



Fire Safety
Compliance Forum
Thought Leadership Group

Fire Safety Compliance

Best Practice Insights Guide


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Contents

- 
- 03** Introduction
 - 04** 01 The importance of asset data in fire safety compliance
 - 07** 02 Assessing fire risks, competencies and survey regimes
 - 11** 03 Programming, Prioritising and Budgeting
 - 15** 04 Procurement, Perceptions of Quality and Quality Assurance
 - 22** 05 Communications with residents
 - 29** 06 Education and spreading best practice
 - 34** Acknowledgements

Introduction



About the Fire Safety Compliance Forum

The Fire Safety Compliance Forum (FSCF) comprises a diverse group of representatives from social landlords, consultants and contractors, to specialist membership organisations, lawyers, and procurement framework experts - all active in the field of fire safety.

Focusing on fire safety compliance within social housing, the FSCF Thought Leadership Group (TLG) met to share their extensive insights, knowledge and experience. The stated aim of this group is to identify areas where we can significantly improve fire safety compliance practice within this sector.

This best practice insights guide has distilled the wealth of good practice identified by this group, and created key learning points for the parties engaged in social housing fire safety compliance.

About the Best Practice Guide

All content of this guide derives from the practical insights, experience and knowledge of fire safety practitioners from different disciplines. It is grounded in lessons learned from a wide range of social housing projects, building types, resident tenures and professional disciplines. As such, it provides a 360-degree view of issues and a whole team approach to addressing them. Details of the participants of this group can be found in the acknowledgement section to this document.

Background & Desired Outcomes

Following a collaborative series of facilitated online forum meetings and discussions, this best practice insight guide will seek to address;

The importance of asset data in fire safety compliance

Assessing fire risks, competencies required, and survey regimes

Programming, prioritising and budgeting for fire safety works

Procuring works, perceptions of quality and quality assurance

Communicating with residents, resident scrutiny and resident satisfaction

Education and spreading best practice

01

The Importance of Asset Data in Fire Safety Compliance

Where are we now?

“In my experience, data management is one of the biggest problems that housing providers have.”

- Social Landlord

Houston, we have a big problem!

Empirical evidence from forum members suggests that poor management of data relating to fire safety is an epidemic problem. Many providers have little or no data relating to historic stock (over 20 years old), but some experience similar data deserts in newer housing stock too.

Systematic failure

Existing statutory requirements (Building Regulations 2010 – Section 38) to provide information to allow the maintenance and operation of buildings have seemed to have little effect. Despite requirements being included in contracts - and consultants ensuring that this information is made available to housing providers at project completion - there appears to be a lack of any systematic approach to storing and incorporating this information into asset management, maintenance and compliance regimes.

Data storage and format

Some of this challenge may come from the lack of any agreed minimum content or format of data to be provided. Data specifications are rarely included in tender documentation (a cardboard box full of paper manuals, CD's and data memory sticks handed over at project completion are not uncommon). Where data is managed, it is often held on a number of different (unintegrated) systems, making visibility of the whole compliance picture very difficult.

Absence of data creates waste and erodes trust

The hiatus of investigations post-Grenfell - much of which has focused on tower blocks (over 18m) - has identified poor or inadequate fire prevention measures. However, it has also identified the absence of component data and as-built records. This is resulting in replacement of what might be wholly sound and suitable components, because landlords have no data to prove this.

The need to rebuild trust

The very fragmented nature of the sector has led to a fog of unclear accountability. Everybody looked to someone else to be responsible.

“When we think about it, there’s a huge amount of just blind trust that residents placed in their landlords, suppliers and contractors, assuming they knew what they were doing with the building and that they did have all of the information and the data. Now that that’s been exposed, that isn’t the truth. We’ve got a big trust problem today!”

- TPAS

The Importance of Asset Data in Fire Safety Compliance

What can we do?

Learn from other sectors

Lessons could be learned from other sectors that deal with similarly important compliance data. Statutory undertakers will provide a “confidence level” associated with asset data to flag which data may be less reliable and in need of verification.

New regulatory framework

Planned legislation in the form of The Fire Safety Bill and The Building Safety Bill will create duty holders at different stages of the construction process, each passing digital “golden threads of up-to-date Information” required to maintain and operate the building safely. The creation of a building safety regulator will develop better systems of work, progress the safety regulatory framework, and improve the competence and capability (of landlords and building control). The introduction of an “accountable person” and building safety managers within each landlord organisation is intended to clarify accountability for building safety (with associated unlimited fines and custodial sentences as an unequivocal stick). This also includes requirements to communicate effectively with residents and make safety information about their blocks available to them.

Be proactive not reactive

Forum members have experienced a reluctance from landlords to proactively seek to understand the scale of their compliance challenges, instead waiting for the legislation to be passed before reacting to it. Given the apparent lack of current stock compliance data relating to fire protection, this seems likely to create a tsunami of need for invasive fire protection surveys.

Consistency, standardisation, culture change

What is abundantly clear is the need for much greater consistency and standardisation of data management relating to fire safety. Much greater collaboration between landlords, residents, consultants, contractors and specialists will also be needed to embed significant improvements. This will require cultural change as well as regulatory improvements. Adoption of collaborative contracts would be a good first step towards this change.





Recommendations

1

Assess the accuracy and reliability of asset data. Provide a “confidence level” associated with the data to flag any that may be less reliable and in need of verification.

2

Invest time and resource in creating clear and transparent processes and systems to comply fully with the letter and spirit of the new regulatory framework. This includes effective communication with residents and providing transparent safety information about their accommodation blocks to them.

3

Landlords should not wait until all regulatory changes are in place to start work on this, gathering reliable data and improving your compliance culture and communication can start now.

4

Work collaboratively with your service providers to achieve greater standardisation and consistency of data management.

02

Assessing Fire Risks, Competencies and Survey Regimes

Where are we now?

“We discovered in a study that review of FRA’s had not happened in 50% of cases where stock had been improved”

- Social Landlord

Most fires occur in properties

The majority of fires start inside flats, and people who lose their lives, usually do so inside their flats; therefore we need to look beyond just escape routes, travel distances and emergency lighting. As such, Fire Risk Assessments (FRA’s) are often a pre-cursor to detailed surveys.

FRA’s following works to properties

Most social landlords outsource the completion of FRA’s and invasive surveys to a suitably competent person; usually a consultant. Where conversions or extensions are made to existing properties, it’s essential that fire risks and evacuation strategies are reviewed to ensure safety compliance.

Who currently sees Fire Risk Assessments (FRA’s)?

Not all social landlords are proactively sharing FRA’s with their residents, keeping them “for internal use”. Other landlords make FRA’s available on their websites or resident portals - in some cases via QR code tags on their buildings.

There is general agreement that the language used in FRA’s is confusing, complicated and not particularly accessible for residents. Social landlords are cautious about using “fail language”, as it can be very alarming for residents.

Despite these reservations, TLG members felt that landlords should be more transparent in proactively sharing - and regularly updating - FRA’s and action plans. Sharing FRA’s and remedial action plans with affected residents is viewed as essential for social landlords to “re-build trust”. The precise format and language of FRA’s may need to be re-designed to focus on key messaging: Is the building safe? What remedial action needs to be taken? By when? Who is accountable?

FRA specification

There seems to be no standardisation of FRA specification for social housing, with some landlords undertaking type 1 (non-invasive, public area) surveys, while others are opting for more detailed type 4 (invasive, including dwellings) assessments. This variation makes tendering and benchmarking of performance very difficult for all those who are concerned in delivering remedial services consistently.

“I have seen what looks like FRA cloning, which is probably a consequence of lowest price tendering. Detailed FRA’s take time to do properly, and those undertaking them should be afforded sufficient time.”

- Main Contractor



“It depends on whether clients want a contractor or a partner. We are more likely to walk away from a job where we can’t do it properly, if we don’t think it’s being taken seriously, because the implications of not doing the right thing far outweigh any quick buck that you might make.”

Main Contractor

Sharing FRA's with affected residents – the legal position

It’s never been a statutory requirement for registered providers (excepting local authorities) to make FRA’s publicly available. As such, typically, it hasn’t been done. The Building Safety Act will change this, meaning that registered providers will need a “user friendly” front-end service to explain context.

It was noted that FRA’s can only ever relate to risks at a snapshot in time, and this will need to be explained along with the survey process, action plan, prioritisation and accountabilities. Some form of user-friendly reporting format would probably be advantageous in doing this.

Leaping from FRA to remedial works?

Contractors said that they rarely receive a works specification, and in 90% of cases, they will be asked to scope and action a fire risk assessment. Whilst contractors/specialists have a duty of care to report back any previously unidentified fire risks, this is not the best way to achieve programme or cost predictability.

Additionally, contractors reported that, “some clients see this as us trying to make an extra penny, when actually we are obligated to do this”.

Partners or just contractors?

Landlords have found that engaging with contractors/specialists early, as professional partners (as opposed to transactional contractors), can help to improve specifications, produce better outcomes, and reduce both waste and cost.

Partners will provide evidence of their work (often photographic or video evidence), along with explanatory notes about why the work was required (details of non-compliance), ensuring that this data is diligently recorded and uploaded to client systems.

“There is a culture in some exec. teams who are focused on completing identified work – needing to be seen to make progress (uninterrupted by any additional work that has been identified post FRA)”.

- Social Landlord

Assessing Fire Risks, Competencies and Survey Regimes

What can we do?



FRA Competency

The Fire Sector Federation has just produced a 78 page 'Approved Code of Practice', which is a national framework for fire risk assessor competency (see link below).

The Fire Sector Federation Approved Code of Practice

In addition, The Fire Sector Federation has a list of competent companies capable of carrying out FRA's properly.

Competency should include:

- Specific knowledge and skills
- Demonstrable relevant experience
- Adequate professional indemnity insurance cover
- 3rd party certification of training and competence
- Certifying bodies requiring regular Continuous Professional Development (CPD) of assessors

Ideally, FRA's should be quality checked and countersigned by another competent assessor. Prioritised action lists should identify potential risks and their priority, and should also be issued simultaneously with the FRA.

FRA specification

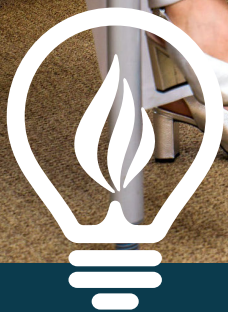
Potentially, a pass/fail format (similar to that on an MOT certificate) would provide greater clarity on the work required and its relative priority. Residents have the right to know what they are paying for. Prioritised action plans should be obligatory, transparent and regularly updated to show current progress.

More education is required across this sector regarding the whole fire risk assessment process and what needs to be included, along with fire strategies and typical remedial issues found in specific building archetypes. This would be particularly helpful to those scoping and procuring FRA surveys.

Involving residents in the whole process of managing their blocks, including the procurement process of professional services, is another way that social landlords can build trust with their residents. Providing greater transparency by including residents also encourages greater accountability of landlords, consultants, contractors and specialists.

Leaping from FRA to remedial works?

An accurate quantified specification can provide clients with a fixed price (or a close estimate) before the work commences. If work is only based on an FRA (particularly if it's a non-invasive one), clients won't know the required scope or what it will cost at the start.



Recommendations

5

Ensure that you engage competent person(s) to undertake appropriate FRA's in accordance with the Fire Sector Federation Approved Code of Practice.

6

Prioritised action lists should identify potential risks and their priority and should also be issued simultaneously with the FRA.

7

FRA's should be shared with affected residents and the format should adopt a "pass/fail format" (similar to that on an MOT certificate). This would provide greater clarity on the work required and its relative priority. Residents have the right to know what they are paying for.

What are the circumstances in which landlords wouldn't proceed with work that's either been identified on an FRA or has been scheduled?

Risk based prioritisation

Social landlords continually face budgetary dilemmas from competing needs for works to their properties. Decisions relating to proceed with or defer works identified in FRA's is based on an assessment of the risks involved. Where low risk works are deferred, it is considered good practice to programme these works for a later date and advise residents about what is being done when, and why.

These decisions are sometimes not helped by "generic" FRA's which identify "theoretical risks" without any detail or verification. Some social landlords had experienced FRA consultants providing blanket recommendations without understanding the context of the accommodation (e.g., recommending installation of door entry systems to all blocks to combat the risk of arson, at huge costs and increased service charges for residents, when there had been no incidence of arson attacks for the previous 10 years).

Prioritisation of works is also hindered by inconsistency of FRA reports carried out by different assessors on a variety of property types. Reviewing the potential impact of inaction sometimes helps decisions regarding prioritisation.

"Faced with a dashboard of red, amber and green actions, some social landlords just want to focus on the reds. This can create a very reactive programming approach, with contractors needing to re-trace their steps, going back to blocks they'd previously been to. This is neither cost effective or easy to deliver, particularly in relation to firestopping."

Consultant

Contractors are often finding that poor information and additional works discovered when going to do scheduled works cause delays to programmes, often increasing pressure on already tight landlord budgets. Multi-tenure blocks can also impact on prioritisation, particularly where landlords are seeking to issue Section 20 notices to seek recovery of fire protection works relating to their properties.

“Landlords are getting better at estimating likely costs, based on known surveys and assumptions with a large dose of contingency. However, in terms of budgeting, they are still robbing Peter to pay Paul.”

- **Consultant**

How do social landlords budget for fire protection works?

Many social landlords don't have a dedicated budget for fire protection works, which are often financed from major works or responsive repairs budgets. Some end up sacrificing their development plans (capital development budgets) to fund these works. Many landlords didn't respond quickly enough post Grenfell, and may have exacerbated their problems by continuing to build in unsuitable products to their developments. In hindsight, they would have been wise to pause and review their current projects when the Hackitt review was first published.

How are programmes being influenced in mixed-tenure blocks?

Some landlords have taken a pragmatic approach, electing not to charge leaseholders for new (fire safe) front doors, even though these sit within the leaseholders demise. Even so, some leaseholders have refused the offer of a free new door, only then to be required to replace their front door for a compliant one at their own expense.

Other landlords have had less success at engaging leaseholders, and would like to see changes in legislation enabling them to take back the demise of the front door so that they can maintain fire integrity in line with fire safety plans.

One landlord took an educational approach with a lone leaseholder in a block, engaging the fire and rescue service and local authority, educating them, and making them aware of the risks that they're putting others under by shifting the guilt burden. Other landlords have also offered loans to leaseholders on an "equity release arrangement" to fund fire related works.

Consultants are seeing programmes of work being delayed by Social Landlord Boards being indecisive about whether or not to charge leaseholders for fire related works. Government funding, such as the building safety fund, is driving a flurry of applications, which in turn has created a hiatus around FRA's, surveys, budgets, and procurement, placing further pressure on the question of whether or not to re-charge leaseholders.

Unclear lease documents which do not clearly state who is responsible for which components/elements is a further risk. Sprinkler and fire alarm systems are a good example of this. Contractors are experiencing delays to fire safety programmes because of landlords carrying out a section 20 process.

Meaningful leaseholder consultation is sometimes the missing link in the planning of successful programmes of work. Social landlord annual budgeting rounds often don't help with the scheduling of the engagement process.

Programming, Prioritising and Budgeting

What can we do?



What are the circumstances in which landlords wouldn't proceed with work that's either been identified on an FRA or has been scheduled?

Take a risk-based approach

A risk-based approach was considered the best way to counter any subsequent challenges or disputes. Any mitigation measures need to be "reasonably practicable". It is important that anything clients are unhappy with on FRA's should be challenged with the FRA assessor, with clear documentation on why a recommendation is being deferred. There must be a clear and coherent paper trail detailing the prioritisation of each action.

Utilise technical insight

Landlords could make better use of technical insight from contractors and specialists relating to how they can get the best value from their budgets. This requires a collaborative approach from all involved.

How do social landlords budget for fire protection works?

Contractors can provide helpful risk profiling advice regarding how landlords' budgets can be most effectively spent. Taking a more holistic view of lifecycle costs of components can improve budget stretching in the medium to long term.

In reality, the scale of this problem is so big, that it will probably take 10-15 years to fully resolve. A collaborative approach is the only practicable way to deal with this, as no one party has all the answers - it's definitely a team game!

Be clear about leaseholder policy and practice before you start

Prior to procuring services, it's essential that a decision about whether leaseholders will be re-charged or not is made.

Prioritising, budgeting and managing leaseholders is a challenging set of tasks for social landlords; collaboration with consultants, contractors and specialists can significantly help with these tasks.

The Leaseholder Engagement Guide – Tpas





Recommendations

8

Always adopt a risk-based approach to deciding remedial works priorities from FRA's, whilst ensuring that any measures are reasonably practicable for the building concerned and its' local context.

9

More efficient budgeting and programming of fire protection works can be achieved with the involvement of the whole project team; work collaboratively with consultants, contractors, specialists and residents to achieve this.

10

Be clear about re-charging policies for leaseholders and your leaseholder engagement plan before embarking on detailed programming and budgeting for the project.

Proactive Leaseholder engagement provides enhanced predictability and risk management.

Methods used by landlords to ensure quality is reviewed objectively in procurement

Use of frameworks

Some landlords elected to procure from frameworks, relying on quality responses already provided during the framework procurement exercise. Particularly during COVID lockdowns, landlords were concerned that contractors had robust policies and procedures for work. They also focused on positive customer relations, good resident liaison and residents being kept informed.

A procurement score split between quality and price of 70:30 was considered most reliable (some organisational procurement standing orders require 60:40).

Assess those that will be working on the contract

Accreditation is best assessed by the qualifications of managers and operatives that will be working on your contract. This also needs to apply to any supply chain operatives who are engaged.

Case studies can demonstrate what may have been achieved in the past, although landlords felt that references should be taken up. A big focus should be placed on evidence and demonstration of things stated in responses.

Landlords are interested in what contractors can offer them on this project rather than too much emphasis regarding what they've done in the past.

Some framework providers believed that their landlord members come to them looking for guidance as they don't actually know what they want. They are often asked; "How can we do FRA works at the cheapest possible price?"

Consultants and contractors felt that many landlords need educating about the requirement to assess what they need to do and why it must be done in a certain way.

Sole reliance on tender submissions can be unhelpful, as sometimes smaller SME's without an experienced bid writer, do have a far better delivery team

Still in a race to the bottom?

Best value rather than cheapest price is essential (but sometimes considered at odds with "Most Economically Advantageous Tender").

Contractors felt that too many tenders still focused on cheapest price, and this "race to the bottom" attitude is killing the industry as a whole.

Lawyers observed that landlord investment in the procurement function (whether internal or outsourced) had dropped considerably. As a result, procurement processes are not as robust as they should be, resulting in poor procurement.



In terms of procurement and quality, landlords must have an idea of what it costs to buy their required products. “There is a cost at which point you can’t fit a compliant fire door”, yet we continue to see processes driven by pricing models that encourage and incentivise us to behave poorly. Ultimately, we have to fix the procurement processes.

For example, breaking price elements of procurement exercises into component parts, is far more likely to highlight anomalies and result in the best balance between quality and price.

Also, recent research (Rebecca Rees’ white paper – “race to the bottom”) has identified how the way in which quality submissions are marked provide disproportionate influence of the cost score, even when 70:30 quality: cost tenders are submitted.

Some procurement exercises are now assessing the cost element of tenders against the median cost, thus minimising the impact of isolated-ultra low pricing.

It was felt that such changes and more flexible arrangements may challenge many landlord organisations, but ultimately, they need to procure more effectively.

Absence of adequate technical knowledge within some landlord organisations is also impacting the quality of procurement. Landlords may have highly qualified procurement professionals who understand the regulations and processes, but have no clue about what they’re actually buying.



Is there a need for creating a link between framework assessment and ongoing framework provider service delivery (transparency of performance measurement throughout the life of the framework)?

As a sector, we're not very good at collating all of that data and information to fully understand how contractors and their supply chain are performing.

There is a commitment to collaboration, innovation and sharing best practice at a framework level, but when it comes to call-off contracts, clients resort to lowest price tendering which perpetuates the race to the bottom.

Framework providers can try to guide and educate clients, but if they're trying to push them down a best value route when they just want the cheapest cost, they'll just go to another framework provider that will provide them with exactly that.

Some providers won't bid for projects they feel will be sub-economical on the principal that we shouldn't put people's safety at risk, and we know that solely accepting a lowest price has created significant problems over the past 10 years.

Supply chains will not work on ill-thought-out projects where there is a race to the bottom. There is such a glut of work available at the moment, they are picking those projects that are well thought out.

Very few frameworks measure performance throughout the life of the framework, even if they start with that intention. Therefore, clients using those frameworks don't know if suppliers are failing, and failing to deliver doesn't seem to get dealt with.

The current lack of standardised KPI's across the sector makes comparative performance management difficult for landlords.

The fire safety industry has always had third party certification, monitoring and surveillance for products, but nothing similar for installations.

Post Grenfell, the sector has re-focused on quality of the works. This has led to a return to the Clerk of Works being engaged (they haven't been seen for years).

Work overload of suppliers is another inhibitor of quality. Some members of frameworks with 29 service providers on have seen the top (cheapest) three or four service providers bidding 3%-4% below an achievable threshold, being inundated with the volume of work being received. Subsequently, they are failing in delivery as a result.

Another challenge faced by many smaller high-quality providers is that they do not have professional bid teams who know exactly which boxes to tick to win bids, but are able to provide high quality workmanship on site.

Good client contract management is key to successful project delivery, but is something that some organisations struggle with, particularly smaller organisations who don't always have the resources to actively manage contracts.



Are planned fire protection works independently checked by accrediting bodies (or anyone else) in client organisations?

The certification bodies do some checking of contractors' completed works, but they tend to lean towards checking records, along with ensuring that installers are correctly trained and have the right qualifications.

The system needs to be better. There needs to be more independent checking across the board.

Timing of checking is critical; work must be checked as it progresses. There is little value in having a check a year after the work has been completed, only to find work has not been done correctly and needs to be re-done.

We anticipate that The Building Safety Act will bring much more rigour to the processes. The requirements on the duty holder, principal designer and building safety manager will also require some proactive inspection process.

A lot of fire safety work has been carried out by FRA's or UKAS accredited companies which is self-certified. Consultants are only doing additional checking when asked to do so by clients, and many clients choose not to spend additional fees to consultants, but instead rely on certified companies that are capable of carrying out the work.

Clients will not necessarily know when projects have been inspected by accrediting bodies as they are coordinated between the subcontractor and the accreditation body. 9 out of 10 times, the client won't even know that an independent check has been carried out.

Some delegates have experienced a 300% increase in insurance premiums and leaseholders suddenly receive a bill of £3000 - £5000 a year for their insurance. All of these organisational and individual concerns need be addressed through proper certification, thorough systems and reliable, accessible technology.

Some clients said they carried out inspections to 10% of installations, undertaking more if they find recurring problems. They also carry out impromptu inspections post completion and carry out a "mini FRA" again once the work has been completed.

One client described that there is also a rigorous process pre-construction to ensure that they're doing the right things. This involves other stakeholders, such as the fire brigade, building control and various residents groups.

Multiple delegates have experienced recent legal contracts that are completely unworkable, asking for levels of insurance cover that are simply unavailable commercially. There needs to be a "re-education" of some legal advisers who are seeking to achieve a utopian risk-free position for their clients that does not exist in the current world. Worse, these negotiations can take weeks and months, so you just get into a "Groundhog Day situation".

Procurement, Perceptions of Quality and Quality Assurance

What can we do?

Methods used by Landlords to ensure quality is reviewed objectively in procurement

You should obtain specific method statements that detail how contractors will implement your works.

Interviews provide an opportunity to gauge the competence of those supervisors/operatives that you'll be working with. Satisfactory performance should be judged against what contractors promised to do. Anonymity of tenderers provides an extra measure of objectivity when submissions are being marked.

This is a market that's got significant workload at the moment, and there is limited capacity, therefore when procuring large volume contracts, monitoring the capacity and quality of the proposed supply chain is essential.

The nature of planned fire works makes precise scopes difficult to quantify definitively, therefore more two stage or negotiated tender processes are likely to result in greater quality, greater transparency of risk and cost predictability.

Transparent performance measurement

It's important to make sure that performance KPI's are written into the framework so those that are bidding for that framework know they are committing to meet those KPI's throughout the life of the framework.

We need to educate boards of housing associations and local authorities that focus solely on cheapest price, that they have created these problems and they need to change this way of thinking.

From the perspective of contractors and suppliers, delivery is about safety, but it's also about reputation. Quick win and cheapest price tactics are not synonymous with good reputation. Providers need a proven focus on safety, customer engagement, and customer care to create a long-term sustainable business going forward.

There will never be any doubt about the quality of installation if service providers can demonstrate what they've actually done, including photo and video surveys post completion.

A quality driven regime has checking hold points at key work stages, where everyone has a chance to inspect before moving onto the next stage

Too much focus is placed on how projects are priced pre-construction, and very little attention is paid to the ultimate overrun cost, which is invariably higher. Perhaps frameworks should consider measuring cost predictability and service quality as lead KPI's?

Inadequate supply chain capacity can also be an indicator of poor contract performance. Framework KPI's should include a disclosure of how much work a supplier is undertaking on the framework (and preferably outside of the framework too). It's up to all of us to take responsibility for making this work.



Independent checking of works by accrediting bodies and client organisations?

This sector needs to make greater use of technology to provide clients with the assurance they need. This may require some investment on their part too. This might also be a way of calming inflated insurance premiums for those clients, consultants and contractors involved.

One contractor believed there is a need for more supply chain supervision. They have even gone to the lengths of employing their own Clerk of Works. "We can't afford to get it wrong," said the contractor, "we simply can't afford the risk to life and limb, reputational damage and financial cost."

There needs to be a tightening of controls around quality; we need to invest in relevant training, and if there is sub-standard work, we need to find it and put it right!

The whole issue of client assurance needs a re-think, and clients are beginning to realise that this is a long-term problem. Providing photographic/ videographer evidence and site inspection sign offs at key stages will provide the golden thread for the life of the building.



Recommendations

11

Procuring landlords must have a good idea of the cost of what they are buying if they are to deter undeliverable tenders which perpetuate “a race to the bottom” mindset. Procurement exercises should include scrutiny of the managers and operatives who will be doing the work, including their qualifications, experience and competence (whether directly employed or subcontractors).

12

The nature of planned fire works makes precise scoping of works difficult and prone to variation.

Adoption of a two stage or negotiated tender process is likely to result in greater transparency of risk and predictability of outturn cost.

13

To enhance client assurance regarding quality of work, landlords should insist on digital images recording completed work, coupled with independent key stage site inspections. Any contractor worth their salt will welcome this affirmation of their competent installation.

How are fire safety measures systematically communicated to residents?

Colne HA have a resident safety booklet which details all safety information, including data on gas checks, electrical checks and fire safety information. They also display a poster in the public areas at the end of each fire risk assessment. This lists the works that were carried out - or need to be carried out - contact numbers and responsibilities.

Eastlight HA are trying to roll out something similar, but in a more simplified format (“we don’t want to list 10-20 actions that may terrify the residents”). They set out obligations and details of when the survey was done. They also display infographic posters giving general fire safety information for all blocks, covering all the bases inside and out. They are also developing their virtual presence, eventually hosting all of this information online. QR codes on the blocks provide links to the landlords’ website.

Landlords tend to say retrospectively “we’ve been here, here’s the information,” as opposed to “we’re coming next week, this is what we will be doing.” Communication with residents has probably been the weakest part of most housing providers’ service. Because much of the information around fire safety is quite technical, and difficult to explain, it’s often considered easier just to get on with doing the work and confine communication with residents to simple statements such as, “we’re coming to your building to do this work”.

Not much informal advice sharing relating to fire safety happens during day-to-day activities - although the Fire Service have produced some great leaflets for fire safety in the home.

Communication is key

Most landlord complaints about anything to do with fire safety are usually rooted in poor communication. Landlords haven’t been overly forthcoming about sharing information about their buildings. Enshrining this requirement in legislation is considered a good thing.

One housing group has now got a team of Resident Liaison Managers (RLM’s) within their asset management directorate. They are starting to improve the way they communicate with residents, doing online resident meetings four times a week (between 4.30 and 6.00pm to encourage greater participation). Key to the success of these meetings is allowing residents to ask questions of the group, cementing the trust re-building process.

Some landlords have been very concerned about frightening residents. This has the potential to lead to prosecution and reputational damage in the media from fearful residents reacting to perceived risks from technically focused FRA’s.

The recent trends towards closing local housing offices on estates in favour of online services may have made many residents feel that their landlords are less accessible.



“Why should we talk to you now? You never did anything last time we shared our concerns.”

- Social Housing Resident

Obstacles to effective communication with residents

In Tpas’ experience, some of the most common obstacles to effective Landlord communication with residents include:

- Recognise that fire safety is a relatively new topic for landlords and residents (nobody talked about fire safety prior to Grenfell), so there is a knowledge gap for many.
- If residents have felt unheard by their landlords in previous years (particularly in relation to repairs)
- Relying on displaying information in common / communal areas is not always an effective strategy. If common areas are not nice, or are problem areas then those messages will not be seen as residents won’t want to spend time there.

Re-visiting or restoring faith in stay-put fire strategies

One of the biggest communication challenges facing many landlords whose multi-occupancy properties rely on a stay-put fire strategy, is convincing residents to comply in the event of a fire (much of this stems from the much-publicised failure of the stay-put policy at Grenfell Tower).

Alternatively, this means re-visiting the fire strategies for accommodation blocks to facilitate safe evacuation, which is no small feat.



Who should be accountable for making sure that residents' voices are heard, particularly around decision making?

It's the accountable person

Under the proposed legislation, the accountable person will be legally responsible for making sure that residents' voices are heard. However, as yet there has been little definition of the role. How senior should they be within their organisation? What qualifications/capabilities will they need? Requirements are rooted in consumer standards, so will they need experience with consumer rights? It is assumed that they will need some degree of technical knowledge and understanding, but are technically trained staff always the best communicators?

It's the board

Boards are ultimately responsible for their organisations and the appointment of the accountable person; therefore, they must be accountable.

How ready or capable are board members to deep dive into technical detail where necessary? Messaging from CEO's and the executive team is key! Do boards, executive teams and non-executive directors need training, knowledge and awareness raising?

It's everyone's job

These changes cannot work in isolation, health and safety is everyone's responsibility.

Resident involvement and feedback is key, they are the eyes and ears of the organisation. Eastlight HA have set up a Residents feedback group which is working well.

Involving residents in procurement of services, scrutiny panels and feedback groups are all good ways of reinforcing the importance of resident engagement.



How important is social value in procurement of planned fire protection works? Who should benefit from it? What form should it take?

Compliance first, social value second

Social value in planned fire safety contracts is no different from social value in any other form of contract.

Some thought that education, in the form of explaining about fire safety to residents, should not be delivered as social value, as this was considered a 'cop-out' on the part of landlords who should be doing this anyway.

On compliance projects, most landlords considered the main focus was to procure competent, experienced contractors who could quickly commence the works. Social value was very much a secondary consideration, although many contractors have been very willing to engage, providing training courses in topics such as resident liaison.

Everyone should be aware that nobody provides social value for free. Programmes of training, apprenticeships and employment will also not necessarily directly benefit the residents of blocks being worked on.

Face painting and community days are of little real value and were done because they are easy to do and to measure. What would be truly beneficial, is training for landlords and staff.

The impact of procurement

The way in which most procurement models evaluate social value encourages bidders to commit to the options that will maximise their score. In many cases, landlords have little or no awareness of whether or not those high scoring social value options will benefit the local community.

There is a concern that in some instances, landlords seek to use social value commitments to provide work that they are obliged to provide, for example, the provision of storage for bikes, wheelchairs and motorised wheelchairs in communal areas.

Resident involvement in procurement of services is another way of meaningfully engaging residents in the services that directly affect their homes.

What residents want most, is for fire safety work to be completed competently, speedily and with as little disruption as possible so that they are left safe in their homes.

Education for all is of major importance

Education of residents regarding fire safety matters is beneficial to both them and the landlord. Understanding what intumescent strips are for, along with the importance of closing fire doors when exiting a building, needs education.

It is important for residents to understand that they too have a responsibility for keeping their building safe, and should know who to report problems to.

Communications with Residents

What can we do?

How are fire safety measures systematically communicated to residents?

In reality, we can't manage fire safety in blocks without the help of those people who live there. Communicating with them, and explaining why we need to do the things we do is key.

Trust isn't going to be re-built with residents with less communication; landlords need to start being more open, sharing information and being prepared to explain it to residents to re-assure them.

Providing accessible digital information

Providing "standard information" on the Landlords website has a number of advantages:

- Posting an FAQ section means you don't continually need to answer the same questions
- Call centre staff are then able to provide a consistent and accurate response to enquiries

FRA's can be published with guidance which can explain:

- This is what an FRA is
- This is why we do them
- This is how we do them

There are a range of ways to communicate with residents, and the most successful communicators use all of them:

- Personalised letters
- Personalised contact with people
- Video message boards in high rises
- QR codes and digital information online
- Holding meetings at times convenient to them (not the landlord)

Taking the time to explain how compartmentation saves lives, and how attempting to evacuate can cost more lives through smoke inhalation is an important part of the resident (and staff) education process.

Understanding the importance of closing fire doors when evacuating, and how this could save the lives of others is also important information that needs to be shared with residents.

This is potentially further complicated during works to blocks where temporary works may impact on fire strategy - all of this needs to be communicated to residents and it can be complex.



Who should be accountable for making sure that residents voices are heard, particularly around decision making?

It's the board

How ready or capable are board members to deep dive into technical detail where necessary? Messaging from CEO's and the executive team is key! Do boards, executive teams and non-executive directors need training, knowledge and awareness raising?

It's everyones job

Staff and residents must be prepared not just to walk by, but report when things are not right. It is important they feel empowered to ask those difficult questions, and not give up until a satisfactory response has been provided.

Accountability is also about feeding back what action has been taken as a result of resident feedback. Building trust by highlighting good practice via awards is also a positive way of rewarding positive behaviour.

How important is social value in procurement of planned fire protection works? Who should benefit from it? What form should it take?

The impact of procurement

The guidance in government procurement note PPM0602 provides some structure and guidance around priority areas of focus for public procurement, these are:

- The zero carbon agenda
- Ensuring that procuring bodies have sufficient capacity and capability to procure effectively and efficiently (i.e., are clear about what they are procuring, why and how)
- Social Value

Education for all is of major importance

The most beneficial tactic might be providing fire safety training throughout organisations, from boards and executives, and throughout the whole organisation and residents. This would increase awareness and encourage more ownership from all parties.



Recommendations

14

All parties involved in planned fire works must recognise the breach of resident trust that post-Grenfell investigations, FRA's and fire component inspections have created. A concerted effort for landlords to provide pro-active communication with all residents, transparency of information and genuine resident engagement are all key to re-building trust relating to fire safety.

15

Persistent, clear and authoritative programmes of resident education will be required to restore resident faith in the safety of "stay-put" fire strategies. Resident behaviour in the cases where a fire occurs could ultimately determine their life or death. All parties concerned with fire safety have a duty to reinforce the consistent message relating to fire strategy for the building to result in lives being saved.

16

Boards of landlords must be aware, informed and capable of holding their executives and managers to account regarding the planning and implementation of all aspects of fire safety compliance. This may require them to undergo specific training, in order to ensure they comply with forthcoming legal obligations.

Who would benefit most from education and training relating to fire protection?

Everyone can benefit to different levels of understanding. **Clerks of works** could benefit from technical training and resident liaison skills. **Resident liaison officers** will have the most direct contact with residents and are therefore pivotal to this. **Operatives carrying out maintenance work** – for example, a carpenter fitting an addition lock to the front door may unwittingly compromise the fire integrity of the door.

Perhaps the starting premise ought to be that **everyone who has anything to do with the building** needs to know the basics around fire safety (like fire safety briefings on plane flights).

Design consultants need to be aware of the fire implications of their designs. For example, a consultant designed and specified a new lift, taking no account of fire protection barriers breaching the fire compartments at each floor level on a new build property.

Residents need to understand the potential consequence of their actions/inactions for the fire protection of the building, e.g., fire doors propped open and rubbish being left in corridors. Providing education will ensure they understand what actually happens in a fire and how their actions can contribute to it. Residents' confidence in safety measures and trust in those providing them could be helped by myth busting.

Maintenance operatives and installers – such as aerial installers - need to understand the importance of maintaining compartmentation integrity. Also, any people moving in and out of buildings frequently such as caretakers.

Customer service centres – All those who advise residents need to have a good understanding of what they are advising (and why).

Boards need to understand what they are signing off and the practicalities of the policies they are applying. They also need to appreciate the importance of proper budgeting for fire safety works and the risks of not doing so. There needs to be a relentless focus on cultural change.

Social landlord surveyors that project manage and oversee projects.

Procurement people must understand what services they are buying, along with the impact of lowest price procurement, and true costs. They must also understand market capacity and capability.

Main contractors at leadership level need to treat fire safety measures with the same seriousness as other health and safety issues. **Installers** need to be competent – not all are properly trained. **Other trades** must understand the importance of compartmentation and not breaching it.

Competence is difficult, because regulations are different for new build and existing buildings.

It's not just about training – experience is also needed to put theory into practice

“What is best practice? You could contact 5 different providers who would give you 5 different perspectives on what best practice is.”

- **Social Housing
Landlord**

Best practice, how do we record and share it?

What is best practice? PAS 79 was issued as a best practice template for FRA's, but quite soon it was realised it was not suitable (and has taken ages to be published). Government advice is unclear and limited. Currently we have no benchmarking data collected for fire related works. None of this helps to identify and share best practice.

We should be recording good practice where we recognise it – certainly engaging tenants would be a good place to start. Getting tenants to share their fire safety-related experiences with other tenants could be invaluable.

Adopting the recommendations in the construction playbook as a procurement methodology would be a step in the right direction in supporting demonstrable high-quality processes and a more engaging culture.

Focus should be on common pitfalls, common challenges and how to avoid them, good practice in dealing with challenges, case study examples, evidence from examples, linking case studies to a particular systems failure

Punitive regulatory regimes and fear of litigation have inhibited people admitting that they have got things wrong. These measures can stifle learning and progress.

Key lines of enquiry similar to those services previously performed by the Audit Commission provide a useful springboard for improvement by highlighting what wasn't acceptable.

Collaborative contractual arrangements allow/require meaningful benchmarking and improvement for all providers. When properly managed, this will result in the continuous improvement of service provision for landlords and their residents.

Sharing learning at conferences can be a good way of submitting your views of best practice to peer review. Nobody wants to share their bad news stories – is there a place for an anonymised lessons learnt library?

Collaborative arrangements need driving, managing and facilitating by an independent party, or things just don't happen.

“We need more consistency of training – everyone is doing their own thing”.

- **Landlord**

How should we measure competence?

Start with general awareness training – for all staff. We need more consistency and uniformity of recognised competence; everyone is currently doing their own thing.

Fire risk Management is very much about managing risk and there are lots of ways to do this, not just one prescriptive way. What people really need is the ability to identify the problem(s), examine potential solutions and determine the best solution. It’s not just about following rules. It’s also about critical thinking, broadly and flexibly.

Competence needs to be relative to role and responsibility. Lack of experience is the biggest issue (not necessarily technical competence). Competence goes wider than those directly involved in service delivery – procurement staff need to understand what they are procuring too.

There is a significant lack of people who have the right skills, qualifications and experience – there is an under-supply in the marketplace. There is also a backlog of repairs, remedial works and FRA’s as a result of COVID. Resident liaison staff are at the front-line and need to be well-informed. A broad matrix of skills is required at all levels. Improving consistency of approach, standards and assessments is the right place to start

Competence is knowing what you don’t know.

We need to overcome the embarrassment of making mistakes or else we will never have the opportunity to learn from them. Flagging up fire safety near-misses so that trends could be spotted and best practice could be improved through KPI’s and/ or benchmarking would be beneficial

A single (Govt. recognised) entity that is the acknowledged authority for fire safety (rather the very fragmented collection of organisations that currently exist) would be a huge step forward towards standardisation.

Education and Spreading Best Practice

What can we do?

Everyone can benefit from awareness raising and a greater understanding of fire safety principles and practical fire safety measures. Sharing this information needs to become part of our culture. Whether addressing residents, maintenance teams, clerks of works, surveyors, consultants, main contractors or specialists, all should be regularly briefed and updated about the fire safety of buildings they live or work in.



Landlord boards need to understand the leadership role they have in prioritising fire safety in the same way that they do for other compliance services (such as gas safety, electrical safety and safety from legionella). This means allocating resources not only for fire safety works, but also for training for their residents, their staff and their supply chain partners.

We need a common understanding of what best practice is and how we can replicate it. Provision of clear, independent government advice (as was provided when the BRE was government funded) would be welcomed. In the absence of this, followed Approved Codes of Practice (ACOP's) and recommendations of professional fire safety bodies are prudent.

Adopting the recommendations in the construction playbook as a procurement methodology would be a step in the right direction in supporting demonstrable high-quality processes and a more engaging and collaborative culture.

Creating a safe environment where parties can share and learn from each other's mistakes and near-misses without fear of litigation, would be a significant step towards promoting a continuous improvement culture within the sector.

Creation of a fire safety competence matrix which identifies what knowledge and experience is required for different roles involved in fire safety compliance. It is acknowledged that not all roles will require the same level of competence.



Recommendations

17

The social housing regulator should require social landlords to give fire safety compliance the same level of audit scrutiny afforded to other statutory compliance inspections, such as gas safety and electrical safety. This should include what training has been provided relating to fire safety compliance throughout the organisation.

18

The procurement principles and practice outlined in the Construction Playbook should be adopted by all social landlords in their procurement of fire safety works to promote the high quality, collaborative approach necessary for efficient operations.

19

The creation of an industry-wide forum where good practice, challenges and mistakes can all be shared in a safe environment, and where measurement of quality and performance through anonymised benchmarking will allow all participants to continually improve their performance by learning from others.

20

A cross-sector, industry wide group should co-create a comprehensive competence matrix for all roles involved in fire safety compliance (either directly or indirectly). This should include not only technical competence and appropriate experience but also “softer skills”, such as effective communications and empathy.

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