Building a Safer Future

Independent Review of Building Regulations and Fire Safety: Interim Report by Dame Judith Hackitt

Following the tragic events of the Grenfell Tower fire on 14 June 2017, Dame Judith Hackitt, a qualified engineer with a strong regulatory background, was commissioned by the government to assess the effectiveness of current building and fire safety regulations and related compliance and enforcement issues, with a focus on multi-occupancy and high-rise residential buildings.

Dame Hackitt’s initial review was released on 18 December. The report is a work in progress, with the final report due to follow in spring 2018.

We have outlined Dame Hackitt’s initial findings below:

+ Better distinction is needed between ‘guidance’ and actual regulations, i.e. approved documents and building regulations;
+ Approved documents should be a single-specification, to avoid confusion of overlapping sections, in particular Approved Document B;
+ Unclear key definitions, e.g., ‘high rise’, ‘persons carrying out the work’, ‘limited combustibility’ and ‘material alteration’, leave too much open to interpretation and should be further defined;
+ Named duty-holders and responsible persons should be identifiable under regulations;
+ Tracking competence, e.g. fire risk assessors’ accreditation, should be led by industry bodies using a joined-up system of assessment of qualifications, to cover engineers, installers and maintainers of life safety systems, fire engineers, fire risk assessors, fire safety enforcing officers and building control inspectors;
+ Statutory competence requirements for state inspectors should be established;
+ Specific licences should be required for different specialisms;
+ Better review and documentation of the development/evolution of the design is needed, to resolve the issue of D&B Contracts leading to a design evolving without being well documented or tested;
+ Timing of inspections should be considered to ensure inspections occur early enough in the process and address the need for approvals pre-construction;
+ Consideration needed of safety systems for whole life of the building;
+ Process for feedback by end-user of the building should be streamlined;
+ Better management of testing of products is needed, in particular products in the context of an entire system, not only individually, and there should be a reduction of the reliance and use of desktop studies;
+ Other jurisdictions and effective methods that are adopted there should be considered;
+ Other regulatory bodies and their legislations should be considered, e.g. CDM Regulations;
+ Different system for high-risk complex buildings should be implemented (envisaged as including multiple occupancy buildings and for which exceptional events could lead to risk of large scale fatalities);
+ Greater industry responsibility for all buildings designed and built to be fit for purpose should be implemented;
Greater accountability and identification of those responsible after construction to maintain the fitness for purpose of the building should be established, particularly in blocks of flats with ‘common areas’ - current legislation (Housing Health and Safety Rating System Regulations 2005 and Fire Safety Order) overlaps, causing confusion. A properly documented handover of the process required to achieve this must be introduced;

Those working on high risk, complex buildings must be required to have a higher degree of competence and expertise;

Regular reviews of integrity of buildings must take place, even if there has been no major change, e.g. fire risk assessments must be undertaken annually;

Focus must be on how to improve, not just how to ‘not make any worse’;

Must not rely on compartmentalisation as there is a high risk of this being undermined; and

Cost of achieving the standard must be significantly less than the sanctions to be imposed;

Next phase of the review

The next phase of work will involve Dame Hackitt considering in more detail earlier responses received from countries surveyed and the commissioning of further detailed information, including quantitative data on fire incidences, casualties and any trends, to help identify where particular systems and/or changes to systems have resulted in genuine improvements to fire safety in high-rise residential buildings.

Research into the regulatory systems of other UK industries relying on a high level of safety, including where large-scale disasters may have led to a comprehensive review of the regulatory environment, will be commissioned. The oil and gas industry (including its response to the Piper Alpha disaster), the rail industry, bridge constructions and food standards may all offer examples of good practice lessons which can be drawn on.

The next milestone will be a summit in early 2018, where key stakeholders, including those from the building industry, fire safety organisations, technical experts, local authorities, housing organisations, landlord and tenant umbrella organisations, and residents, will be invited to attend, which will set the direction and ensure co-ordination of the work that a number of them will be needed to engage in during the spring, in support of the development of the review’s final recommendations.

It is envisaged that Dame Hackitt’s final report will be published in spring 2018.

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