

Initial Recommendations of the Fire Safety Scrutiny Group: Action Plan (July 2019)

City of Wolverhampton Council		Complete	
Wolverhampton Homes		On Track	
WV Living		At Risk	
		Compromised	
		Not baselined / Awaiting guidance	

No	Recommendation / Action	Lead	Portfolio / Directorate	Lead Officer	Comments / Update	Status
Initial Recommendations of the Fire Safety Scrutiny Group						
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.	CWC	Corporate	Mark Taylor	The strategic fire safety management structure is headed by the Deputy Managing Director; its scope is all the council's building estate including schools, high rise homes, public and private sector housing.	
2.	That there be overarching and cohesive Fire Safety Strategy that ensures all operational and strategic areas are integrated and working; with a greater Council oversight.	CWC	Corporate	Mark Taylor	Strategy being developed through Fire Safety Compliance Group. Role of Site Responsible Person implemented. Audit report on the adequacy and effectiveness of the fire safety arrangements in place for Council owned buildings was issued 14/06/19. Action plan in place to address recommendations	
3.	That Strategic Executive Board receive regular reports from a suitably trained and experienced fire officer who is also	CWC	Corporate	Mark Taylor	Updates to SEB are through the Health and Safety Advisory Board chaired by Mark Taylor.	

	someone managing the Council's duty of care.					
4.	That the Leader write to Ministers to request changes in legislation included in the recommendations and to lobby for funding to retro sprinklers in all schools and high-rise residential buildings in line with advice from the Association of Chief Fire Officers and the Fire Service.	CWC	Corporate	Kate Martin City Assets and Housing	CwC is a signatory to the collective letter submitted to the MHCLG in February 2019 by the West Midlands local authorities to request additional funding to support the fire safety improvement works.  Response received March 2019 that MHCLG will facilitate borrowing flexibility for LAs to fund sprinklers.	
5.	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. 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.	CWC	Corporate	Kate Martin City Assets and Housing	Refer to Constitution Working Group for consideration as part of review of Code of Conduct for Members on Outside Bodies.	
6.	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. Reasons must be provided as to why a specific material has been chosen if not the highest level.	JOINT	Regeneration	Richard Lawrence	CWC: Awaiting outcomes of Moore-Bick and Hackitt Inquiries. This approach is being recommended for the i9 building.	
			Wolverhampton Homes Property Services	Shaun Aldis	WH: As part of WH Fire Safety Procedures this has been agreed and implemented for all current and future projects.	

7.	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 building under major refurbishment or any new builds, strong consideration is given to fitting sprinklers and hard-wired smoke alarms/fire detectors.	JOINT	Regeneration	Richard Lawrence	CWC: Await Outcomes of Moore-Bick and Hackitt Inquiries. However installation of sprinklers should be considered for Civic & Wulfrun halls	
			WV Living	Kate Martin	WVL: Agreed to fit sprinklers in all new build homes from June 2019.	
			Wolverhampton Homes Property Services	Shaun Aldis	WH: Once CWC has agreed a strategic position with regards installing sprinklers in new builds and any buildings under major refurbishment, WH will implement this.	
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. When it is deemed not necessary to test a building then reasons must be provided.	JOINT	City Housing	Kate Martin	CWC: There is one publicly owned high rise not managed by WH. This is on lease to Sanctuary Housing and has an improvement action plan in place monitored by CWC, most recent progress update provided 12 March 2019.	
			Wolverhampton Homes Property Services		WH: All the 18 tower blocks with cladding systems have been tested and assessed for flammability. All have been found to meet or exceed current standards.	
			City Housing	Kate Martin	Other: Following testing, 2 of the 6 privately owned high rises in the city were found to have ACM cladding which has now been removed.	
9.	That the Local Authority concierge staff and their managers undertake additional fire safety training and if possible a	CWC	City Assets	Chris East	Chris East advised that all relevant staff attend Fire Marshall face to face training. Keepers have already been trained.	

	shadowing or mentoring programme be agreed with Wolverhampton Homes.				Keepers (and i10 concierge) have attended in 2018 the half day fire marshal training course arranged by Workforce Development.	
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 where appropriate.	JOINT	City Assets	Chris East	CWC: see previous action. Additionally, staff undertake fire safety training as part of induction.  The use of evac chairs is only relevant where an evacuation policy is in place (rather than a stay put policy in which case the Fire Service would carry out an evacuation). Site Responsible Persons arrange evac chair training as required.	
			Wolverhampton Homes Property Services	Shaun Aldis	WH: WH: Mandatory refresher training for all concierge staff was delivered in Dec. 2018 (provided by CS Todd).	
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. That an action plan with timescales be produced in relation to this.	CWC	City Assets	Kate Martin	Addressed through a Fire Risk Assessment Programme	
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	CWC	Regeneration	Richard Lawrence	Await Outcomes of Moore-Bick and Hackitt Inquiries	

	detection equipment and the highest rated fire-retardant materials are used.					
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. 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.	CWC	City Assets	Julia Nock	<p>Compliance visits undertaken by a member of Health and Safety team that is involved with health and safety audits of schools.</p> <p>Schools requested to provide twice termly returns to demonstrate fire safety checks are undertaken and provide evidence that FRA actions are completed.</p> <p>Non-community schools – Director of Education has written, and will send periodic reminders, to advise responsibilities for fire safety</p>	
14.	That information on the Council's website in relation to fire safety be updated regularly.	CWC	Comms	Ian Fegan	<p>Most recent update 01/09/18 – see link below</p> <p><a href="https://www.wolverhampton.gov.uk/your-council/corporate-landlord-fire-safety">https://www.wolverhampton.gov.uk/your-council/corporate-landlord-fire-safety</a></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 the capacity and expertise remains with the Council to enable it to liaise effectively with the relevant authorities regarding fire safety and emergency planning.	CWC	Emergency Planning	Emma Smallman	<p>The Local Resilience Forum coordinates multi-agency emergency planning across the region. A risk register for the region has been developed, using information provided Nationally by Cabinet Office, known as the Community Risk Register (CRR). A local risk register has been developed for Wolverhampton and is currently under review by the Resilience Team, this document is then used to prioritise the maintenance or development of emergency plans. All emergency plans remain the sole responsibility of CWC.</p>	
			City Housing	Jenny Lewington	<p>The Housing Department are in the process of writing a new social housing Allocations Policy. It is</p>	

					proposed to include a new criterion to address the housing needs of residents in the case of a large-scale City emergency. The proposal would specify that CWC reserves the right to allocate available properties outside of the Allocations Policy to residents in the event of a large-scale emergency. If adopted, this would assist the City to address immediate and pressing housing needs which may otherwise may not be captured within the Allocations Policy.	
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 to ensure that emergency vehicles, turntable ladders and hydraulic platforms are able to gain access.	JOINT	City Environment	John Roseblade	<p><b>CWC:</b></p> <p>WMFS Redwatch crews have previously visited Duke Street Bungalows and we have also requested visits at the other two adult residential sites that WMFS investigating officer visited; Ernest Bold and Bradley Resource Centre.</p> <p>We additionally have a number of residential children's sites;</p> <ul style="list-style-type: none"> <li>• Penn Hall School</li> <li>• Merridale House, which became operational at start of 2019.</li> <li>• Upper Pendeford Farm</li> </ul>	
			Wolverhampton Homes Property Services	Shaun Aldis	<p><b>WH:</b> An audit has been complete of all 36 high-rise tower blocks with one estate (Graiseley) identified as requiring improvements. This work is currently being designed.</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. This training is to include information regarding corporate manslaughter and health and safety issues.	JOINT			CWC: Cllr. Val Gibson holds the Health and Safety portfolio.	
			WV Living	Chief Operating Officer	WVL: Heath and Safety Audit completed	
			Wolverhampton Homes Property Services	Shaun Aldis	<p>WH: Concierge officers and estate caretakers receive fire safety awareness training as part of their induction with WH. Thereafter, on an annual basis all concierge and estate caretakers will receive 1-1 on-site refresher training with their line manager, to ensure they are working in-line with the Fire Safety Inspection of Communal Areas Procedure (WH680V7.0) and using the Fire Safety Inspection Checklist (WH151V5.0) correctly.</p> <p>Further training provided for Board members on fire safety February 2019</p>	
18.	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. The working group will report back to the Scrutiny Board on a regular basis.	CWC	Corporate	Martin Stevens	Cllr Greg Brackenridge spoke to the Equalities Advisory Group on this matter and will continue to report to this group in future.	

19.	That the current list of rest centres to be used in an emergency be revised and updated where possible.	CWC	Emergency Planning	Emma Smallman	The list of rest centres is updated annually, or as required, should there be a change in status to the identified buildings e.g. the refurbishment of Civic Halls.	
20.	That information on the Wolverhampton Homes website be updated more regularly (last update on Wolverhampton Homes website was 1 August 2017).	WH	Wolverhampton Homes Property Services	Shaun Aldis	WH: All FRAs for tower-blocks are published on the website within a few weeks of being completed (a new FRA is produced each year)	
21.	That the City of Wolverhampton Council and Wolverhampton Homes consider bringing all the existing leases under one lease with fire safety at the heart of it.	WH CWC	Wolverhampton Homes Property Services	David Cockfield / Shaun Aldis	Bringing all existing leases into a single lease is not practicable as Wolverhampton Homes (WH) manages over 2000 individual leaseholders under 3 lease agreements. The legal view is that the existing leases are fit for purpose regarding fire safety. For example, WH has sought injunctions against leaseholders to ensure that all dwellings have FD30 fire doors, WH has successfully obtained the injunction in each case and been awarded costs, all injunctions sought to date have been unchallenged.	
22.	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	WH	Property Services	Shaun Aldis	WMFS are trialling an improved electronic booking system for safe and well visits. This will be risk assessed based on risk of fire due to personal vulnerabilities and building type. Once complete it will be implemented across the West Midlands to all key social housing providers with joint communications to all relevant parties.	

	Birmingham where there the visits are opt-out rather than opt-in.					
23.	That the Government look at current legislation that states that private companies are not required to disclose the outcomes of fire risk assessments.	CWC	-	-	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.	CWC	-	-	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).	CWC	-	-	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 the government should consider any presentational changes that will improve the clarity of Approved Document B as an interim measure.	
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	CWC	-	-		

	the Local Authority in relation to fire safety and fire risk assessments.					
Dame Hackitt Interim Report						
27.	The interim report identified that the current system of building regulations and fire safety is not fit for purpose and that a culture change is required to support the delivery of buildings that are safe both now and in the future. The system failure identified in the interim report has allowed a culture of indifference to perpetuate.				General comment and observation.	
Dame Hackitt Final Report New Regulatory Framework Recommendations CWC to consider how best to implement these initial recommendations.						
28.	Create a more simple and effective mechanism for driving building safety.				General comment and observation.	
29.	Provide stronger oversight for duty holders with incentives for the right behaviours, and effective sanctions for poor performance.				General comment and observation.	
30.	Reassert the role of the residents.				General comment and observation.	

<b>31.</b>	Accountability for those who procure, design, create and maintain buildings for ensuring that those buildings are safe.				General comment and observation.	
Joint Competent Authority Recommendation						
<b>32.</b>	Welcome the fact that the report recommends a new joint competent authority (JCA) comprising Local Authority Building Standards, fire and rescue authorities and the Health and Safety Executive to oversee better management of safety risks in these buildings (through safety cases) across their entire life cycle.				General comment and observation.	
Building Safety Recommendations						
<b>33.</b>	A set of rigorous and demanding duty holder roles and responsibilities.				General comment and observation.	
<b>34.</b>	A series of robust gateway points to strengthen regulatory oversight to satisfy the JCA.				General comment and observation.	
<b>35.</b>	A stronger change control process requiring robust record keeping.				General comment and observation.	
<b>36.</b>	A single, more streamlined, regulatory route to oversee building standards.				General comment and observation.	
<b>37.</b>	Stronger enforcement powers.				General comment and observation.	

Occupation Phases Recommendations						
<b>38.</b>	Clear and identifiable duty holder with responsibility for building safety.				General comment and observation.	
<b>39.</b>	Regular presentations concerning safety to JCA.				General comment and observation.	
<b>40.</b>	Clearer rights and obligations for residents to maintain the fire safety working in partnership with the duty holder.				General comment and observation.	
<b>41.</b>	A regulator for the whole of the building (the JCA) in relation to fire and structural safety in occupation.				General comment and observation.	
Residents Voice Recommendations						
Providing reassurance and recourse for residents of all tenures by providing:						
<b>42.</b>	Greater transparency of information on building safety.				General comment and observation.	
<b>43.</b>	Better involvement in decision-making, through the support of resident's associations and tenant panels; and				General comment and observation.	
<b>44.</b>	A no-risk route for residents to escalate concerns on fire safety where necessary, through an independent statutory body that can provide support where service providers have failed to				General comment and observation.	

	take action, building on ongoing work across Government.					
Construction Sector, Regulation and Technical Guidance Recommendations						
45.	The construction sector and fire safety sector demonstrating more effective leadership for ensuring building safety amongst key roles including an overarching body to provide oversight of competence requirements.				General comment and observation.	
46.	Moving towards a system where ownership of technical guidance rests with industry.				General comment and observation.	
47.	Oversight from an organisation prescribed by Government.				General comment and observation.	
48.	Package of regulations which is simpler to navigate but reflects the level of complexity.				General comment and observation.	
Testing Regulations, Digital Record, Procurement Recommendations						
49.	A more effective testing regime with clearer labelling and product traceability.				General comment and observation.	
50.	Obligating the creation of a digital record for new Higher Risk Residential Buildings.				General comment and observation.	
51.	Tackling poor procurement practices.				General comment and observation.	

<b>52.</b>	Ensuring continuous improvement and best-practice learning through membership of an international body.					
Final Dame Hackitt Recommendation						
<b>53.</b>	The Government develop a joined-up implementation plan to provide a coherent approach to delivering the recommendations.				General comment and observation.	
Limitations – Sprinklers and Cladding						
<b>54.</b>	Detailed Analysis				General comment and observation.	
<b>55.</b>						