

Introduction

Following the tragic events of the fire at Grenfell Tower, both the inquiry into the fire and the independent Hackitt Review of the deficiencies of the building regulatory framework for high-risk residential buildings revealed a number of deep-rooted and unpalatable truths about the current state of the UK construction industry. Dame Judith Hackitt was scathing in her assessment of the construction industry describing it as *“an industry that has not reflected and learned for itself, nor looked to other sectors”*. She defined the four key issues that underpinned the systemic failure as ignorance, indifference, lack of clarity on roles and responsibilities and inadequate regulatory oversight and enforcement tools. In Hackitt’s view, these four issues combined to create an inherent cultural problem within the construction industry, resulting in what she denounces as a ‘race to the bottom’.

Clearly, as an industry, we need to change our practices and behaviours to prevent a similar tragedy from reoccurring. The main objective of this book is to set out the changes required, why they are required, how they are to be achieved and the progress towards them to date. Implementation of these reforms will move us from the conditions that allowed the fire at Grenfell Tower to occur, to a system where construction professionals take greater responsibility for the safety of residents in their buildings.

Reform on this scale certainly requires new legislation but it must combine with a significant culture change in the industry and increased levels of competence for all those operating within the sector. The UK construction industry needs to begin the change process immediately. The scale of the change required is so far-reaching and so urgent that the need for this book is also immediate rather than waiting for the draft Building Safety Bill to be enacted or for Phase 2 of the Grenfell Inquiry to be completed.

This book is not a substitute for reading primary source documents such as the Final Hackitt Review or the draft Building Safety Bill, but rather provides an overview of how the movement towards implementing a new building safety regime has unfolded over the last three years and details what still needs to be done if residents are to feel safe and be safe in their own homes.

The book comprises six chapters which can be summarised as follows:

Chapter One: The Grenfell Tower Fire

The opening chapter examines the refurbishment works and changes made to the original tower at Grenfell, including the installation of a new external cladding façade system to improve the energy efficiency of the building. It explains how the outbreak of a standard fire in a fridge-freezer of one of the residential flats allowed flames and smoke to escape into the external cladding façade system with disastrous consequences

The chapter also explores the findings of phase one of the Grenfell Inquiry and the evidence presented to date in phase two of the inquiry, exemplifying the overall systemic failure within the UK construction industry that ultimately led to the tragic fire at Grenfell.

Chapter Two: The Hackitt Review

This chapter centres on Dame Judith Hackitt's independent review of building regulations and fire safety. The review has a specific focus on the application of building regulations and fire safety to high-risk residential buildings and the need to provide assurance to residents that the buildings they live in are safe and will remain safe. Hackitt published an interim report in December 2017 which concluded that the current regulatory system for ensuring fire safety in high rise and complex buildings is not fit for purpose and that a radical overhaul was required of the culture of the construction industry and the effectiveness of the regulators.

The final review, which was published on 17th May 2018, is explored in depth including the review's objective to address the systemic failure through a new regulatory framework for the construction and management of high-rise residential multi-occupancy buildings. Criticism of Hackitt's Final Review is also explored as is Dame Hackitt's response to that criticism.

Chapter Three: The Government Response and the Draft Building Safety Bill

Following the publication of the final Hackitt review, the Government accepted all its findings and the 53 recommendations of the review. In December 2018, the Government published an implementation plan, setting out how they proposed to take forward these recommendations. The key proposals in the plan set out a stronger, more effective regulatory framework, with defined risk ownership, clearer guidance on building standards and better engagement with residents, giving them

a stronger voice. The end goal was to create a paradigm shift in culture across the construction industry. In June 2019, the Government published and advertised the “Building a Safer Future” consultation which set out how the necessary long-term reform could be achieved. The results of this consultation were published in April 2020 and, at the core of the proposals, is a new stringent regulatory regime for higher-risk buildings, which forms the framework for the draft Building Safety Bill. Chapter Three provides an explanatory commentary on the draft bill and details how the new Building Safety legislation proposes to introduce accountable duty-holders and three ‘Gateways’ to ensure that building safety risks are considered during the planning, design and construction processes. The requirement to create and store a ‘golden thread of information’ using a digital platform and maintain it throughout the lifecycle of a building is introduced in this chapter. Finally, Chapter Three considers how the residents are to be placed at the heart of the process in order to provide them with a voice that is clearly heard.

Chapter Four: Competency Frameworks

This Chapter describes the work of the Competence Steering Group [CSG] and the twelve working groups that were formed to *“to come up with a blueprint to improve competence for those working on higher risk buildings and drive a culture change right across the industry”*. The chapter describes the new regime as defined in the “Setting the Bar” report which puts in place a comprehensive framework of competence standards on an individual sector basis, supported by third-party assessment for both individuals and companies and corresponding third-party accreditation of those who are charged with undertaking the assessments. The chapter also examines the report’s proposal for an overarching system of competence which includes a new competence committee sitting within the Building Safety Regulator, a national suite of competence standards and independent assessment against these competence standards. The implications of the final report produced by the CSG’s Working Group 8, entitled *“Safer People, Safer Homes: Building Safety Management”* are also set out in Chapter Four.

Chapter Five: The ‘Golden Thread’ and Traceability

The Hackitt review recommends a very clear model of risk ownership, with transparency of information and an audit trail available all the way through the life-cycle of a building, to provide reassurance and evidence that a building was built safely and continues to be safe in occupation. An important component of this audit trail will be the creation of a digital record to create ‘a golden

thread of information' specific to each higher-risk building The Hackitt review also highlights confusion over product labelling as a contributory factor to fire safety systems being compromised and recommends that the digital record should also be used to provide product traceability. Chapter Five explores the different types of digital technology that can be used to support both the 'golden thread of information' and the traceability of building products.

Chapter Six: Three Years On

The final chapter tracks the practical progress that has been made towards ensuring residents of high-risk residential buildings feel safe and are safe in their homes. The chapter opens with a review of the independent expert advisory panel set up to provide advice and make recommendations to the Secretary of State for Housing, Communities and Local Government on urgent building safety measures that should be carried out to high-risk residential buildings with Aluminium Composite Material external wall cladding. The chapter covers the unintended consequences of the panel's much-criticised 'Advice Note 14' for the valuation of flats in high-risk residential buildings, as many valuation surveyors take the position that, if compliance with the advice document cannot be demonstrated, then all flats within that building will have a valuation of £nil. The industry's response was to produce the EWS1 form which was intended to unblock the market. However, this aim has not been achieved and the final chapter details why the EWS1 form is failing and sets out alternative ways of restoring confidence within the market.