

GRENFELL TOWER INQUIRY

MHCLG POSITION STATEMENT ON ACTIONS TAKEN TO ADDRESS PUBLIC SAFETY FOLLOWING THE GRENFELL TOWER FIRE

This statement is provided on behalf of the Ministry of Housing, Communities and Local Government (MHCLG or the Department) in response to the Inquiry's request dated 21 September 2018, asking the Department to serve on the Inquiry a position statement describing in reasonable detail the actions it has already taken to address questions of public safety raised by the Grenfell Tower fire, the rationale behind them, and any further steps which they currently plan to take.

Annex A provides a list of the senior staff working on the Building Safety Programme. Annex B is a factual timeline detailing the work of the Building Safety Programme.

Summary

1. A comprehensive Building Safety Programme was put in place in the Ministry of Housing, Communities and Local Government within days of the Grenfell Tower Fire to ensure that residents of high-rise blocks of flats are safe and feel safe, now and in the future.
2. Acting on advice from experts, the Department identified the presence of combustible Aluminium Composite Material (ACM) cladding on high-rise buildings, similar to the type present on Grenfell Tower and in contravention of existing Building Regulations and guidance¹ as a key fire risk and put in place a series of screening tests and wider wall system tests to help building owners identify whether they had unsafe ACM cladding.
3. The Department has identified 457 high-rise buildings with unsafe ACM cladding and provided clear evidence-led information and advice to building owners on the steps they should take to make their buildings safe. Advice has been extended to cover other types of cladding and other safety issues as they have arisen.
4. Fire and Rescue Services have visited all of these ACM-clad buildings to ensure interim safety measures are in place and the Department is monitoring their longer-term remediation. Fire and Rescue Services have also increased the number of fire safety visits they are making across the wider stock of high-rise buildings in the country.
5. The Department is providing an estimated £400 million to pay for the removal and replacement of unsafe ACM cladding on social housing sector high-rise properties owned by local authorities and housing associations, and has been working with developers and building owners to ensure such cladding is replaced on private sector blocks, and that leaseholders are protected from the costs.

6. Where other issues have been identified, such as failures in the fire door industry, or historical structural problems in Large Panel System buildings from the late 1960s and early 1970s, the Department has moved quickly to ensure people are safe, working with industry to ensure swift action is taken on sub-standard products, and advising building owners of the steps they should take.
7. The Government commissioned an Independent Review of Building Regulations and Fire Safety, led by Dame Judith Hackitt, which reported in May 2018. The Review found that the regulatory system was not fit for purpose, and recommended reforms for the future. The final report from the review was published on 17 May 2018.
8. The Government agrees with the Review's analysis and has committed to bringing forward legislation to deliver meaningful and lasting change – giving residents a stronger voice in an improved system of fire safety, overseen by a more effective regulatory framework, including stronger powers to inspect high-rise buildings and sanctions to tackle irresponsible behavior.
9. In reforming the system, the Department confirmed on 1 October 2018 that it will ban the use of combustible materials on the external walls of high-rise residential buildings. The ban will also apply to hospitals, care homes and student accommodation over 18 metres.²
10. In the Social Housing Green Paper, the Department has also set out proposals to give social housing residents greater control over their homes and their lives, including making it easier for residents to raise complaints, ensuring tenants' voices are heard and giving the regulator real enforcement powers when things go wrong.
11. The Department will publish its full plans for implementing a new system of fire safety in late 2018 and will continue to develop this as the Inquiry proceeds.
12. The Department looks forward to receiving the Inquiry's interim and final recommendations and will consider its programme in light of these to ensure it is fully taking on board lessons from the tragic events at Grenfell Tower.

Introduction

13. While the cause of the tragic fire at Grenfell Tower and its rapid spread requires thorough investigation, it was immediately observable and clear that the external cladding had created risks to fire safety. The Government took immediate action on the same day as the fire to begin a programme of work to ensure that the existence of other similar risks was identified and acted on swiftly. The programme continues to ensure that progress is being made in remediation as well as continuing to provide support to building owners and implementing reforms to building regulations and guidance. It will continue to consider all recommendations and expert advice to make sure that building safety continues to improve over the coming months and years.
14. In addition, as part of the Government's immediate emergency response MHCLG had staff on the ground to assist in the immediate aftermath of the tragedy. An absolute priority for the Department was – and continues to be – to ensure the bereaved, survivors and wider community receive the support they need. This includes financial and practical support, as well as making sure the survivors are provided with a permanent home on the same terms as before. The Department established the Grenfell Tower Victims' Unit to act as a single point of contact of access into Government and to support the Grenfell Victims' Minister. The Secretary of State for Housing, Communities and Local Government chairs a Ministerial Recovery Group to coordinate cross Government activity, and to monitor, challenge and support the Council in delivering services to the community. More information on the immediate response will be included in the Department's statements relating to Issue 13 ("the aftermath") in the Inquiry's List of Issues.
15. This paper sets out the work undertaken by the Department as part of its Building Safety Programme since 14 June 2017. It explains:
 - a. How the Building Safety Programme was set up in the Department, the leadership and support put in place and its objectives (p4).
 - b. Steps taken to identify unsafe buildings with Aluminium Composite Material (ACM) cladding and ensure that immediate measures were put in place to make them safe (p8).
 - c. Steps taken to ensure that buildings with unsafe ACM cladding are being remediated to make them safe for the future (p15).
 - d. How other building safety issues have been identified and are being addressed (p20).
 - e. Steps taken to address problems with the wider building safety system (p25).
 - f. Actions being taken to reform and improve the wider building safety system for the future (p28).
 - g. Further steps for the programme (p31).

A. How the Building Safety Programme was set up

16. The Department started acting on potential public safety issues on the same day (14 June 2017) as the Grenfell Tower fire and had established a Building Safety Programme (BSP) within days. A Director (Neil O'Connor) was appointed to take forward this work on Friday 16 June 2017 and a Director General (Tamara Finkelstein) was in post to oversee the programme by Tuesday 20 June 2017. Additional staff were transferred from elsewhere in the Department and from other government departments to work on the programme, bolstering the existing team which had responsibility for building regulations. By the end of July 2017, there were 58 people working on the programme, rising to 87 by mid-November 2017 and 136 by September 2018.
17. Tamara Finkelstein led the work at Director General level until March 2018. Since then, the work has been led alongside the wider Housing portfolio in the Department. It is currently led at Director General level by Jeremy Pocklington (since September 2018). Neil O'Connor, Andrew Pattison and James Hood currently lead elements of the programme at Director level.
18. Ministerial oversight has been provided throughout by the Minister of State for Housing, currently Kit Malthouse MPⁱ, and the Secretary of State for Housing, Communities and Local Government, now the Rt. Hon. James Brokenshire MP.ⁱⁱ
19. The programme has direct input from the Home Office and has worked closely with other government departments and the devolved administrations as necessary, to draw on relevant expertise and share lessons learned. During the programme's development, including as the programme was set up in June 2017, the Department submitted its plans for scrutiny and regular review by the Cabinet Office's Infrastructure and Projects Authority (IPA).

Programme aims

20. The advice and external expertise received by the Department from a wide range of experts and other stakeholders has helped to inform the Building Safety Programme, the overriding aim of which is to ensure that residents of high-rise buildings are safe, and feel safe, now and in the future.

ⁱ This position was previously held by Dominic Raab MP (Housing Minister from 9 January to 9 July 2018) and Alok Sharma MP (13 June 2017 until 9 January 2018)

ⁱⁱ This position was previously held by Sajid Javid MP (started as Secretary of State on 14 July 2016 until 29 April 2018)

21. Towards this aim, the programme has four elements:

- a. identifying significant building safety risks arising from the Grenfell Tower fire and all residential high-rise buildings (over 18m in height) with unsafe ACM cladding;
- b. ensuring the safety of ACM-clad buildings through immediate mitigation measures and longer term remediation, and taking action to address other identified risks;
- c. addressing problems in the wider building safety system and identifying solutions; and
- d. reforming the wider building safety system for the future.

External engagement

22. The Programme has benefitted from regular contact and collaboration with numerous external organisations. This includes: the National Fire Chiefs' Council (NFCC), the Local Government Association (LGA), a variety of housing representative bodies, building owners, developers, insurers, lenders, fire engineers, architects, construction and manufacturing organisations. The Programme has drawn on a wide range of external expertise, including:

- Information sharing with the Metropolitan Police Service (MPS) and its advisers on public safety issues emerging from their investigation into the Grenfell Tower fire. Within days of the fire, the MPS shared early findings from their investigations with senior individuals in the Building Safety Programme, including what the Police considered to be some of the contributory factors to the fire. The Programme shared the report with the Independent Expert Advisory Panel, whose advice enabled the Programme to ensure that key public safety issues were identified and reflected immediately in published advice notes.
- An Independent Expert Advisory Panel established by the Department on 27 June 2017 to advise the Secretary of State for Housing, Communities and Local Government on urgent building safety matters, which in turn has drawn on wider expertise from organisations such as the Standing Committee on Structural Safety (SCOSS) and local and national Trading Standards bodies.³ In addition to the core panel, technical sub-groups of the panel have been convened to consider and provide advice on specific issues, for example, the Fire Doors Technical Group held its first meeting on 20 March 2018 to look at the design, test results, and supply chain of fire doors.
- An Industry Response Group (IRG) established by the Department on 10 July 2017 to support the process of building remediation. The aim of this group is to provide expert advice on construction solutions and methods to make ACM-clad buildings safe; ensure access to necessary technical expertise in industry where required; advise on construction industry expertise and

capacity to undertake remedial work, and to stand ready to mobilise industry to support a programme of remediation if necessary.

- The Building Regulations Advisory Committee in respect to changes to the Building Regulations and guidance.
- A ministerially-chaired Remediation Task Force established by the Department on 28 June 2018, with membership from the Home Office, Local Government Association, National Fire Chiefs' Council and London Councils, to help drive the process of remediation works to ACM-clad high-rise buildings in the private sector, and to oversee the work of a new joint-inspection team due to be established to support enforcement action.⁴
- The Building Safety Ministerial Group first convened on 3 August 2017 and chaired by the then Secretary of State, the Rt. Hon Sajid Javid, with subsequent meetings often chaired by the Minister of State for Housing. The group emerged from the COBR process following the Grenfell Tower fire, and membership included Ministers from various government departments, the Local Government Association, and the Mayor of London's office. The group met bi-monthly for the next four months as a forum to engage and update key stakeholders during the period immediately after the fire, until its last meeting on 20 December 2017. Since then Ministers have maintained regular oversight of building safety issues through regular briefings and established programme reporting mechanisms. Following the publication of the Independent Review of Building Regulations and Fire Safety, and the on-going work of the Government's Building Safety Portfolio, it was decided that a new ministerial building safety group would convene under the chairmanship of the Minister of State of Housing. Its purpose is to bring stakeholders across Whitehall together to provide further strategic oversight that ensures successful and coordinated delivery of the government-led aspects of the Building Safety Portfolio. Membership will include ministerial representation from the Home Office, Department for Work and Pensions, Department of Health & Social Care, Department for Education, the Treasury and Cabinet Office. The first meeting is due to be held on 19 November 2018.

23. Within a week of the fire, it had become clear that there were wider issues and problems with the whole building safety system so, in addition to the groups being set up to help address immediate problems identified in existing high-rise stock, MHCLG and the Home Office commissioned an Independent Review of Building Regulations and Fire Safety. The review was announced jointly by the Secretary of State for Housing, Communities and Local Government and the Home Secretary on 28 July 2017, to be led by Dame Judith Hackitt, to examine the regulatory system around the design, construction and on-going management of buildings in relation to fire safety, with a particular focus on high-rise residential buildings.

24. There has been regular and frequent external communication about the Building Safety Programme, including:

- a dedicated webpage on gov.uk on which all public announcements, letters, advice notes and monthly data releases have been published;
- a series of round table events for local authorities, housing associations, other building owners and other stakeholders;
- advice notes and letters sent directly to building owners, building control bodies and other relevant and interested bodies; and
- numerous and regular updates to Parliament through oral and written statements by the Prime Minister, Secretary of State for Housing, Communities and Local Government , the Minister for Housing and the Minister of State for Policing and Fire Services and for Grenfell Victims, as well as answers to written and oral questions and Select Committee appearances.

25. The rest of this paper describes the main aims, actions and progress made through the programme to date.

B. Identifying buildings with unsafe ACM cladding and ensuring immediate mitigations are in place

26. This section summarises the steps taken to both identify those building that had ACM cladding and the interim mitigating safety measures that were put in place, as well as the testing regime that the Department established, and how this was supported by expert advice. The Department has taken additional steps to enable the identification and testing of buildings in private sector housing, where the response has been slower and the options for intervention more limited.

Immediate steps to identify ACM-clad buildings

27. The observable nature and unusual behaviour of the fire immediately suggested that the external cladding on Grenfell Tower was a contributory factor in the spread of the fire. While it was clear that a thorough fire investigation would be necessary to determine precisely the cause of the fire and its rapid spread, the Department decided to immediately begin contacting social landlords (local authorities and housing associations) by phone and e-mail on 14 June 2017 to assess the potential prevalence of similar cladding on other high-rise residential buildings.
28. In addressing these wider public safety implications, the Department needed to come to a view on what amounted to unsafe cladding. Having considered the relevant regulations and guidance, the Department concluded that Aluminium Composite Material (ACM) cladding with a combustible core would not be compliant with paragraph B(4) of Schedule 1 to the Building Regulations 2010 that external walls should adequately resist the spread of fire, as evidenced by the fact that it would not meet the limited combustibility provisions in Building Regulations guidance in Approved Document B (Fire Safety).
29. It quickly became apparent that a number of other buildings might have similar cladding, although many building owners were at that point uncertain as to the properties or combustibility of cladding materials on their buildings. There also seemed to be different views amongst stakeholders about the compliance and safety of ACM cladding, with some stakeholders arguing that materials with a Class 0 rating were compliant with Building Regulations and guidance.
30. The Department convened a group of external fire experts, including the National Fire Chiefs' Council, on the morning of Saturday 17 June 2017 to advise the Department on what steps it should take.
31. The group of experts advised the Department that three broad types of ACM cladding panels were available on the market and likely to have been used in works over recent years. Each of the three different types had a different core material, with the core of only one type likely to satisfy the definition of limited combustibility which Building Regulations guidance (Approved Document B) recommended for buildings over 18 metres in height. The group of experts supported the Department's view that materials classified as A2 in the relevant European test standard would be accepted as a material of limited combustibility, and that while the surface of an ACM panel might be rated as Class 0, that

standard did not address whether the filler material in the core of the panel met the definition of limited combustibility.

32. The experts agreed that, from the information available, the Department should continue its activities to:

- identify other high-rise residential buildings with ACM cladding;
- establish a testing regime to help building owners identify whether they had combustible ACM cladding; and
- develop and issue advice to building owners with ACM cladding on interim mitigating safety measures that they should put in place while determining longer term remediation.

33. Over the next few days, the Department commissioned the Building Research Establishment (BRE) to set up and run a programme to screen samples of ACM cladding supplied by building owners to determine whether or not they were of limited combustibility. The screening programme was operational from Wednesday 21 June 2017.

Ensuring interim mitigating safety measures were put in place

34. On Sunday 18 and Monday 19 June 2017 the Department wrote to local authorities and housing associations and, on Wednesday 21 June 2017, to private building owners asking them to:

- check that they had current and robust fire risk assessments in place for their stock, referring them to guidance in the Local Government Association's publication, 'Fire Safety in Purpose Built Blocks of Flats';
- identify whether any of their buildings had ACM cladding; and.
- confirming the process for submitting samples of such cladding for free testing at BRE.

35. On Thursday 22 June 2017, the Department issued advice that had been drawn up by the group of experts, and endorsed by the National Fire Chiefs' Council, on interim fire safety measures that building owners should put in place where it was confirmed that a building had ACM cladding that was unlikely to comply with the building regulations and guidance.

36. The advice on interim safety measures also reflected emerging findings from the Metropolitan Police investigation into the Grenfell Tower fire, received on 21 June 2017, which had suggested that the external façade of the building (both the materials used and the manner in which they had been assembled) allowed rapid external fire spread; that fire doors had not performed effectively because, for example, they had been left open or were missing self-closing devices; and that there had been inadequate access to the building for fire fighting vehicles.

The advice drew building owners' attention to the importance of these – and other – factors in checking the fire safety of their buildings.

ACM screening tests

37. Test results started to emerge on the evening of Wednesday 21 June. A process had been put in place so that, where the tests confirmed the presence of ACM cladding with a combustible core, the interim measures advice was sent to the building owner and relevant local authority and Fire and Rescue Service. The Fire and Rescue Service then visited each building to ensure that suitable mitigating measures were put in place to keep residents safe. Within the Department's Building Safety Programme, a team of caseworkers was convened to establish and maintain dialogue with building owners as buildings were identified. This enabled the Department to ensure that building owners were aware of the steps they should be taking but also provided a route for building owners to raise questions with the Department or highlight issues which required clarification or further investigation. The caseworker engagement was supplemented by a series of round table events and phone conferences to ensure that up-to-date information and learning was being shared between building owners and the Department.
38. This process has largely enabled risks to be mitigated to the extent that it has been possible for residents to remain in ACM-clad buildings while more permanent remediation work is planned and carried out. The only exception to date has been the tower blocks on the Chalcots Estate in the London Borough of Camden, where an accumulation of identified fire risks, including, the presence of ACM cladding, led to the rehousing of residents while urgent works were carried out to make the buildings safe.
39. As the first test results came through in the week after the fire, it became clear that combustible ACM cladding was in wider use, despite the building regulations and guidance. By Monday 26 June 2017, cladding samples from 75 high-rise buildings in 26 local authority areas submitted for testing at the BRE, representing 100% of the samples submitted by that date, had been classified as category 2 or 3 in screening tests, meaning that they would not meet the provisions for limited combustibility in building regulations guidance. None had achieved the category 1 rating which equated to limited combustibility.
40. On Wednesday 28 June 2017 the Government extended its approach to identification, testing, and mitigation to public sector buildings in the education and health sectors. Other public sector residential buildings, such as for the Armed Forces, were also checked. The approaches, including access to the BRE testing process, were also shared with Scottish, Welsh and Northern Ireland administrations.

Independent Expert Advisory Panel

41. Recognising the value that the expert group convened on 17 June 2017 had played in guiding the Department's early steps, the Secretary of State announced on 27 June 2017 the establishment of an Independent Expert Advisory Panel to ensure continued support from a range of suitably experienced experts to guide the Building Safety Programme's actions on urgent building safety matters.⁵ The Panel was established with a core membership but with an ability to call on and draw in wider expertise to support its work, depending on the issues being considered.
42. In its early meetings, the Independent Expert Advisory Panel endorsed the approach being taken to identification, screen testing and mitigating interim measures for ACM clad buildings.
43. Nevertheless, with such a high failure rate at this early stage in the screening and identification process for ACM cladding, the Government sought additional assurance that the tests were right. The process was independently reviewed by the Research Institutes of Sweden who confirmed that they believed the process to be sound.

Wider wall system tests

44. In further consideration of the issues, the Department and the Independent Expert Advisory Panel recognised that while combustible ACM cladding would not meet Building Regulations guidance requirements on limited combustibility, the Building Regulations guidance did allow for the use of some combustible materials where they could be shown to perform satisfactorily as part of a whole wall system, tested to British Standard BS 8414. This was also relevant to the presence of combustible foam insulation at Grenfell Tower and in other buildings being identified as having combustible ACM cladding. While it was possible to have combustible cladding or insulation materials forming part of a whole wall system that was capable of passing the BS 8414 wall system test, the Panel was at that point not aware of any combination of ACM cladding with a polyethylene core and foam insulation having passed such a test.
45. On 6 July 2017, the Independent Expert Advisory Panel recommended wall system (BS 8414) tests of different types of ACM cladding and insulation to establish more clearly whether or not such combinations could work as a system that would adequately resist the spread of fire. The Department commissioned BRE to undertake these tests and worked with BRE to obtain samples of relevant cladding and insulation materials to be tested. Seven tests were conducted at BRE between 23 July and 16 August 2017.
46. Tests of six combinations of ACM cladding (involving the three main types of ACM cladding with a mainly polyethylene core, a mixed polyethylene and mineral core and a mainly mineral core) and insulation materials (stone wool and foam) were originally commissioned with a further test added during the course of the programme to test a different type of foam insulation.

47. The tests were as follows:

Test Number	ACM type	Insulation type	Result
1	Mainly polyethylene core (category 3 in BRE screening tests)	PIR foam	Fail
2	Mainly polyethylene core (category 3 in BRE screening tests)	Stone wool	Fail
3	Mixed polyethylene and mineral core (category 2 in BRE screening tests)	PIR foam	Fail
4	Mixed polyethylene and mineral core (category 2 in BRE screening tests)	Stone wool	Pass
5	Mainly mineral core (category 1 in BRE screening tests)	PIR foam	Pass
6	Mainly mineral core (category 1 in BRE screening tests)	Stone wool	Pass
7	Mixed polyethylene and mineral core (category 2 in BRE screening tests)	Phenolic foam	Fail

48. The results broadly substantiated the original advice provided to the Department by the group of experts it convened on Saturday 17 June 2017 and the results of the BRE screen testing, but added to the Department's understanding of the performance of ACM and different types of insulation when combined in a wall system:

- ACM panels with a mainly polyethylene (PE) core, which were combustible, allowed fire to spread, and were unsafe regardless of the type of insulation or wider wall system they were installed with.
- ACM panels with a fire retardant core comprising a mix of polyethylene and mineral were less combustible than ACM with a mainly polyethylene core, although not of limited combustibility, but could pass the BS 8414 test criteria for fire spread when used with non-combustible insulation and installed correctly.
- ACM panels with a mainly mineral core, which were of limited combustibility, resisted the spread of fire, and could be used safely with a range of types of insulation if fitted correctly as part of a wall system.

49. The Department then issued further advice from the Independent Expert Advisory Panel for building owners on how they should interpret the test results and what actions they should take.

Progress in identifying high-rise buildings with unsafe ACM cladding

50. As at 12 October 2018, the Department's programme had identified 457 high-rise buildings (over 18m in height) in England which have unsafe ACM cladding.⁶
51. MHCLG uses data from several sources to confirm whether a high-rise building has a combination of ACM cladding and insulation which are unlikely to meet current Building Regulations guidance, including:
- Building Research Establishment tests;
 - Local authority confirmation, following local authorities working with building owners to identify any cladding issues; and
 - Discussions with responsible stakeholders – including building owners, developers and agents
52. The total number of high-rise buildings by sector in England identified as having unsafe ACM cladding stood at 12 October 2018 at:

Sector	Number
Social sector residential	157
Private sector	291
Publicly-owned buildings	9
Total	457

Social housing

53. Social sector buildings with combinations of ACM cladding and insulation, which were unlikely to meet current Building Regulations guidance, were identified relatively quickly following the request from the Department to local authorities and housing associations in June 2017. By 5 September 2017 165 high-rise buildings in the social housing sector had been identified as having unsafe ACM cladding although a few of these subsequently turned out not to be in scope. By 10 November 2017, it had also been established that removal of cladding had started on 57 of those buildings, 9 had started replacement of the cladding and one had already completed full removal and replacement of the cladding.
54. As of 12 October 2018, 157 social sector high-rise buildings with unsafe ACM cladding have been identified. Of these:
- Remediation of cladding has been completed on 22 buildings
 - Remediation work has started on 98 buildings
 - Remediation plans are in place for 33 buildings

Private sector housing

55. The response from private sector building owners was considerably slower. By September 2017, only 75 high-rise buildings with unsafe ACM cladding had been identified and by 24 November 2017 that figure had only risen to 108.
56. The Department held no database (as it did for local authorities and housing associations) of private sector high-rise building owners' addresses so was dependent on public messaging and actions taken by local authorities, private sector building owners, and managing agents' representative bodies to ensure that private sector building owners were aware of, and acting on, the need to identify, test and remediate ACM cladding.
57. The Department had asked all local authorities on 11 August 2017 to take further action under their statutory housing powers to ensure that private sector high-rise residential buildings with ACM cladding were being identified, and appropriate interim mitigation and longer term remedial action was being taken. The Department asked local authorities to collect relevant data on these buildings and to report this centrally. The Department recognised this as a new burden for which it provided resources of £289,000.
58. Despite significant effort, this proved a difficult task. Local authorities did not have accurate records of high-rise buildings or building owners in their areas and were dependent on examination of a variety of databases, records and visual inspection. Even having identified buildings, local authorities then experienced considerable complexity in identifying the freeholder or responsible person for each building. The Department took further steps to assist them, including providing each local authority with details of high-rise buildings which it and Homes England had identified from a trawl of public records, issuing advice on appropriate enforcement powers, running good practice events, providing an additional £1 million funding, and establishing a central data system for reporting.
59. As of 12 October 2018, 291 private sector high-rise buildings with unsafe ACM cladding have been identified – this includes private residential, hotels and student accommodation. Of these:
- remediation of cladding has been completed on 17 buildings;
 - remediation work has started on 21 buildings; and
 - remediation plans are in place for 92 buildings.

C. Making buildings with unsafe ACM cladding safe for the future

60. This section sets out the proactive steps the Department has taken to ensure that ACM-clad high-rise buildings are made safe. With the support of the Independent Expert Advisory Panel and the Home Office, the Department has provided appropriate support and guidance to building owners to ensure that residents are kept safe in both the social and private housing sectors. The Department continues to monitor progress and the latest information on buildings identified and action taken on remediation was published on 25 October 2018.

Advice for building owners

61. Building owners – or, in certain circumstances, the delegated responsible person for a building – are responsible for ensuring that their buildings are safe, while developers of new buildings and people undertaking building work (as defined in Building Regulations) to existing buildings are responsible for ensuring compliance with the Regulations. The Department's approach to addressing building safety issues identified following the Grenfell Tower fire has been based primarily on this principle and the prevailing legal and statutory frameworks for building safety.
62. Early calls to building owners in the days following the Grenfell Tower fire revealed a widespread and rapid response amongst building owners to checking fire safety across their buildings. Fire and Rescue Services also responded well to giving a higher priority to high-rise residential buildings in their fire prevention visits and activities.
63. Primary responsibility for making buildings safe rested with building owners, and was being acted on in many cases. The Department did not have statutory powers to direct that unsafe buildings be remediated. However, the decision was taken to adopt a more proactive stance through the Building Safety Programme to ensure that action was being taken both on immediate mitigating measures and on longer term remediation in relation to ACM-clad high-rise buildings, recognising:
- the tragic circumstances and impact of the Grenfell Tower fire;
 - the fire risks associated with ACM cladding with a combustible core which experts had brought to the Department's attention and which further testing confirmed acted as a fire accelerant and provided a rapid means for fire spread;
 - indications that the regulatory system was not operating as it should;
 - that in dialogue with the Department, building owners, residents and others were seeking greater certainty and reassurance about the steps they should take to remediate ACM cladding.

64. The Independent Expert Advisory Panel, and the wider pool of experts which the Panel has in turn drawn on, has been the main group to which the Department has turned to help formulate its technical support for building owners in addressing the risks posed by unsafe ACM cladding and other safety risks which are addressed later in this paper.
65. The Department also established an Industry Response Group (IRG) to help address any potential constraints that might be experienced in the supply of expertise, contractors, and materials in remediating ACM-clad buildings.
66. The main elements of support have taken the form of advice notes from the Independent Expert Advisory Panel and an Information Note produced by the Industry Response Group. These have covered a range of issues to support building owners and keep residents safe, several of which have already been discussed in this paper, including:
- advice on interim mitigating measures to keep buildings safe while remediation plans are made and implemented, backed up by fire and rescue service visits;⁷
 - advice on interpreting the results of the wall system tests and what these mean for remediation;⁸
 - information on the end-to-end process for assessing and remediating unsafe ACM cladding;⁹ and
 - advice on the remediation of ACM cladding only where such cladding is limited in its extent of coverage on a building or there for mainly 'decorative' reasons.¹⁰

Ensuring remediation of ACM clad buildings in the social housing sector

67. The Government prioritised work to ensure that social sector residential buildings were made safe. This reflected the greater likelihood of vulnerability amongst social tenants and the particular role which central government plays in regulating the sector.

68. From early on in the process (in the week after the Grenfell Tower fire), Government made clear that where any local authority had identified essential fire safety works that should be carried out on their own buildings, the authority should approach the Department if it felt it required additional financial flexibilities to enable it to pay for such work. Such financial flexibilities, which included additional Housing Revenue Account (HRA) borrowing (prior to the announcement on lifting HRA borrowing caps) or transfers from the local authority's general fund, could be sought for any essential fire safety work, not just for the remediation of ACM cladding. However, it was for local authorities – with support and advice from Fire and Rescue Services or other experts – to determine what was essential. This included, for example, the retro-fitting of sprinklers, on which the Department had encouraged all social landlords to consider recommendations made by Coroners in 2013, following the Lakanal House and Shirley Towers fires in 2009 and 2010 respectively.

69. Where Housing Associations were concerned about meeting the cost of this work, the Department referred them to the Regulator of Social Housing, who have an objective to ensure that registered providers of social housing are financially viable.

70. In the following months, social sector landlords raised concerns that the costs of paying for cladding remediation risked undermining their ability to do important maintenance and repair work and build new affordable homes. The Government listened to their concerns and on 16 May 2018, announced that it would pay for the remediation of unsafe ACM cladding systems on social residential buildings 18m and above. Costs were estimated at £400m.¹¹ As of 17 October, funding has been confirmed for 136 buildings owned by 12 local authorities and 31 housing associations to help ensure that they can focus their efforts on making their buildings safe without impacting negatively on other services, improvements to housing quality or new supply.

71. Financial flexibilities are still available for local authorities who need to undertake other essential fire safety works. This might include transfers from their general fund, or other flexibilities suggested by the local authority to help them manage their specific situation.

Ensuring remediation of ACM clad buildings in the private sector

72. In the private sector, the Department has been working closely with local government. The Building Safety Programme set up a casework and stakeholder engagement team to establish and maintain direct contact with affected local authorities to support the identification and remediation process. It has facilitated regular events to enable authorities to share effective practice.

73. The Department has also engaged directly with private developers, freeholders, managing agents and insurers to ensure that private sector blocks are remediated and to protect leaseholders from costs. In addition to the engagement carried out by the casework team, senior officials in the Department have been contacting owners and developers to reinforce the position set out by Ministers; to listen to the views of owners, developers and leaseholders, and to address any questions or concerns they have about the process and solutions.

74. The Secretary of State for Housing, Communities and Local Government has acted to press owners and developers to take responsibility for the remediation of their buildings, including holding round tables with leaseholders and with industry. He has written to all private sector building owners who currently intend to pass costs to leaseholders, and to those who are yet to make clear their plans to remediate their buildings or their intention to pass on costs. The letters set the expectation that private sector landlords should do the right thing and remove unsafe cladding quickly, and not leave leaseholders to cover the cost. As of 11 October 2018, organisations including Barratt Developments, Legal and General, Taylor Wimpey and Mace Group have said they will pay for work to remove cladding on buildings they have developed. A number of building owners and organisations have made warranty claims under policies issued by the National House Building Council (NHBC) and other warranty providers. As at 11 October

2018 the NHBC had accepted a claim for the New Capital Quay development in Greenwich and will fund the cost of remediating a number of unsafe buildings at that development. All other claims are still being assessed.

75. The Secretary of State for Housing, Communities and Local Government has also written to building owners who are not acting quickly enough to make clear that this is not acceptable and that local authorities have powers to enforce these improvements if building owners do not take action.

76. The Department has also taken steps to support local authorities in the application of their statutory powers and is taking further action to support enforcement action:

- In a letter dated 8 October 2017, Neil O'Connor, a Director in the Building Safety Programme, wrote to local authorities to set out the relevant powers local authorities could use to enforce action to identify and remediate unsafe ACM cladding.
- On 17 May 2018, the Secretary of State for Housing, Communities and Local Government issued a Direction under Section 3(3) of the Housing Act 2004 to all local housing authorities in England instructing them to pay particular regard to cladding issues when carrying out their duties to review housing in their areas.
- The Department has commissioned an addendum to statutory operating guidance to support local authorities in conducting hazard inspections of cladding and issuing enforcement notices.

77. On 28 June 2018, the Department established a Private Sector Remediation Taskforce, chaired by the Secretary of State, to actively oversee the remediation of private sector buildings. Membership includes the Local Government Association and London Councils. The LGA and the NFCC are working with the Department to establish a joint local authority/fire service inspection team. The taskforce will oversee and prioritise the work of the inspection team to support investigations, remediation and enforcement activity.¹²

Progress with remediation

78. The Building Safety Programme has been monitoring progress with the longer term remediation of unsafe ACM cladding across the social and private sectors. It has maintained direct contact with building owners to understand their plans and identify plans and dates for commencement and completion. The Industry Response Group was set up with the capability to support a major programme of construction work and to help co-ordinate industry contractors and suppliers should the works create pressures and constraints in the supply chain. To date the scale of works being undertaken and the capacity of industry to support the work has not proved insufficient but the Department is keeping this under review.

79. The Department has also established a data reporting system and publishes monthly data on its website on progress, the most recent of which was published on 25 October 2018. This includes information on the stages of remediation reached.¹³

80. As of 12 October 2018, of the 457 high-rise buildings with unsafe ACM cladding (social, private and public sector buildings):

- Remediation of cladding has been completed on 39 buildings;
- Remediation work has started on 120 buildings
- Remediation plans are in place for 129 buildings.

D. Other building safety issues

81. Contact with building owners, Fire and Rescue Services, industry and local authorities has revealed a widespread response to the Grenfell Tower tragedy, with a great deal of activity to check the broader safety of high-rise residential buildings. While the Building Safety Programme has prioritised high-rise residential buildings with ACM cladding for more active monitoring and, in the social housing sector, funding, it has also established processes for actively identifying and considering the risks posed by other building safety issues and the steps the Government should take.
82. Since June 2017, the Department has identified, and continues to identify a number of wider building safety issues. These may arise, for example from the Department's on-going liaison with the Metropolitan Police Service (MPS) investigation into the Grenfell Tower fire, where the MPS identify issues which they consider might have wider public safety implications; they may arise from our contact with building owners on the investigative work they are undertaking to ensure the safety of their buildings; or they may stem from the Department's investigations into fires or other incidents, or research work into fire and building safety.
83. There is an established process through which officials consider the nature of any new issue the Department identifies. Any existing information or evidence about an issue is referred to the Independent Expert Advisory Panel for a view on the level of risk posed and advice on any appropriate action which Government should take. The Independent Expert Advisory Panel in turn considers whether additional evidence or expertise is required to help inform its advice and commissions this as necessary. Thereafter, the Panel provides its advice to the Secretary of State so that the Department can consider and act on it. The remainder of this section of the paper describes the approaches taken by the programme to a number of these wider, non-ACM building safety issues that have arisen since the Grenfell Tower fire.

Potential structural issues with Large Panel System (LPS) buildings

84. In August 2017, following concerns being raised by residents about cracks in the walls of high-rise residential blocks on the Ledbury Estate in the London Borough of Southwark, the Council instructed structural engineers to investigate the causes. The blocks in question were of a construction known as Large Panel System (LPS) buildings, erected mainly in the late 1960s and early 1970s. Concerns about the structural strength of these types of buildings had been raised in the late 1960s with the collapse of Ronan Point in the London Borough of Newham following a gas explosion. Historically, works and modifications had been carried out to LPS buildings to address the structural weaknesses highlighted by the Ronan Point disaster. But the investigations at the Ledbury Estate initially called into question whether those strengthening works had been carried out comprehensively or sufficiently.

85. In response, on 11 August 2017 the Department contacted directly those local authorities which it was aware - from records of work carried out in the 1980s - had buildings constructed using the same type of LPS system, to check whether the local authority knew whether strengthening work (as recommended after Ronan Point) had been carried out, and whether further strengthening work was under consideration. It directed them to guidance available to support such assessments and updated them as the investigations at Southwark progressed.
86. The Department monitored the actions being taken by the relevant local authorities and received confirmation through its casework team on the outcomes of further investigations to confirm where evidence of sufficient strengthening work had been established or where further investigations or remediation work was necessary. The Department also wrote to local authorities with further updates on the investigations on 18 August 2017 and 5 September 2017.
87. The Department also commissioned advice from the Independent Expert Advisory Panel and the Standing Committee on Structural Safety (SCOSS) on 5 September 2017, and subsequently received advice from SCOSS on 22 September. The Department acted on that advice by commissioning the BRE to review its risk assessment guidance on the structural safety of buildings with large panel systems buildings, working with BRE to draw up a comprehensive list of all buildings still in use that had been constructed using LPS type systems (several variants of LPS systems were used in the 1960s and 1970s) and, most recently, establishing a forum of LPS building owners to disseminate information and good practice.

Potential degradation issues with external wall render and brick-slip cladding

88. Following an incident in Scotland in early 2016, where cladding had fallen from a building, the British Board of Agrément (BBA) conducted a survey of its members and drew to the Department's attention its concerns about the competence of cladding installers and building owners to ensure the safety of brick slip and render cladding. The BBA's report was received on 5 June 2017 and the Secretary of State referred the BBA's report to the Independent Expert Advisory Panel for advice and the Standing Committee of Structural Safety was also consulted. As a result, the Department wrote to building control bodies on 13 July 2017, and again on 5 September 2017, asking them to pay particular attention to wind-loading calculations and structural design of cladding systems. The Secretary of State also wrote to Sir Ken Knight (Chair of the Independent Expert Advisory Panel) on 5 September 2017 asking him to follow up with the Standing Committee of Structural Safety (SCOSS). Sir Ken Knight met SCOSS on 8 September and their report was received on 22 September 2017. This recommended that further guidance was prepared on recladding. Advice Note 13 (External Wall Insulation systems with a render or brick-slip finish) was then issued on 11 December 2017 providing guidance for anyone responsible for the maintenance of buildings with render or brick slip cladding on steps that should be taken to check such systems for defects or deterioration. The Department

has asked building owners to keep it informed of any issues identified in acting on this advice. No issues have been reported to date.

Uncertainty amongst building owners about other types of cladding

89. Alongside the priority given to identifying and testing the fire performance of ACM cladding, the Independent Expert Advisory Panel also gave consideration to concerns being expressed by some building owners and other stakeholders that they were worried about (or did not understand) the potential fire performance of other types of cladding. The Independent Expert Advisory Panel concluded that on the evidence available, there did not appear to be other materials in use to the same extent or with the same degree of fire behaviour as ACM with a combustible core and that building owners, with support from expert advisers, were best placed to make this assessment across the broader stock of high-rise buildings. The Panel did nevertheless acknowledge the risk of inappropriate use of materials or product substitution and recommended providing advice for building owners on steps they should take to determine the fire risk of non-ACM cladding systems, and recommended further work. This work is on-going and has resulted in the following actions being taken:

- On 11 December 2017 the Department published an advice note on steps building owners should take if they had concerns about the external wall systems of their buildings where they incorporated materials other than Aluminium Composite Material.
- The Building Research Establishment has published the results of all past BS 8414 tests where a range of external wall systems have successfully demonstrated their ability to resist the spread of fire, so that building owners can see more easily which systems have been shown to resist the spread of fire.
- The Department has commissioned further research into the fire performance of a range of external wall materials which will inform further consideration by the Independent Expert Advisory Panel later this year.

Vitracore cladding

90. In July 2018, following concerns raised with the Housing, Communities and Local Government Select Committee about the fire performance of Vitracore G2 cladding, the Department immediately began an independent programme of testing the product. The concern being expressed by an insulation manufacturer was that Vitracore G2 cladding (a form of Aluminium cladding with a honeycomb Aluminium) was classified as meeting the European A2 standard for limited combustibility (which would be compliant for use on tall buildings under the current Building Regulations guidance) but had failed to pass a BS 8414 test.

91. The Department's further testing demonstrated that the product being sold on the market differed from the one tested for A2 certification purposes and may not therefore achieve the fire safety standard it had been certified to. The Department received the preliminary results of the testing on 13 September 2018

and immediately referred this to Trading Standards, informed the building owners known to have used the product, and asked the supplier to remove Vitracore G2 from the market, which they agreed to do whilst they conducted their own testing. The Department also issued a public statement and wrote to the Housing Communities and Local Government Select Committee to inform them of the results of the testing.

Failures in composite fire doors to meet 30-minute fire test standards.

92. Very early findings from the Metropolitan Police Service investigation into the Grenfell Tower Fire had suggested that fire doors had not performed effectively during the fire: for example, where they had been left open or were missing self-closing mechanisms. This finding was reflected in the Department's immediate advice to building owners on interim safety measures issued in June 2017.
93. In February 2018, following fire testing as part of their investigation, the MPS alerted the Department to a further concern. In tests, a fire door from Grenfell Tower had failed after approximately 15 minutes, where the door should have lasted 30 minutes. In line with the Department's approach to new and emerging issues, the evidence from the MPS test was shared with the Independent Expert Advisory Panel ('The Panel') for advice. The Panel, in turn, consulted additional experts in the fire door industry and the Government Office for Science, and local and national Trading Standards bodies.
94. The Panel recommended further testing of fire doors as a matter of urgency, as well as physical inspection of similar doors and documentary investigation with the manufacturer of the doors in place at Grenfell Tower (who had gone out of business but whose records were held by a successor company), in order to understand whether this was an isolated failure, whether there might be a wider problem with doors from the same manufacturer and, potentially, from a wider range of manufacturers.
95. The Panel, with advice from the National Fire Chiefs' Council (NFCC), advised that the level of risk arising from defective fire doors amounted to a reduction in one element of a building's fire protection measures and was not as significant a risk as that presented, for example, by the presence of combustible materials that could act as fire accelerants. The NFCC further advised that Fire and Rescue Services' operational response to fires in blocks of flats would not change significantly on the basis of the evidence available. On that basis, the Panel advised that a national programme of identification and remediation of fire doors on a similar basis to unsafe ACM cladding was not justified at that time.
96. Subsequent testing in a programme that is on-going at this time has revealed flaws in the manufacturing and processing of composite fire doors. Action has been taken with individual manufacturers and the wider fire door industry, with the engagement of Trading Standards bodies to remove all sub-standard composite fire doors from the market, notify all customers in receipt of such doors, and provide advice to building owners on the steps they should take to assess the risks presented and the replacement of doors. Fire and Rescue Services are monitoring the action being taken. The composite fire door industry

is developing a remediation plan for dealing with sub-standard doors and has agreed only to reintroduce doors which have been shown to meet more rigorous testing.

97. The Department is extending its testing of fire doors to the wider fire door market, with timber fire doors being tested from October 2018.

98. Regular updates have been provided to Parliament and stakeholders and this will continue as further testing and developments take place.

Spandrel panels/ window panels/ infill panels

99. Spandrel panels (also including window panels and infill panels) fill areas of the external wall within a frame. They will often be used within window frames. They tend not to be loadbearing but are designed to meet thermal, moisture, fire and wind loading requirements.

100. They have been used in high-rise tower blocks since the 1950s and were typically made of asbestos board or pre-cast concrete. More recently, composite spandrel products have become available which comprise outer-facing materials bonded to an inner insulating core. These can include combustible materials.

101. The Department considers that the principles outlined in the advice note published on 11 December 2017, explaining the steps building owners should take if they have concerns about the external wall systems that incorporate materials other than Aluminium Composite Material, applies to spandrel panels.

102. On 5 September 2018 the Department referred the matter to the Independent Expert Advisory Panel to seek its views about whether further and more specific action was needed to advise building owners or otherwise mitigate the risk of combustible spandrel panels contributing to the spread of fire. The Panel concluded that spandrel panels do not present the same level of risk as ACM cladding but that stronger advice should be issued to building owners.

103. As a result the Department issued a new advice note on 17 October 2018. This makes clear that spandrel panels are part of the external wall of a building and subject to requirement B4 of the Building Regulations. It advises owners to check whether any spandrel panels present on their buildings are of limited combustibility. Where the panels do not meet this classification, it advises that the most appropriate means of remediation is to remove and replace the panels. This advice applies regardless of whether the building also has ACM cladding. At the same time, the Department updated its previous advice note of 11 December (Advice Note 14) to incorporate the new, specific guidance on spandrel panels.

104. The Department will keep the risk associated with spandrel panels under review as part of its further research into the fire performance of external wall materials.

E. Addressing problems across the wider building safety system

105. As more information about the Grenfell Tower fire emerged it became apparent that there were issues and failures across the whole building safety system. The Department's testing programme revealed widespread use of combustible ACM cladding on other high-rise buildings, despite the requirement in the Building Regulations that such materials should adequately resist the spread of fire. Concerns were also being expressed about the testing and marketing regimes for cladding and other construction products, and gaps were being highlighted in the coverage of fire safety legislation in ensuring and enforcing fire safety in high-rise residential buildings.
106. Criticisms were being directed to the Department on its failure up to that point to fulfil its commitment to clarify the Building Regulations guidance on fire safety (Approved Document B) in response to the Coroner's recommendation following the Lakanal House fire inquest in 2013. In responding to the Coroner, the Department had committed to completing the new guidance in 2016-17. By Easter 2017, just prior to the 2017 General Election, the Department had prepared a draft that was ready for consultation, and considered publishing this immediately after the Grenfell Tower fire. However, Ministers concluded that until the implications of the fire, including any wider lessons, could be better understood, the Department should wait. Since that decision, the Department has taken steps to make much deeper changes to the guidance, including consultations on the text of a clarified version of Approved Document B, restricting so-called 'desktop studies' (also known as Assessments in Lieu of Tests) and banning combustible materials in the exterior wall systems of tall buildings, and committing to a wider technical review of Approved Document B and the fire safety measures it sets out.
107. The Police-led investigation and the Grenfell Tower Inquiry were already focussed on establishing what happened at Grenfell Tower and what lessons could be learned from that tragedy. In addition, the Government decided to commission an independent review of the Building Regulations and fire safety system to address the wider problems that were apparent.

Dame Judith Hackitt's independent review of building regulations and fire safety

108. An independent review was announced on 28 July 2017, led by Dame Judith Hackitt, Chair of Engineering Employers Federation (EFF), the Manufacturers' trade body, reporting jointly to the Communities Secretary and the Home Secretary.¹⁴
109. The terms of reference were to look at current Building Regulations and fire safety with a particular focus on high-rise residential buildings, including: the regulatory system around the design, construction and on-going management of buildings in relation to fire safety; related compliance and enforcement issues; and international regulation and experience in this area. The review's terms of reference were published on 30 August 2017¹⁵ and a call for evidence was issued on 12 September 2017.¹⁶

This received over 250 responses to the call for evidence. Dame Judith ran a number of roundtables with stakeholders including residents' groups in November and December 2017. These informed her Interim Report, published on 18 December 2017.

Building a Safer Future: Interim Report

110. The Interim Report¹⁷ found that the regulatory system for ensuring fire safety in high-rise and complex buildings was not fit for purpose and that there was a need for a real culture change across the system.
111. It set out a direction of travel for strengthening the system, including moving towards a more risk-based and unambiguous approach to regulation and guidance; greater clarity around roles and responsibilities and improving competence in the sector; and improving testing, marketing and quality assurance of products used in construction.
112. The Report also made several immediate recommendations that the Government and industry agreed to take forward straight away, ahead of publication of the final report. These are set out in the next section of this paper.
113. Following the Interim Report, Dame Judith convened representatives from a wide range of organisations and experts in their field for a summit in January 2018. Working groups were established to provide advice to support the development of the final recommendations. The working groups presented their findings to Dame Judith and other working groups in March 2018.

Building a Safer Future: Final Report

114. The final report, *Building a Safer Future*¹⁸, was published on 17 May 2018. It concluded that the existing system – developed over many years and under successive governments – was not fit for purpose. It called for major reform and a change of culture, with the onus more clearly on everyone involved to manage the risks they create at every stage of the life cycle of higher-risk buildings, with the Government doing more to set and enforce high standards. The report made 53 recommendations, including:
- a new regulatory system for high-rise, residential buildings 10 storeys or more;
 - a stronger regulator, in the form of a Joint Competent Authority comprising Local Authority Building Control, Fire and Rescue Authorities and the Health and Safety Executive;
 - clients, designers, contractors and building owners should have much clearer responsibilities and accountabilities for creating and maintaining safe buildings and will be held much more clearly to account for their work;
 - duty-holders should not get permission to start building work until they can clearly show they have a detailed strategy for ensuring building safety; their

building would not be permitted to be occupied until they have shown they have built according to plans or made changes that are justifiable;

- a “safety case” regime should also apply once a building is occupied. Owners would need to demonstrate to the same regulator that they have taken adequate measures to ensure safety risks in their buildings have been reduced so far as is reasonably practicable;
- much stronger sanctions should be applied against those who seek to game the system;
- the role of Approved Inspectors (private building inspectors) should be clarified to create a more streamlined, regulatory route for building regulation and to remove the potential for a conflict of interest;
- the Government should continue to strengthen existing guidance before responsibility for technical guidance on building safety moves to industry;
- residents should be given greater access to safety information by building owners and routes for redress;
- industry to lead on strengthening competence of professionals involved in ensuring building safety, with the expectation that the Government should step in if industry does not set out a credible proposal within a year and;
- stronger testing, labelling and traceability of products used in construction which are critical to building safety.

F. Reforming and improving the wider building safety system

115. The Government welcomed Dame Judith Hackitt's interim report in December 2017. On the day of publication, the then Secretary of State for Housing, Communities and Local Government, the Rt. Hon. Sajid Javid MP, made a statement in Parliament¹⁹ welcoming the recommendations and stating that the Government fully supported the direction of travel signalled in Dame Judith's report. The Government has implemented the recommendations by:

- developing a consultation on proposals to restrict or ban the use of so-called "desktop studies" (assessments in lieu of tests), which was published on 11 April 2018 and closed on 25 May 2018²⁰
- working with industry experts to complete work on clarifying Approved Document B (statutory guidance on fire safety). The consultation opened on 19 July 2018; and
- writing to building control bodies on 15 February 2018 to make clear that consultation with fire and rescue services should be carried out early in the design process and then acted on, and that fire safety information on a building should be handed over at the right moment²¹

116. In responding to Dame Judith Hackitt's final report on 17 May 2018, the Secretary of State for Housing, Communities and Local Government gave an oral statement to Parliament in which he:

- confirmed that the Government agreed with Dame Judith's assessment that the current system was not fit for purpose and supported the principles behind the report's recommendations for a new system;
- agreed with Dame Judith's call for greater clarity and accountability over who is responsible for building safety during the construction, refurbishment and on-going management of high-rise homes;
- committed to bring forward legislation that delivers meaningful and lasting change, with a system that is overseen by a more effective regulatory framework, including stronger powers to inspect high-rise buildings and sanctions to tackle irresponsible behaviour, that ensures those responsible for a building demonstrate they have taken decisive action to reduce building safety risks and are held to account, and gives residents a stronger voice in an improved system of fire safety;
- invited partners to advise the Government on how to take forward Dame Judith's recommendations;
- acknowledged, as did Dame Judith, that changing the law would take time, and stated that Government and industry should begin changing practice right now;
- announced that having listened carefully to concerns, the Government would consult on banning the use of combustible materials in cladding systems on high-

rise residential buildings. This consultation was published in June 2018 and on 1 October 2018 the Government confirmed it would implement the ban later this year;

- announced that the Government would work with the industry to make the wider suite of building regulations guidance more user-friendly; and
- committed to providing a more detailed statement to Parliament in autumn 2018 on how the Government intends to implement the new regulatory system.

117. The Secretary of State also invited stakeholders to have their say by the end of July 2018 to inform the Government's plan for responding to Dame Judith Hackitt's recommendations.

118. On 19 July 2018, the Secretary of State for Housing, Communities and Local Government made a written statement to Parliament²² setting out progress since the publication of the *Building a Safer Future* final report, including:

- publishing the clarified Building Regulations fire safety guidance (Approved Document B) for consultation (taking the next step in fulfilling the Department's commitment in response to the Lakanal House inquest);
- launching a consultation on proposals to ban the use of combustible materials in the exterior wall construction of high-rise buildings (this opened on 18 June 2018);
- announcing that the Government would launch a wider technical review of the guidance on fire safety, with a call for evidence in the autumn inviting views on the technical issues and further improvements that could be made;
- introducing a new early adopters scheme on building safety, working with organisations in the construction industry to trial ways of working in line with the Hackitt recommendations and assess benefits in the buildings they are constructing or managing;
- establishing an Industry Safety Steering Group, chaired by Dame Judith Hackitt, to hold industry to account for changing culture as recommended by the independent review;
- establishing a panel, made up of residents, to ensure proposed safety improvements are grounded in the experience of those who live in high-rise buildings; and
- introducing a mandatory requirement on landlords in the private rented sector to ensure that electrical installations in their property are inspected every five years.

119. Further action that supports Dame Judith's recommendations was taken over summer 2018. The Government's Social Housing Green Paper, published on 14 August 2018, set out new initiatives to give residents a stronger voice within the system. This includes a pilot with a small group of social landlords to innovate

and trial options for communicating and engaging with residents on safety issues, and a new programme to help residents to engage with their landlords on issues of building safety in social housing.

120. In addition, the Government responded to the Select Committee's inquiry into the Hackitt Review on 18 September 2018.²³

121. On 1 October 2018, as part of its comprehensive programme to improve building safety following the Grenfell Tower tragedy, the Government has also confirmed that it will ban the use of combustible materials on external walls of high-rise residential buildings. The ban will also apply to hospitals, care homes and student accommodation over 18 metres.²⁴

G. Further steps for the programme

122. The Building Safety Programme remains in place as a major part of MHCLG's work with 136 staff now working in the team. Over the next six months the Department's main aims for the Building Safety Programme are to:

- Ensure that plans are in place and are making progress in remediating all ACM clad building;
- Follow through the investigations and remedial action being taken on sub-standard fire doors;
- Take further action to support building owners in addressing other risks identified in existing buildings;
- Implement a series of reforms to the Building Regulations and fire safety guidance (Approved Document B), including clarifying the guidance, launching a technical review which will provide a further opportunity to examine and consider additional improvements to the fire safety of buildings, and implementing restrictions on the use of 'desk top studies' and the ban on combustible exterior wall system materials; and
- Set out further detail on the Government's plans for responding to the recommendations made in Dame Judith Hackitt's final report and bringing forward necessary legislation to deliver these plans at the earliest possible opportunity.

123. The Department is aware that several of the Grenfell Tower Inquiry's Core Participants have made recommendations in relation to Phase One of the Inquiry; in particular on the provision of sprinklers as well as on Means of Escape provisions. The Department, through its Building Safety Programme, will continue to monitor the findings of the Grenfell Tower Inquiry, its interim and subsequent recommendations, as well as any further findings from the Metropolitan Police investigation into the fire. The Department will take these fully into account in developing and implementing future reforms to improve building safety over the coming months and years.

Annex A

MHCLG senior staff responsible for the Building Safety Programme:

- Oversight is provided by Melanie Dawes, Permanent Secretary.
- The Programme is currently led at Director General level by Jeremy Pocklington (since September 2018).

Director Level Leads

- James Hood (Director, Remediation Policy and Delivery)
- Neil O'Connor (Director Policy & Technical Advice)
- Andrew Pattison (Director, Technical Policy, Regulator and Accountability, Responsible Industry and Residents' Voice and Energy and Safe Materials)

Deputy Director Leads

- Isabella Connell & Dee O'Connell (Job Share) (Responsible Industry and Residents' Voice Division)
- Chandru Dissanayeke (Energy and Safe Materials Division)
- Bob Ledsome (Technical Policy Division)
- Caroline Michalski (Portfolio & Business Management, Building Safety Programme)
- Offer Stern-Weiner (Regulator and Accountability Division)
- Ian Whitehouse and Fiona Darby (Remediation Policy and Delivery Division)
- Rebecca Williams-Phelan (Strategy Division)
- Independent contractor advising BSP: Andrew Alsbury
- Contractor: Portfolio Director: Andrew McNeill

Endnotes

¹ Paragraph B(4) of Schedule 1 to the Building Regulations 2010 and Building Regulations guidance – specifically section 12 of Approved Document B (Fire Safety) Volume 2.

The Building Act as passed applied to England and Wales and until 2011 Building Regulations also applied both to England and Wales. Responsibility for making Building Regulations in Wales passed to the Welsh Assembly Government in 2011 Reference: MHCLG Position Statement 9 February 2018

² **1 October 2018** <https://www.gov.uk/government/news/government-announces-new-housing-measures>

³ Independent Expert Advisory Panel revised Terms of Reference
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741398/Building_safety_-_independent_expert_advisory_panel_-_terms_of_reference.pdf

⁴ **28 June 2018** <https://www.gov.uk/government/news/action-plan-to-accelerate-remediation-of-private-high-rise-residential-buildings-with-acm-cladding>

⁵ **27 June 2017** <https://www.gov.uk/government/news/expert-panel-appointed-to-advise-on-immediate-safety-action-following-grenfell-fire>

⁶ **25 October 2018** <https://www.gov.uk/government/publications/building-safety-programme-monthly-data-release-october-2018>

⁷ <https://www.gov.uk/guidance/building-safety-programme>

⁸ <https://www.gov.uk/guidance/building-safety-programme>

⁹ <https://www.gov.uk/guidance/building-safety-programme>

¹⁰ <https://www.gov.uk/guidance/building-safety-programme>

¹¹ **16 May 2018** <https://www.gov.uk/Government/news/Government-announces-it-will-fully-fund-unsafe-cladding-removal-in-social-housing>

¹² Terms of reference for the Private Sector Remediation Taskforce and announcement
<https://www.gov.uk/government/news/action-plan-to-accelerate-remediation-of-private-high-rise-residential-buildings-with-acm-cladding>

¹³ **15 October 2018** <https://www.gov.uk/government/publications/building-safety-programme-monthly-data-release-october-2018>

¹⁴ **28 July 2017** <https://www.gov.uk/Government/news/independent-review-of-building-regulations-and-fire-safety>

¹⁵ **30 August 2017** <https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-terms-of-reference>

¹⁶ **12 September 2017** <https://www.gov.uk/government/publications/the-call-for-evidence-for-the-independent-review-of-building-regulations-and-fire-safety>

¹⁷ **18 December 2017** <https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-interim-report>

¹⁸ **17 May 2018** <https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-final-report>

¹⁹ <https://hansard.parliament.uk/commons/2017-12-18/debates/7F12DA55-8D3E-4DC7-B61E-7DA07067B92C/GrenfellTowerAndBuildingSafety>

²⁰ **11 April 2018** <https://www.gov.uk/government/news/government-consults-on-proposals-to-toughen-rules-on-building-safety>

²¹ **15 February 2018**
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683318/Circular_letter_on_Dame_Judith_Hackitt_s_Interim_Report.pdf

²² **19 July 2018** <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-07-19/HCWS890/>

²³ <https://www.gov.uk/government/publications/building-regulations-and-fire-safety-government-response-to-select-committee-report>

²⁴ **1 October 2018** <https://www.gov.uk/government/news/government-announces-new-housing-measures>