

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

17 FEBRUARY 2020

1. **PHASE 1 REPORT OF THE PUBLIC INQUIRY INTO THE FIRE AT GRENFELL TOWER ON 14 JUNE 2017**

Report of the Chief Fire Officer.

RECOMMENDED

- 1.1 THAT the Authority note the background and content of the Grenfell Tower Inquiry: Phase 1 report of the Public Inquiry into the Fire at Grenfell Tower on the 14 June 2017.
- 1.2 THAT the Authority note the work undertaken to date in respect of tall buildings following the Grenfell Tower fire and the approach taken to considering and addressing the recommendations set out in the Phase 1 report.

2. **PURPOSE OF REPORT**

This report is submitted to inform the Authority of the background and content of the Phase 1 Report of the Public Inquiry into the fire at Grenfell Tower on 14 June 2017. The report was published on 30 October 2019. It contains a number of recommendations against which West Midlands Fire Service (WMFS) will consider its position and where appropriate, take action to ensure continuous improvement in enabling the delivery of our Vision of Making the West Midlands Safer, Stronger and Healthier.

In providing assurance to the Authority of its proactive response to the events of 14 June 2017, this report also details the improvement activity that WMFS has undertaken and continues to undertake since the Grenfell Tower fire.

3. **BACKGROUND**

- 3.1. In the early hours of Wednesday, 14 June 2017, a fire broke out in the kitchen of Flat 16 Grenfell Tower, a high-rise residential building in North Kensington, West London. The fire, which the phase 1 report states, should have been contained within the confines of Flat 16, escaped from the kitchen into the external envelope of the building. The building was constructed of reinforced concrete to which there had recently been added a cladding system comprising insulation boards attached to the outside of the concrete structure and protected from the weather by aluminium composite material (ACM) rainscreen panels. The Phase 1 report confirms that these rainscreen panels and insulation boards were the primary reason for the rapid spread of this fire.
- 3.2. Firefighters from the London Fire Brigade (LFB) attended the fire and within minutes of their arrival had extinguished the fire within the kitchen of Flat 16. By that time the fire had already escaped into the ACM. Once established within the cladding the fire spread rapidly up the outside of the building and within a few hours it had engulfed almost the whole of the building. Tragically, the fire claimed the lives of 72 people who were present in the tower that night.
- 3.3. On the morning after the fire the Prime Minister announced that there would be a public inquiry into the circumstances surrounding the fire. The Right Honourable, Sir Martin Moore-Bick was appointed as Chairman who determined that the inquiry would be split into two phases. Due to public speculation around the incident, Phase 1 sought to identify exactly how the fire started, how it escaped from the flat of origin and how fire and smoke was able to spread throughout the building in a manner and at a speed that prevented many people from escaping, despite the prompt attendance of the emergency services. Phase 1 has also examined the response of the emergency services in terms of decisions made and actions made on the night of the fire.
- 3.4. Phase 2 began in late January 2020 and will move focus away from the events of the night of the fire and will ascertain the underlying causes of the incident, including the decisions made in relation to critical aspects of the design and construction of the cladding system, the adequacy of the

regulatory regime and the response of central and local government. Aspects of LFB's performance will be scrutinised with regard to what extent known risks associated with external cladding influenced policy change. LFB training delivery and competence will also be examined.

Work undertaken by WMFS following the Grenfell Fire

- 3.5. In the immediate aftermath of the fire, WMFS co-ordinated the sector response on behalf of the National Fire Chief Council (NFCC). The WMFS established a 'Comms Cell' function to primarily collate and identify ACM cladding on tall buildings across all Fire and Rescue Services (FRS). This approach enabled the establishment and maintenance of effective communications and information workflows between government departments, NFCC and all FRS. WMFS continues to work closely with NFCC to develop its own understanding and influence the sector approach moving forward.
- 3.6. As part of this approach, Fire Safety and station based crews completed fire safety audits and site specific risk information (SSRI) visits at the 551 residential tall buildings in the Service's seven local authority areas. This has included updating information on ACM and other flammable material attached to building exteriors.
- 3.7. As a regulator, WMFS is one of the few FRS that has used its legislative powers to ensure that risk is reduced by ensuring that plans are in place to remove unsafe cladding and address compartmentation issues. This initial and growing demand on Fire Safety Officers has been proactively managed through the investment of £600K to increase the number of staff by 11 officers.
- 3.8. The continual review of initial action plans, hazards and firefighting/protection systems is key to our capturing and recording of relevant information. Preplanning through SSRI and visits under 7.2 (d) of the FRS Act 2004 enables for WMFS to record risks and safety critical information. WMFS has worked closely with partners to understand risk in high-rise residential and other tall buildings. Where appropriate WMFS has increased its level of response to ensure this risk is managed during the initial stages of any incident.

- 3.9. WMFS is committed to continuous improvement and excellence in all aspects of its work and continually reviews all policies, systems and processes in response to organisational intelligence. WMFS associated high rise policies and procedures have been reviewed, evaluated and developed with key input from across the organisation, including those external links into National Operational Guidance (NOG). There was a strategic focus for all operational personnel to familiarise themselves with the revised High-Rise policy and associated learning material.
- 3.10. As an outcome of the annual Health and Safety Competency Risk Assessment (CRA) review the requirement for all operational managers to undertake an annual standardised incident command high rise assessment was agreed with supervisory managers prioritised for these assessments.
- 3.11. Fire Control has enhanced its approach to giving fire survival guidance (FSG). How this information is shared, recorded and managed between Fire Control and the incident ground has been improved, with dedicated fireground resources mobilised to the incident for this purpose in the event of FSG being issued. Recall to duty arrangements have also been revised to provide enhanced resilience for this type of incident.
- 3.12. WMFS, through its effective partner relationships and specific events designed to target local authorities and housing providers has been able to influence the retro-fitting of sprinkler systems in a number of tall buildings across the West Midlands area. This is consistent with both the Authority's and NFCC position promoting sprinklers and will significantly reduce risk to residents and firefighters who respond to fires in these premises.

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS)

3.13. HMICFRS inspected WMFS as part of the second tranche of FRS in 2019. The HMICFRS report provided for an independent view of our performance across the three core inspection pillars of effectiveness, efficiency and people. In overall terms WMFS was rated as 'Good' but remain the only FRS to receive the 'Outstanding' rating for its emergency response work. With specific reference to the Grenfell Tower incident the HMICFRS report noted:

- Following the Grenfell Tower Fire, the Service made it a priority to assure the public about the safety of tall buildings.
- More than 30 joint advice and reassurance sessions were provided to Birmingham's 213 tower block residents.
- The Service has learned from operational events such as Grenfell Tower.
- The Service has taken advantage of a range of opportunities to train fire crews and reassure the public following the Grenfell Tower fire.
- Incident Commanders across the Service showed good levels of knowledge and understanding of how to command operational incidents.
- Commanders are regularly assessed to show they are competent.
- Firefighters carry out visits to make sure the risk information they hold is correct. SSRI is available to all staff.
- The Service reprioritised its risk-based inspection programme following the Grenfell Tower Fire. In order to manage the impact of this on the wider risk-based schedule the Service is actively recruiting 11 qualified Fire Safety Officers

Grenfell Tower Inquiry: Phase 1 Report October 2019

3.14. The Grenfell Tower Inquiry Phase 1 report was published on 30 October 2019 and a link to the overview report is in Appendix 1.

3.15. The report makes 47 recommendations. Some of the recommendations require consideration by FRS. However, some require the national consideration action whilst others will impact directly upon those that are responsible for or own residential tall buildings. A number of recommendations are specific to and require the action of LFB.

3.16. WMFS is currently considering its position and potential actions to be taken to ensure that it complies with or can support others to be compliant against all 47 recommendations. The detailed conclusions and recommendations arising from Phase 1 inquiry are provided in a link in Appendix 2.

3.17. Phase 1 recommendations are broken down into 12 headings:

- Knowledge and understanding of materials used in high rise buildings
- Section 7(2)(d) of the Fire and Rescue Services Act (in line with the principles set out in Generic Risk Assessment 3.2)
- Communication between the control room and the Incident Commander
- Emergency calls
- Command and control
- Equipment
- Evacuation
- Co-operation between emergency services
- Plans
- Lifts
- Internal signage
- Fire doors

3.18. Linked to the recommendations, the recent Queen's Speech confirmed that an emergency Fire Safety Bill will progress quickly to take forward the Phase 1 recommendations related to building control. The Home Office intend that this draft will 'clarify beyond doubt that the Fire Safety Order will apply to the external walls of buildings' and cover some extra detail on fire doors. Following this, more detailed legislation will follow through a Building Safety Bill which will be primary legislation to also take forward the recommendations from the 2018 Hackitt Report "Building a Better Future".

Organisational Assurance

3.19. Whilst recognising that the HMICFRS inspection provided for a positive assessment of WMFS performance, the Service is committed to continuous improvement. Therefore, following the release of the Phase 1 report a structured approach has been adopted to consider the recommendations and also build on existing planned improvement activity being delivered across the three Programmes under the Portfolio.

3.20. Key areas of strategic focus are:

- Further update to policy on Tall Buildings to provide additional information on evacuation, fixed installations and the role of FSG appliance and officer support across all tall buildings (not only residential high-rise).
- Enhancement of contingency arrangements for consideration when fixed installations fail.
- Ensuring the alignment of all policy and learning material with NOG.
- The revision of training packages to include relevant information on evacuation, compartmentalisation failure and the risks, behaviour and tactics for fighting fires involving external building materials/cladding in fire.
- Enhancements to SSRI and fire appliance Mobile Data Terminals to ensure that timely and accurate information is immediately available to responding crews.
- The development of a digital solution to support the consistent, effective recording and management of FSG.
- Further investment and focus on incident command assessments including a dedicated Fire Control tall buildings standardised assessment.
- The introduction of new equipment such as Building Information Plates, smoke curtains and smoke hoods to support the effective risk management at fires involving tall buildings.
- Fire Safety Officers development plans to support the delivery of the requirements of the Building Safety Programme.

3.21. Progress across all areas of this activity is being monitored through the three Programme Boards and reported into the Portfolio on a monthly basis. However, to provide sector assurance to the Home Office, the NFCC are co-ordinating local FRS updates captured via a questionnaire to outline progress against the relevant Phase 1 recommendations. WMFS have responded positively to the first of the NFCC questionnaires and remain committed to influencing the sector through supporting the various NFCC committees.

Corporate Risk

3.22. The assurance and improvement activity is contributing to the effective management of a number of the Authority's corporate risks:

- Risk 2.2: The Fire Authority is unable to deliver its Service Delivery Model effectively, as a result of insufficient or ineffective employees, throughout the organisation, resulting in reduced confidence and credibility; and increased reputational damage. This risk is remains as Amber (Satisfactory Assurance) due to the integrated approach to delivering response, protection and prevention services to the public.
- Risk 2.3: The Fire Authority is unable to meet statutory duties to provide a safe and healthy workplace and protect the environment, resulting in a significant failure and reduced confidence and credibility; and increased criminal proceedings, litigation and reputational damage. This risk is remains as Green (Substantial Assurance) due to the effective health and safety systems and monitoring in place and additional level of assurance provided through the annual competency risk assessment with a strategic focus on dealing with emergency incidents in tall buildings.
- Risk 5.1: The Fire Authority is unable to ensure that operational incidents are dealt with safely, assertively and effectively using appropriate levels of resources and personnel, resulting in increased firefighter and community risk; reduced confidence and credibility; and increased reputational damage. This risk remains as Green (Substantial Assurance) due to the ongoing improvement activity that builds on the recent HMICFRS report that

assessed WMFS emergency response activity as 'Outstanding'. Incidents in tall buildings are some of the most challenging that firefighters will experience so ongoing revisions of policy, improvements to training and assessments provide further assurance to staff, partners and the public.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The matters contained in this report do not relate to a policy change.

5. **LEGAL IMPLICATIONS**

- 5.1. Section 7(2)(d) of the Fire and Rescue Services Act 2004 imposes a general duty on Fire and Rescue Authorities to make arrangements for obtaining information needed for purposes of extinguishing fires and protecting life and property. The improvement activity taken to support the recommendations arising from Phase 1 report will provide assurance that the Authority is compliant with this specific legislative responsibility.
- 5.2. The Home Office has drafted an emergency bill that will clarify that the Regulatory Reform (Fire Safety) Order 2005 will apply to the external walls of buildings' and cover some extra detail on fire doors. This will expand the scope of advice and enforcement activity of Fire Safety Officers on behalf of the Authority.

6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with the implementation of the recommendations set out in this report.

7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications.

BACKGROUND PAPERS

Grenfell Tower Inquiry: Phase 1 Report (October 2019)

Hackitt Report: Building a Better Future (May 2018)

The contact for this report is Assistant Chief Fire Officer, Gary Taylor, telephone number 0121 380 6006.

PHIL LOACH
CHIEF FIRE OFFICER

APPENDIX 1. Phase 1 Overview Report

<https://assets.grenfelltowerinquiry.org.uk/GTI%20-%20Phase%201%20report%20Executive%20Summary.pdf>

APPENDIX 2. Phase 1 Conclusions and Recommendations

<https://assets.grenfelltowerinquiry.org.uk/GTI%20-%20Phase%201%20full%20report%20-%20volume%204.pdf>