

Scrutiny Scoping Group - Fire Safety

Minutes - 19 September 2017

Attendance

Members of the Scrutiny Scoping Group - Fire Safety

Mr Barry Appleby
Cllr Philip Bateman MBE
Cllr Greg Brackenridge
Bob Deacon
Cllr Patricia Patten
Sue Roberts
Ryder
Cllr Paul Singh

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for Absence**
Apologies were received from Cllr Miles and Cllr Sweetman.

- 2 **Declarations of Interest**
There were no declarations of interest.

- 3 **Draft Terms of Reference for Group**
The Group considered its remit and boundaries and the Chair clarified that the Group would be considering buildings owned by the Council and also those that were outside of Council control.

Areas for discussion could include clarification as to who was responsible for checking buildings and requirements on leaseholders. The Chair confirmed that the Group would be able to make comments on areas that could then be fed back to Government even if the decision was outside of the Council's remit.

The Chair also confirmed that that the Fire Service could not be paid to check the buildings as they also had an enforcement role.

It was stated that in the past the Fire Service had been familiar with all of the buildings and that knowledge such as where the fire hydrants were was vital. The Chair agreed and stated that the Group needed to understand how processes were being managed, were the people managing them suitably trained and who was doing the monitoring (including during any modernisation processes).

The Group agreed that it was important to understand how the Council dealt with any immediate aftermath to an incident and whether emergency planning procedures were in place and tested. Important areas included ensuring that people had ready access to accommodation.

The Group indicated a need to find out what the data held by the Council and by Wolverhampton Homes was like and whether we could accurately advise how many people were resident in each flat.

The Group also queried what training was provided for residents.

The Group also commented on the responsibility of the Landlord to provide adequate fire evacuation procedures for residents and stated that not all residents would be able to read evacuation notices and that some deaf residents would require vibration pads and visually impaired residents might require notices to be in braille or to have flashing detector alarms rather than just sound alarms.

Resolved: That the Terms of Reference be agreed.

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West Midlands Fire Service

The Group welcomed Jason Holt – Station Commander and Pardeep Raw - Team leader for Black Country North fire safety team - Watch Commander.

The Fire Service had two main areas of focus which were prevention and protection.

In relation to prevention, representatives of the fire Service would go out to businesses to ensure that premises were safe for employees. Operational crews would also carry out safe and well visits with the aim of visiting every domestic dwelling across the West Midlands.

The question was raised as to whether specific staff were assigned to dwellings where vulnerable people lived and it was confirmed that there was a Vulnerable Persons Officer who would be assigned once a vulnerable person had been identified.

The question was raised as to whether the Fire Service were aware of how successful they had been in visiting the 36 tower blocks in the City and whether there were any additional constraints in visiting tenants rather than private home owners.

It was stated that in a tower block the Fire Service would have jurisdiction in the public areas only so could look at areas such as fire escapes and compartmentalisation. As with private dwellings, people living in tower blocks would request a free visit from the fire service.

Site Specific Risk Inspections (SSRI) were also carried out in targeted areas such as tower blocks and every tower block had been highlighted and would therefore be visited. During the visit the Fire Service would make themselves available to residents and safe and well visits could be carried out there and then or future appointments made.

The Fire Service Confirmed that resources were not an issue and that resources would be planned to accommodate public need. It was confirmed that statistics relating to safe and well visits were available if requested.

The Group recommended that communications regarding the safe and well visits could be increased as there were people who thought they were not entitled to them and confusion over other similar providers who charged for such a service. The Group agreed on the importance of getting the message out that the service was available, it was provided by the Fire Service and that it was free.

The group agreed that Councillors could help to promote the service in their wards.

The Group queried what the Fire Service did during an inspection.

It was stated that during a SSRI the response side of the service would go out on the fire engine and evaluate means of escape and access, how many residents were in the block, where the water supplies were and any other areas required for a response to a fire. In relation to protection audits were carried out under the Fire safety legislation of all communal areas, every fire door would be checked, stairwells checked and all areas of compartmentalisation.

However, it was confirmed that what went on behind the door of a private dwelling fell under different legislation. The Group queried what would happen if during the inspection, it was noted that a front door was not the recommend type under current guidance. The Fire Service stated that they would highlight this to the resident and write to the Responsible Person which could be the leaseholder or the landlord.

The Group questioned the approach taken during any visit in relation to signage. The Fire Service stated that note would be taken as to whether the signage was adequate, they would point out if it was faulty or did not work and follow this up with the relevant responsible officer. The Group queried whether signage was looked for in different formats such as different languages or braille and stated that signage had to meet the needs of the residents. The Fire Service also confirmed that fire alarms were not always used in blocks of flats as they were not intended for simultaneous evacuation.

The Fire Service confirmed that they did more than a basic look but that it was not usual to consider the demographic of the residents unless the building was designed for a specific need such as a nursing or retirement home in which case the signage would be specific to residents' needs.

It was also confirmed that all residents were given a booklet informing them of areas such as electrical issues and anything that could affect them in an emergency. This booklet was produced in several languages but not in braille. It was also confirmed that Fire Service Officers providing training and advice would take time to ensure that residents understood the information contained in the booklet and that they were comfortable with any processes.

The Fire Service stated that in Birmingham there was an agreement regarding Houses in Multiple Occupation that if a tenancy agreement changed that the Landlord would let the Fire Service know and they would arrange to carry out a safe and well visit with the new residents. This was built into the tenancy agreement.

The Fire Service stated that they had a very good relationship with Wolverhampton Homes and that visits had been done and areas for improvement pointed out and timescales agreed. Visits were also often made on an interim basis to see how improvements works were being carried out and in some cases Wolverhampton Homes had invited the Fire Service back to monitor progress. Should deadlines not be met then the Fire Service would enquire as to the reasons and if progress was still not made then enforcement action could be taken.

Some concern was raised by group members that tenants should not be treated differently to leaseholders and that it would be unfair to expect them to abide by more rules than those who owned their own properties. The Fire Service responses that it made no difference to them who or in what capacity the person was who lived in the premise, everyone was treated in the same way.

The Group queried the role of the Fire Service in relation to the fitting of cladding and it was confirmed that the Fire Services might comment on what the building regulations said or if they saw something in breach of regulations but cladding was not something that was checked during a fire safety audit.

The group considered whether there should be a disability access audit as standard especially as local authorities moved more towards the independent living agenda.

The Group requested clarity as to the stay put advice that had been given in relation to Grenfell. The fire Service stated that this advice was given when a block of flats was not designed for simultaneous evacuation and that stay put had been proven to work in the past and that this advice had been reiterated at tenant meetings.

The Group moved on to considering access issues for the Fire Service when attending a call and whether in most cases they could get close enough to the building. The Fire Service stated that the same procedure was followed whether the call be for a pan fire or if flames were spreading outside of the windows. A pre-determined number of officers would be sent to the scene and plans would be put into place. If these plans did not go as expected, then this would be fed back in and new plans put in place. If the fire crew could not get the required access, then this would again be fed back into the process and fed into any plans for that area. It was confirmed that a hydraulic platform would only reach up to 6 floors and a high rise was classed as 8 floors and above. Again, this was an area that had been reconsidered and when looking at cladding all building 6 floors and above were considered.

The Fire Service stated that following Grenfell each brigade had been given a list (there were 600 nationally) showing those buildings which had been identified as cladded. West Midlands Fire Service was at the centre of this operation and were liaising with every fire service across the country. The Fire Service had visited every single block within a week to check areas such as access and egress and whether the cladding was aluminium composite.

There was close liaison with the operational side with response officers looking at their activities considering what had happened and ensuring that all residents were kept informed as to what they were doing. Council representatives also met with the Fire Service at the majority of the tower blocks to help reinforce the message and the work being carried out. If there was cladding on a tower block the advice was then to send a sample to the national testing body and if the cladding failed, then the tower block would be revisited with the Responsible Person and a plan of action drawn up.

It was noted that there was some overlap in legislation regarding responsibility for communal areas. The Fire Service was the enforcing body and where something was discovered in breach of the regulations then the Landlord would be informed. The group queried who was responsible for front doors and it was stated that this depended on the lease agreement, the enforcing authority would still be the Fire Service but who was being enforced against could differ.

The Group queried who was in charge in an emergency fire situation and it was confirmed that this would be the Incident Commander. The Incident Commander would make a tactical plan and if they felt that the situation was escalating they could bring in whatever resources were required to manage the situation.

It was stated that there was currently a very good working relationship between the Fire Service and Wolverhampton Homes with no apparent weaknesses.

The Group queried the data that the Fire Service would have in an emergency and it was stated that crews now had mobile data terminals that allowed them to access data from visits and safe and well checks and included information in access and road width and the type of premises that was on fire (e.g. chemical plant).

The question of sprinklers was raised and the Fire Service stated that yes, they would recommend but only in the same way that they would recommend adequate compartmentalisation as part of ensuring a building had adequate fire precautions in place. Caution was also given to wait until the final report into the Grenfell Tower fire before making recommending and major fire initiative and the cause was still to be determined.

5 **Wolverhampton Homes**

The Group welcomed Mrs Lesley Roberts – Chief Executive of Wolverhampton Homes and Mr Simon Bamfield - Head of Commercial Services and Stock Investment.

The question was raised as to who was responsible for fire safety at Wolverhampton Homes and it was confirmed that there was a policy which specified how this responsibility was delegated. At the moment, the responsibility and duty of care sat with the Stock Investment Manager who was a specialist member of staff for fire safety and he was supported by specialist health and safety officers.

The Chair raised the question of training in relation to these staff and it was stated that the Stock Investment Manager (Myk Kazuba) had great support from external partner organisations and in particular Sam Bunch, a fire safety consultant from Jacobs who was an ex fire fighter and Graduate Member of the Institution of Fire Engineers (Mr Bunch also held a NEBOSH General Certificate and IOSH Fire Safety Management qualification). It was also confirmed that there was a specialist fire safety advisor within the Health and Safety Team and that this officer liaised regularly with the Fire Service.

The question was raised as to whether the officer with responsibility for carrying out the risk assessments had access to information as to where the disabled tenants were and whether the officers carrying out the training had disability access training or awareness of disability access needs. It was stated that there was a good general

awareness of disability access issues and that in 2010 a piece of work had been carried out to look at accessibility in high rise blocks and that this was continuously under review (an example of this was new signage being put up at a lower level).

Mr Bamfield also stated that the fire risk assessment procedure was very prescriptive and focused on the inhabitants in the block of flats and their ability to escape safely. It was also confirmed that the concierge staff had very good relationships with the residents that they looked after.

The question was then raised as to the training provided to the concierge staff and that if there was a fire what their role would be. Mr Bamfield confirmed that the Fire Service would take control in the event of a fire and that the concierge staff would be on site to provide what information they had in relation to the residents. It was confirmed that the concierge staff had training in relation to areas such as the use of evacuation chairs and had some experience of evacuating residents as there had been a number of different incidents over the years such as floods.

Mrs Roberts confirmed that separate fire safety training would be provided for concierge staff and that this was scheduled for December and would be carried out by a reputable company. Mrs Roberts also confirmed that there had been general training on fire safety to date and that the Manager was a former fire fighter. The role of the concierge staff was to ensure that all fire safety measures were in place. The Group stated that it was good to see that fire checks were part of the daily routine and the chair queried whether the daily checks were monitored. It was stated that yes, the Manager monitored the checks with staff to ensure that everything was being picked up. Anyone who spotted anything that might pose a fire risk had a responsibility to report it and the concierge always had to sign off each daily check list.

The question was raised as to how much was known regarding people with disabilities living in the flats. It was thought that information was now held in relation to 80 to 90% of residents but care also had to be taken to respect tenants' privacy. It was also confirmed that less was known regarding leaseholders as these often didn't want to provide the information and it was sometimes the case that they sublet the flat and this information was not available. Mrs Roberts stated that they had requested a visit to each leaseholder flat but that this could not be enforced and that any requests to the Government to strengthen powers over leaseholders would be welcomed.

Mrs Roberts confirmed that leaseholders as well as tenants received a pack outlining what to do in case of an emergency.

A question was raised regarding warnings that had been given prior to the Grenfell fire and members of the group questioned whether anything similar had been received by Wolverhampton Home including any serious complaints or concerns raised by residents.

Mrs Roberts stated that a lot of correspondence was received but that it was generally complimentary and that concerns over fire safety had never been raised. All questions and responses were published on the Wolverhampton Homes website.

The group queried the relationship between residents and Wolverhampton Homes and it was confirmed that the Residents Association met regularly and to date no concerns regarding fire safety had been raised. There was however no complacency as residents and officers were constantly and actively looking for areas that might be of concern and policies and procedures were constantly evolving such as the use of sprinklers in the bin rooms.

The Group considered the fact the corporate manslaughter charges might possible be brought against staff with responsibility for the Grenfell Tower and the question was raised as to whether areas such as this had ever been considered by Wolverhampton Homes and whether legal advice had been sought. Mrs Roberts stated that the events in Grenfell would never be forgotten and that Wolverhampton Homes had a clear governance structure in place which set out responsibilities clearly and of which all staff were aware. The Board of Directors had received both legal and health and safety advice and were equipped with the necessary skills and training. Mrs Roberts confirmed that the Board were fully aware of their responsibility to protect the public and that the Board was very good at challenging officers. Mrs Roberts also stated that the Board had a Health and Safety champion who attended officer meetings and that reviews were always carried out as to events that had occurred in the previous month.

The Group agreed that this was very encouraging information. Mrs Roberts stated that if required a set of papers from one of the meetings could be provided to the Group as an example of the work carried out along with the reviews that were done in relation to all fires.

The Group questioned the action taken by Wolverhampton Homes following the Grenfell fire. Mr Bamfield stated that the first requirement had been to complete a template sent out by the DCLG requesting information on all high-rise blocks. Mr Bamfield confirmed that this request referred to all high-rise tower block in the area and not just those that were the responsibility of the Council and as such partner organisations had be liaised with. Mrs Roberts stated that cladding had now been checked and that she was confident that it was fine. Mrs Roberts also confirmed that the sanctuary run block in Heath Town had cladding that had been specified by the City Council before it had been transferred but that their own tests had not been carried out, it was however confirmed that there was no aluminium composite cladding. It was also confirmed that the student accommodation had been checked and that there was 20% ACM and that due to this 2 blocks had been evacuated with plans in place to have the cladding removed; there were no other blocks of concern.

A query was raised as to the fact that cladding on one block of flats had been tested but not another that had the same cladding even though the cladding had been put up at different times. Mrs Roberts stated that she would look into getting both sets of cladding tested.

The question was raised as to emergency and evacuation policies and whether Wolverhampton Homes had a plan and whether Mrs Roberts was the lead on this. Mrs Roberts confirmed that yes there was an emergency plan and that this would swing into action prior to the full Council plan taking effect. The date of the last test of the emergency plan had been 2015 and that this had included communications and rest centres. Mrs Roberts confirmed that in the event of an emergency there would be enough beds to accommodate all residents from a tower block.

The chair confirmed that 6 out of 18 high rise block had now been tested and queried why this was the case when the advice from the Fire Service had been to test all the high-rise blocks. Mrs Roberts stated that this advice had not been provided to her directly but confirmed that every block had been visited and advise sought. At the time of the incident all testing had to be carried out by a Government allocated agency and that it was only testing ACM cladding. Wolverhampton Homes had a good record in relation to what was on all its blocks and those with mineral wool wall systems were not deemed at risk of fire.

The Chair stated that not testing was not acceptable and Mr Bamfield confirmed that the Government had now modified its testing regime and were testing all combinations of cladding. Mrs Roberts confirmed that there were ongoing in depth discussions with the Board but that on balance testing cladding that was closer to a render could generate more concern and that the best advise at the moment was to wait for the outcome of the Grenfell investigation and the recommendations from Government.

Mrs Roberts also confirmed that there were conflicting opinions and advice regarding testing and whether existing cladding should be removed or a replicate piece tested.

The group thanks Mrs Roberts and Mr Bamfield.

6 **Health and Safety**

The group welcomed Mr Phil Reilly - Health and safety Advisor at the City Council.

Mr Reilly was a Health and Safety Advisor and acted as a liaison between the Council and Wolverhampton Homes. Mr Reilly confirmed that the Housing Management database was shared with the fire Service and that within 12 hours the Council as landlord was informed of any incidents or fires and that all information was then be passed onto the relevant department.

Mr Reilly stated that there was a Social Housing Fire Safety Group part of the remit of which was to monitor any repeat incidents to ascertain if these were due to vulnerable residents who needed additional support or guidance.

Mr Reilly stated that following the Grenfell fire he had met with the Fire Service and carried out an audit and inspection of the high-rise blocks.

The question was raised as to what action was taken if the Fire Service reported problems in accessing a block of flats. Mr Reilly confirmed that when carrying out a Site-Specific Risk Inspection (SSRI) consideration was given as to whether the appliance and platform could gain access and that if there were concerns then this was tested and appropriate action could then be taken. The question was raised as to whether a hydraulic platform had visited the Graiseley Estate, Mr Reilly stated that he would check this.

Mr Reilly confirmed that he had a very good relationship with Wolverhampton Homes and that the Chief Executive was very proactive in her approach to fire safety.

Mr Reilly stated that prevention was the first directive and agreed that sprinklers were useful in some situations but as yet there was no evidence that having sprinklers would have prevented what happened in Grenfell. The Chair stated that some

residents felt that they were being ignored in their requests for sprinklers due to cost. Mr Reilly responded that there had been 4 incidents recently when communal alarms had sounded and that all residents had stayed put and followed the advice given, there was no evidence that they would try to evacuate the building unless directed to by the Fire Service.

Mr Reilly stated that when he had visited all the blocks with the fire Service after the Grenfell Fire he had been reassured by the faith that the residents had in the service and advice being provided to them and that they did not appear concerned or voice any worries.

The Group queried whether Mr Reilly was aware of any plans to carry out fire alarm tests to ascertain how residents would react and to ensure that they were aware where the muster points were. Mr Reilly stated that there were no plans he was aware of but that this was a good idea to help reinforce the stay put policy and to ensure that residents knew what to do and where to go in an emergency. Mr Reilly confirmed that he would provide a written response regarding evacuation and muster points.

7 **Corporate Landlord**

The group welcomed Mr Tim Pritchard – Head of Corporate Landlord and Mr Neale Shore - Compliance Officer.

The Group welcomed Mr Pritchard and Mr Shore. Mr Pritchard confirmed that the remit of Corporate Landlord included the Council's assets, facilities management and projects and works. Mr Shore stated that there were 165 corporate properties and 58 community schools and that the department was currently in the process of ensuring that these had a managed fire risk assessment programme in place. Corporate Landlord had only recently taken over the function for the buildings in June 2016 and for the schools in April 2017 so work in relation to this was still in the early stages.

The Chair queried what action had been taken since the Grenfell fire to check the cladding on school buildings. It was stated that the Council was awaiting information to be returned by the schools and as yet very little information had been received. Mr Shore confirmed that 10 fire risk assessments had been commissioned and that this was a rolling programme through 2018/2019 by the end of which assessments would have been carried out on all schools. Academies were not currently part of the rolling programme which was just looking at the 58 community schools. Mr Shore also confirmed that the focus now was on properties where people were resident rather than business properties.

A query was raised in relation to fire risk assessments and the Civic Offices especially in relation to disabled people and barriers that had breaks in them. Mr Shore stated that he would provide a written response in relation to this.

Mr Shore confirmed that Corporate Landlord were also working closely with Mr Sam Bunch, a fire safety consultant from Jacobs who was an ex fire fighter and Graduate Member Institution of Fire Engineers.

Mr Pritchard stated that now Mr Shore was in role that data and information could start to be collected to enable the team to understand how things stood now but it was confirmed that areas of high risk were being addressed with immediate effect.

Mr Pritchard confirmed that a questionnaire from the Department for Education had been completed and that this covered all community schools and that the Council were fully compliant with this. It was confirmed that the survey had dealt with buildings that were four storeys and above or that were residential.

Regarding buildings such as i10 it was noted that there was cladding and that this had been assessed by Mr Bunch who had also evaluated the evacuation plan and fire risk assessment and advised that at the moment this was sufficient and no further action needed to be taken. The Chair agreed that cladding was acceptable if mitigating systems were in place and that buildings needed to be looked at holistically. The Chair did however state that the cladding should be tested and it was confirmed that this would be the case if there was any uncertainty as to its composition. Unlike residential flats in buildings such as i10 there was an evacuation plan and when the alarm sounded everyone would leave the building.

The question was raised as to whether the risk assessment for the evacuation had included areas specifically focused on blind people, those with guide dogs or hearing impaired people. It was confirmed that a response would be provided regarding this.

The Group queried whether there was a plan in place for any of the Council owned buildings to be used in the case of an emergency. Mr Pritchard confirmed that if the need arose then the buildings would be made available and that work was carried out with the emergency planning and resilience team.