

Grenfell Tower Inquiry makes for 'Difficult Reading' says FPA CEO

2 years ago



In the early hours of 14 June 2017, the UK watched in horror as a fire ripped through a 24-storey block of flats in North Kensington, London. Grenfell Tower.

Tragically, 72 people lost their lives in that fire, in an incident that could have – and should have – been prevented.

Following an extensive inquiry into what happened that night and why, Sir Martin Moore-Bick's final report was published this month, containing several important recommendations that will have a profound impact on the fire safety, construction, and social housing sectors for years to come.

The report did not identify one single fault that led to the fire, but rather highlighted countless flaws and shortcomings that led to inherent failures in the system to build and maintain safe housing, particularly in high-rise buildings. Not only did this systemic failure lead to the death of 72 residents, but it also impacted thousands more survivors, friends, family, and those in attendance on that fateful day.

The UK's leading fire safety organisation, The Fire Protection Association (FPA), welcomed the publication of the landmark Phase 2 report and will look to work to help implement the recommendations to improve fire safety across the country.

In a press release the day the report was published, FPA Chief Executive, Dr Gavin Dunn said: "It is imperative that everyone involved in all parts of the system reflect on what has happened, what has been done in the past, but most crucially, what needs to now be done differently to enable the change that will ensure a similar tragedy does not reoccur."

FM Director's Claire Middleton also spoke exclusively with Dr Gavin Dunn to find out more about his opinions on the report, which we'll look at later in this article.

Legislation and regulations

Sir Martin's report calls for government to "*draw together under a single regulator all the functions relating to the construction industry*" and the bringing of all fire safety responsibilities under one department with a single Secretary of State. He also recommended this Secretary of State appoint a Chief Construction Adviser to "*provide advice on all matters affecting the construction industry*".

Regarding statutory guidance, the report recommends it be reviewed, especially Approved Document B, with "*a revised version published as soon as possible*", and that those advising on changes to statutory guidance should include representatives from academia and those with practical experience of the industry. Sir Martin states that in this area "*Fresh minds are needed.*"

He also recommends that a warning be included in the building regulations that compliance with guidance does not automatically mean compliance with the regulations – one of the clear problems identified by the Inquiry.

One other area considered was that around building control, where the report recommends that the government appoint an independent panel to consider whether building control functions should be performed by those who have a commercial interest in the process or by a national authority.

Competency and accountability of professionals

The Inquiry uncovered how fundamental misunderstandings and assumptions were made at all stages of the Grenfell refurbishment project, with flawed decisions being taken based on flawed information. In response to these findings, the report made a number of recommendations around improving the quality of fire safety work performed by individuals and organisations. It has called for it to be made a statutory requirement that a fire safety strategy is produced by a registered fire engineer for the construction or refurbishment of any higher-risk building and this be submitted, reviewed, and re-submitted at Gateways 2 and 3.

To ensure that any fire strategy produced is of a suitable standard, the recommendation was made that "*the profession of fire engineer be recognised and protected by law and that an independent body be established to regulate the profession, define the standards required for membership, maintain a register of members, and regulate their conduct*". The standards and skills required of a competent fire engineer should, as recommended by the report, be produced by a "*group of practitioners and academic fire engineers*". It also recommends that government make it clear that BS 9414 should not be used as a substitute for an assessment by a suitably qualified fire engineer.

The report also called for the accountability regarding higher-risk buildings to be extended to include senior managers of the principal designers and a director or senior manager of the principal contractor and for this accountability to be placed on a statutory footing. The recommendation will see the submission of a statement from each of these individuals confirming that all reasonable steps have been taken to ensure that on completion the building will be as safe as is required by the Building Regulations.

Another key role that came under rightful scrutiny in the Inquiry was that of the fire risk assessor. There

has for some time now been concerns over the competency of some people undertaking fire risk assessment work, particularly around assessing specialist risks such as cladding.

The report recognises that fire risk assessments are a fundamental underpinning piece of the safety of any built assets and a key recommendation made is for government to establish *“a system of mandatory accreditation to certify the competence of fire risk assessors by setting standards for qualification and continuing professional development”*.

Product fire performance testing and data

One factor that became particularly clear over the course of the Inquiry as to why the Grenfell fire was so intense and able to spread so quickly was the importance of the tower’s cladding. Decisions on the choice of products and the materials used were flawed or inappropriate, sometimes due to alleged confusion over the statutory guidance, sometimes through incorrect product test results. This was all further undermined by a core system that was weak, with significant misunderstandings in the product certification and building regulatory system.

The report also clearly identifies deliberate and malicious actions taken by those wishing to take advantage of these inherent problems to game the system for commercial gain. The weakness of system opened the door to malpractice and individuals engaged in *“deliberate and sustained strategies to manipulate the testing processes, misrepresent test data and mislead the market.”*

The report has two major areas of recommendation to counter the problems that arose in this sector of the fire safety system. Firstly, it recommends that *“steps be taken in conjunction with the professional and academic community to develop new test methods that will provide the information needed for such assessments to be carried out reliably”*. In conjunction with this, it calls for all test results be included to support any certification and that they be made available by law on request.

Overseeing this, the report recommends that the construction regulator should be responsible for assessing the conformity of construction products and issuing certificates. A full test history would also be required to be provided to the regulator by manufacturers, who must also inform the regulator of any *“any material circumstances that may affect its performance”*. Sir Martin makes it clear that there is an expectation for certificates issued by the regulator *“to become pre-eminent in the market”*.

The future of fire safety

With the Inquiry recommending that the definition of ‘higher-risk’ buildings for the purposes of the Building Safety Act be reviewed urgently to consider the presence of vulnerable people, and Sir Martin’s call for further consideration to be given to the implementation of Personal Emergency Evacuation Plans (PEEPs), there is a clear drive to put current and future residents at the heart of the changes to come out of the Grenfell disaster.

It should be noted that reassessing the definition of ‘higher-risk’ buildings is very significant and could have a big impact on what happens next. Only two years after the passing of the Building Safety Act 2022 which set the definition based on height, government will need to be careful in its approach to any changes it makes so as not to undermine the progress that has already been implemented as a result of this legislation.

Speaking exclusively to FM Director, Dr Gavin Dunn said: “There’s a huge amount in the report; much of it significant and some of it potentially quite radical. It’s difficult reading because it highlights individual areas of failure, either by organisations or individuals.

“The broader story is of a sector that has failed to take its duties seriously and has allowed a progressive deregulation of standards over many years. Both the inquiry and previously, Dame Judith Hackett, described a systemic failure and part of the problem with systemic failure is that everyone’s at fault, and no one’s at fault.

“The report has shown that there is a requirement for everyone in the sector to reflect on what they did wrong, and to consciously decide to do things differently moving forward.”

The role of the FM industry

Dr Dunn went on to highlight how the facilities management sector can play its role in making sure the report’s recommendations are implemented and help to make sure a tragedy of the type and magnitude of Grenfell never happens again.

“The FM world is a very important part of the puzzle,” he said. “There’s an argument that says the design and construction sector is effectively providing buildings which have the potential to be operated safely, whether they’re actually operated safely, very much comes down to how they are then managed. The approach of the FM world in discharging those duties in maintaining those properties very much determines whether the potential of the building is fulfilled.

“You also know whether it’s compromised for the future. I think one of the problems we see is in the life of a building, is that actions from one person 20 years ago can have a material impact on the safety and performance of a building today.

“This tragedy was down to a holistic failure, and we now need everyone to do things slightly differently. Yes, the government was at fault – regulations could have been better and clearer. And yes, the competency and accountability of the professionals was clearly below par, but it was a wide range of failings in terms of people not doing their job correctly or to the standards required.”

The FPA fully support all the recommendations contained in the report and stands ready to provide support and leadership to the government, as well as to organisations and individuals in navigating the significant and necessary changes the recommendations will likely bring to the fire safety sector.

Summarising his thoughts about the impact the report will have, Dr Dunn makes it clear that, “*we only succeed if enough of the sector gets together and gets on doing things right*”.

Keep an eye out for more exclusive comment from Dr Dunn in FM Director over the next few months as this story unfolds more.

The Inquiry report and full supporting documentation is available [here](#).