance with CWC planning policies.</p>	<p>given the long- standing issues with child obesity in the area The proposal would be contrary to CWC's adopted planning policies and guidance The proposals would be contrary to the vision and key aims of the Open Space Strategy and Action Plan Removal of the play area may deter young people from congregating but would not necessarily reduce the ASB</p>
<p>Option two: The play equipment is retained in its current state; safeguarding the play area for local use within the community.</p>	<p>15 residents responding saying they want the play area to remain as it is; 11 residents responded stating they want the pre-school age equipment retained Retaining a range of play equipment would have the greatest benefits to children of different ages in terms of providing them with opportunities for play The larger play equipment in particular does encourage young people to gather and there is an associated risk of ASB Young families had been captured on camera using the park</p>
<p>Option three: Barratt Homes to be asked to remove large play equipment, which is replaced with equipment suitable for pre-school aged children, to encourage family use and make it less appealing for young people to gather. This would retain the play area for local use within the community.</p>	<p>Removal of the larger play equipment may well deter young people from gathering but may not necessarily reduce the ASB Barratt Homes have indicated that they would be willing to progress this option Retaining play equipment would provide provision for pre-school children</p>

5.2 Considering all the issues raised by the petitioners and the wider issues relevant to the case, option three was recommended as a reasonable compromise. It was resolved that:

'The Committee endorse the proposal that the Council ask the owners of the play area, Barrett Homes to remove the large play equipment and replace it with equipment suitable for pre-school children.'

6.0 Agency Updates - 2018

6.1 Anti-social Behaviour

Jan 2014 – Feb 2015

Jan 2017 – Feb 2018

<p>A total of 58 Police logs were received covering the period; Offenders were reported as being groups of young people; Behaviour included shouting, use of abusive and racist language, vandalism, arson (including a burnt- out vehicle), racing of motor vehicles, graffiti, fighting and intimidation; The nuisance sometimes continued late into the night/early morning.</p>	<p>A total of 9 calls/emails to Police and 1 to ASB team. Reports referenced youths congregating, playing football, moped riding, littering and damage to play equipment. (Eight of these reports stemmed from one caller). Police received the latest call Feb 2018. Issues of minor damage to play equipment and riding of a motorcycle were raised at PACT July 2017; no issues have been raised at PACT since.</p>
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6.2 Environmental Services

- The petition recommendations for Environmental Services have been actioned.
- Repairs to the play area were completed and the junior play equipment replaced with toddler equipment April 2016
- Environmental Services Rangers patrol the area however their presence is limited due to competing demands
- The play area and the whole open space is still to be adopted by the CWC. The legal transfer is being progressed by CWC Legal Services. The council is maintaining the site and the developer has already paid a significant s106 payment to the CWC for management and maintenance
- Only minor issues with vandalism in the Park area no more than other sites in the city. No issues identified since November 2017

7.0 Financial Implications

7.1 There is no direct financial implications arising from this report.
[MI/26022018/C]

8.0 Legal Implications

8.1 There are no immediate legal implications arising from this report. [RB/21022018/B]

9.0 Equalities Implications

9.1 Removal of the play equipment would have negative implications for children living in the area. The policy that enabled provision of play equipment is in Wolverhampton's Development Plan which was subject to a full equality analysis.

10.0 Environmental implications

10.1 Duke's Park is a well laid out housing estate with houses overlooking an attractive central public open space. The mound is an acceptable landscape feature and the distance from the play equipment to the nearest bedroom windows is well in excess of the CWC's planning guidelines. CWC leads on issues of noise disturbance has advised that the difference in noise levels as experienced by the neighbours would be insignificant if the mound was removed. The play area was implemented in accordance with the CWC's development plan policies and accords with planning guidance. Retention of the play area will, on balance, provide a long-term benefit to the local environment and the local residents.

11.0 Human resources implications

11.1 There are no human resource implications relating to this report.

12.0 Corporate landlord implications

12.1 There are no immediate corporate landlord implications arising from this report.

13.0 Schedule of background papers

13.1 Petitions Committee on 24 April 2015, 11 September 2015 and 6 November 2015.

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Scrutiny Board

06.03.2018	<ul style="list-style-type: none"> • Feedback from the Fire Safety Scoping Group • Select Committee Select Committee Report on Local Government Scrutiny Briefing Note • Scrutiny Review of the City's Apprenticeships Offer – six month update • Duke's Park petition update.
05.06.2018	<ul style="list-style-type: none"> • Annual Work Plan – invite all chairs and vice chairs (buffet from 4.30pm)
03.07.2018	
11.09.2018	<ul style="list-style-type: none"> • Scrutiny Review of the City's Apprenticeships Offer – 12 month update
09.10.2018	
11.12.2018	
08.01.2019	<ul style="list-style-type: none"> • Digital Transformation Programme Update - tbc
12.03.2019	
09.04.2019	

Other potential items (when something significant needs a panel recommendation):

1. Cyber Security
2. Recommendations from Succession Planning Scrutiny Review

Scrutiny Reviews

1. Budget Task and Finish Group for the Combined Authority Scrutiny Committee
2. Scoping Group to consider fire safety
3. Transport- what could transport in the city look like in 20 years' time?
4. Possible Councillor engagement (See Sargeant Tettenhall Governance Review Report)

Confident, Capable Council Scrutiny Panel Work Programme

14.02.2018	<ul style="list-style-type: none"> • Use of the Building (by external organisations and partners) and Corporate Landlord – inc Trade Unions. • Budget Consultation – how can we get better public engagement into the Council’s budget consultation and decision making?
18.04.2018	<ul style="list-style-type: none"> • Agile working (including different levels of staffing and types of job) • Quarter Three – Treasury Management Activity Monitoring • Treasury Management Activity Monitoring – Mid Year Review 2017-2018 • Treasury Management Strategy 2018-2019 • Capital Programme – 2017-2018 to 2021-22 quarter two review
13.06.2018	
26.09.2018	
28.11.2018	
06.02.2019	
10.04.2019	

Other potential items (when something significant needs a panel recommendation):

Stronger City Economy Scrutiny Panel Work Programme

13.02.2018	<ul style="list-style-type: none"> • Tettenhall District Centre – What should the Council’s role be in Tettenhall that would better benefit local businesses and residents • City Centre BID (Business Improvement District) or equivalent and how do we now manage the way we sell the City centre of Wolverhampton?
17.04.2018	<ul style="list-style-type: none"> • Innovation - how can we work with the University and other key players to encourage innovation across the city? It was agreed the focus of the item would be on the work of the University, the Growth Hub and how as a Council innovation is being addressed, including how the Council collaborates with partners. The report would cover areas such as the Knowledge Economy, Digital Agenda and Smart City. Other areas suggested to explore within the report included – Springfield Brewery and the Prototype Centre. The Service Director – City Economy agreed to work with Isobel Woods on the report. <p>Evaluation of the outcomes from Inward Investment and Tourism activities commissioned through the West Midlands Growth Company and BOP (Burns Owen Partnership) Sound diplomacy (includes Civic Hall)</p> <ul style="list-style-type: none"> • Strategic Economic Plan – look at draft of the plan before Cabinet and formal consultation.
26.06.2018	<ul style="list-style-type: none"> • Footfall
18.09.2018	
20.11.2018	
12.02.2019	
02.04.2019	

Other Potential items (when something significant needs a panel recommendation):

1. The potential effects of Brexit on the local economy
2. Policy implications from West Midlands Combined Authority/Regional/National or International Sources
3. How do we monitor our communications?
4. Skills and Employment

Vibrant and Sustainable City Scrutiny Panel Work Programme

01.03.2018	<ul style="list-style-type: none"> • Enforcement including Dog Control - looking at enforcement policy across a number of services to explore possible new models and the balance between enforcement and education • Parking Outside Schools • Future Work Plan Suggestions
26.04.2018	<ul style="list-style-type: none"> • Air Quality/Transport – Public Health to contribute – looking at ways to improve air quality in hot spots around the city which could include work for the Transport Review Group (John Roseblade) • Private Sector Housing Update
12.07.2018	<ul style="list-style-type: none"> • The Work of Contractor Kingdom (Provisional – To Be Confirmed) • Waste Management Delivery Plan and Strategy (Provisional – To be Confirmed) • Provisional – To Be Confirmed)
04.10.2018	<ul style="list-style-type: none"> • Evaluation of Waste Management Delivery Plan
06.12.2018	
28.02.2019	
11.04.2019	

Health Scrutiny Panel

25.01.2018	<ul style="list-style-type: none"> • CAMHS Transformation Plan Refresh 2017-20 • Oral Health - Adult and Children • Public Health Outcomes Framework • Patient Mortality Rates
29.03.2018	<ul style="list-style-type: none"> • Update on the work of the suicide prevention stakeholder forum • Urgent and emergency care and 7 day hospital services • Joint update report on effectiveness of actions taken by WCCG, CWC and RWHT to support local systems to prepare for and deliver resilient performance through winter 2017/18.
24.05.2018	<ul style="list-style-type: none"> • Elizabeth Learoyd, Chief Officer, Healthwatch Wolverhampton Annual Report 2017/18 • The Royal Wolverhampton NHS Trust - Quality Accounts 2017/18
19.07.2018	
20.09.2018	
15.11.2018	<ul style="list-style-type: none"> • Margaret Courts, Children's Commissioning Manager, WCCG, to present update report on refreshed CAMHS Local Transformation Plan to meeting on 15.11.18
24.01.2019	
21.03.2019	

Long list of topics 2018/19 - dates for presentation and method of scrutiny to be agreed

1. The Royal Wolverhampton NHS Trust – Primary Care Vertical Integration
2. The Royal Wolverhampton NHS Trust - Quality Accounts 2017/18
3. West Midlands Ambulance Service - Quality Accounts 2017/18
4. CAMHS – Emma Bennett to lead and Stephen Marshall (CCG)
5. Walsall CCG - Reconfiguration of hyper acute and acute stroke services
6. Healthwatch Work Programme Planning Document 1 April 2017- 31 March 2018
 - Urgent and emergency care
 - Dementia
 - Access to healthcare for the deaf community
 - Transfer of services
 - CAMHS
 - Youth Healthwatch
 - Oral health
7. A briefing note for the panel on how The Royal Wolverhampton NHS Trust reviews 'never events' to be presented

Adults and Safer City Scrutiny Panel 2017/18

06.02.2018	<ul style="list-style-type: none"> Reducing Reoffending Strategy- To comment on the draft Reducing Reoffending Strategy for the city developed in response to significant national policy and organisational change Organised Crime – briefing paper
10.04.2018	<ul style="list-style-type: none"> Community Safety Strategy Update
12.06.2018	
25.09.2018	
27.11.2018	
29.01.2019	
26.03.2019	

Long list of topics 2017/18 - dates for presentation and method of scrutiny to be agreed

1. Quality of Care – issues of quality assurance - Sarah Smith, Head of Commissioning
2. Adult Education
3. With reference to the resolution to Minute No. 5 (Update on the Dementia City) – 13.6.17
4. Draft People Directorate Commissioning Strategy – 13.6.17
5. Responding to Serious and Organised Crime - To provide an outline of partnership proposals to address serious and organised crime in the city and the Council's contribution. (Karen Samuels – CWC Community Safety/Chief Inspector Karen Geddes – West Midlands Police/Andy Moran – CWC Procurement)
6. Modern Slavery – update report on progress May 2018 (Modern Slavery Report 19.9.17)

Briefing notes for distribution via the Document Library:

1. Fatal Contraband and Alcohol - Update requested from meeting in July 2016 – Sue Smith agreed to lead
2. Crime Reduction and Community Safety and Drugs Strategy Update – request from meeting held in July 2017 – Karen Samuels and David Watts
3. Supporting a Safe and Seamless Transfer from Specialist Care or Hospital Setting – Update to be provided following meeting on 31 January 2017 (David Watts).
4. Better Care Fund – Update requested at meeting held on 31 January 2017.

5. Dementia City – Update on how GP services could be improved, any identified strengths and weaknesses and if possible data on which GPs were reporting incidents – lead Kathy Roper

Children, Young People and Families Scrutiny Panel 2017/18

07.02.2018	<ul style="list-style-type: none"> • Improving Standards at Key Stage 4 • Update on Early Intervention and Prevention model • Review of Children and Young People Improvement The Way – review of progress
11.04.2018	<ul style="list-style-type: none"> • The impact of the HEADSTART programme • Update on implementation of the Early Years Strategy/including the standard of childcare provision
20.06.2018	
05.09.2018	
14.11.2018	
16.01.2019	
27.03.2019	

Long list of topics 2017/18 - dates for presentation and method of scrutiny to be agreed

1. Supporting Unaccompanied Asylum Seeking Children – pre-suggested item
2. Mental Health Issues/CAMHS (Emma Bennett/CCG) – pre-suggested item
3. Youth homelessness – pre-suggested item
4. Update on Youth Offending Team Inspection Action Plan - panel agreed to receive the information about the findings and recommendations of the doctorate research as a briefing paper rather than a report when published.

Updated 23.02.18

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Briefing Paper - Summary of Communities and Local Government Select Committee Scrutiny Report

Agenda Item No: 9

Prepared by: **Martin Stevens**

Date: **6 March 2018**

Intended audience: Internal Partner Organisations Public Confidential

The House of Commons, Communities and Local Government Select Committee, has made a number of recommendations to Government on the arrangements for Local Government Scrutiny following their review on the effectiveness of the Scrutiny function. The full report can be accessed at the following link, <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/369/369.pdf>

The conclusions and recommendations from their main report are listed below: -

Appendix 1 to this briefing note, is the Centre for Public Scrutiny's Response to the Select Committee report.

Purpose of Briefing: Scrutiny Board is asked to consider and discuss each of the recommendations from the Select Committee Report. A formal response to the report from Central Government is still awaited.

Summary of Select Committee Report (Taken Direct from the Summary of Recommendations in the Communities and Local Government Select Committee Report)

The role of scrutiny

1. We recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny's evolving role.

Proposed revisions to Government guidance on Scrutiny Committees: -

- That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.
- That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.
- That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.
- That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a

greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.

- That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.
2. We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach.

Party politics and organisational culture

3. All responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham.
4. To reflect scrutiny's independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months.
5. We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive.
6. It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage.
7. We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety.
8. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government. We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered.

Accessing information

9. Scrutiny committees that are seeking information should never need to be 'determined' to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive.
10. Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority.
11. We do not believe that there should be any restrictions on scrutiny members' access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees' ability to identify issues that might warrant further investigation in future, and reinforces scrutiny's subservience to the executive. Current legislation effectively requires scrutiny councillors to establish that they have a 'need to know' in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.
12. We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.
13. We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users.

Resources

14. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever.
15. We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to

consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience.

16. We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them.

Member training and skills

17. It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees.

The role of the public

18. The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practise of digital engagement to the wider sector.

Scrutinising public services provided by external bodies

19. Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services.

20. In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required.

Scrutiny in combined authorities

21. We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.

Appendix 1 – Centre for Public Scrutiny Preliminary Response to the Report

Today, the CLG Select Committee has published its report into scrutiny in local government. CfPS welcomes the findings of this inquiry – the Committee has recognised the cultural and structural challenges which put barriers in the way of making member-led accountability effective, distinctive and proportionate. This brief post outlines our response to some of the principal findings.

Many of the challenges that the Committee identify are cultural in nature – connected to the issue of “parity of esteem” between scrutiny and the executive. The recognition of this parity of esteem rests on both the commitment of the executive and the diligence of scrutiny members in working constructively. Our work has always aimed to develop the scrutiny/executive relationship, and in the New Year we will be looking again at how we can address this issue with our partners.

We particularly welcome the call for enhanced information rights for councillors. Scrutiny councillors do have broad rights of access to information, which were expanded upon in 2012 – but these rights do not go far enough. We agree with the Committee that scrutiny members should have an automatic right of access to information – not just where it relates to a “live” scrutiny inquiry – and that councils should look at the way that they make “commercially sensitive” information available to scrutiny. While we produced research on this subject in 2015 we are concerned that the key arguments – and legal obligations – around councillors’ information rights have yet to hit home in many authorities.

We also welcome the Committee’s comments and recommendations on resourcing. While Government should not be expected to make requirements and expectations of democratically-led local authorities about resourcing, the suggestion that councils publish information about the level of resource available to scrutiny will, we think, allow a debate to take place about what scrutiny does with that resource. In particular, it will help members and officers to identify where officer resourcing may be “hidden” – we have published recently on the fact that councils with limited dedicated officer resourcing may instead rely more heavily on senior officer support from service departments, in a way that makes more of a call on resources than many might expect.

The Committee also made findings and recommendations on sector support and training. We agree with the Committee on the need to ensure that training directly reflects the needs of scrutiny members. Our own training and development courses, workshops and conferences consistently result in satisfaction rates of over 90%, but we will look with fresh urgency at those with whom that training does not currently engage – either because they don’t feel that it fits their needs and because they don’t feel that it offers value for money. Our whole purpose as an organisation is to support good governance; supporting elected members to be effective is a central part of that, and we will look to put in place ways to make sure that their needs continue to be front and centre in our offer in the future.

Finally, it is worth pointing out that the Committee suggests that DCLG makes available £21 million per year to support scrutiny; this is not strictly accurate. That figure encompasses the entirety of the LGA’s sector-led improvement grant, which includes the national peer review programme and many other activities which focus on leadership, the executive and councils’ corporate health. CfPS is funded from this grant to a value of £171,000 per year (in 2017/18). There is a reporting system direct to DCLG for these funds, and a distinct and more comprehensive reporting system into the LGA. We value our relationship with DCLG but do not feel that a more robust reporting regime for the spending of this grant than already exists would be proportionate. However, we do welcome the opportunity to reflect on how we

can make more transparent to those in the sector how our work makes an impact, and we will think further on this issue before coming to a firm conclusion in the New Year.

This is only a preliminary response – we will be producing some more detailed thoughts on the report in January. In due course we plan to provide a formal response to the Committee, particularly on those points where the Centre and its work are directly referenced.

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