

GRENFELL TOWER INQUIRY

MODULE 5 OPENING STATEMENT SUBMITTED ON BEHALF OF THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Introduction

1. The Home Office has responsibility for the oversight of fire and rescue services in England. It is this which forms the basis of the Department's interest in the scope of Phase 2, Module 5 of the Grenfell Tower Inquiry. The Department is also engaged in a number of work programmes, either directly or jointly, with the fire sector to address recommendations in the Inquiry's Phase One report, which relate to matters that continue to be considered by this module. This work includes commissioning research on evacuation and improving communications infrastructure to enable control rooms to deal better with major fires. The Home Office is also supporting the sector in implementing the relevant Phase 1 recommendations (as set out in this statement) and, in compliance with the Home Secretary's request, LFB continues to provide monthly reports to the Home Office on progress.
2. The Home Office has responsibility for the fire funding and policy framework in which fire and rescue authorities operate in England. These functions were previously the responsibility of the then Department for Communities and Local Government (as set out in this statement), but for the purposes of the Inquiry, the Secretary of State for the Home Department is taken as having responsibility for fire policy matters historically (while the Ministry of Housing, Communities and Local Government continues to have responsibility for building regulations, the Housing Act 2004, and other housing-specific regulations).
3. While the Home Office has overall responsibility for fire and rescue policy in England, it is not responsible for directing or prescribing operational matters. It is for each of the forty-four fire and rescue authorities in England to ensure

appropriate provision is provided locally, including the requirement¹ to make provision for a number of core functions including firefighting and fire safety.

4. The purpose of this statement is to assist the Inquiry and other relevant parties by setting out the framework in which fire and rescue services operate and the Home Office role in this; and to outline the further oversight provided by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services. The statement also briefly sets out the function of the Airwave Communications System that was being utilised by fire and rescue services prior to and at the time of the Grenfell Tower fire, and the Government's role in supplying it.
5. In addition, the statement outlines the matters for which the Home Office, and formerly the Department for Communities and Local Government, were responsible for which we understand the Inquiry will investigate as part of Module 6 and which will therefore be addressed in our Module 6 opening statement.

Oversight of the fire sector in England

6. Following a machinery of government change in January 2016, responsibility for fire and rescue policy in England transferred from the then Department for Communities and Local Government (DCLG), to the Home Office. This included ownership of the Fire and Rescue Services Act 2004 ("the 2004 Act"), the Regulatory Reform (Fire Safety) Order 2005 and other legal frameworks.
7. Accountability arrangements for fire and rescue are set out in the 'Home Office Accounting Officer System Statement'. Under section 21 of the 2004 Act the Secretary of State is required to prepare a Fire and Rescue National Framework ("the Framework"). Section 21(7) of the 2004 Act requires fire and rescue authorities in England to have regards to the Framework, which:
 - a. must set out priorities and objectives for fire and rescue authorities in connection with the discharge of their functions;

¹ Under the Fire and Rescue Services Act 2004

- b. may contain guidance to fire and rescue authorities in connection with the discharge of any of their functions; and
 - c. may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate.
- 8. The Framework was last revised in May 2018, and before that in 2012 by DCLG. In setting priorities and objectives for fire and rescue authorities in England, the requirements should be best calculated to promote public safety and the economy, efficiency and effectiveness of fire and rescue authorities. The Framework sets out high level expectations; it does not prescribe operational matters which the Secretary of State believes are best determined locally by fire and rescue authorities and their staff. In relation to the current framework, the Secretary of State undertook a public consultation in December 2017 on its substantive changes to meet the requirements of the 2004 Act.
- 9. Fire and rescue authorities are required by the Framework to produce and publish an annual statement of assurance that they have acted in accordance with the Framework. In turn, the Secretary of State is required by section 25 of the 2004 Act to provide a biennial report to Parliament on the extent authorities are complying with the Framework, and what steps she has taken, if any, to ensure compliance. The Framework sets priorities and requirements relating to the core functions of services, as well as other organisational issues including financial and people management. The Home Secretary's last assurance statement to Parliament (in 2020) confirmed that all authorities continue to comply with the Framework.
- 10. The Government's initial fire reform agenda was launched in 2016 and as part of this it was recognised that there was a lack of any independent inspection regime for fire and rescue. As a result, the Government legislated in 2017 through the Policing and Crime Act 2017 (amending the 2004 Act) to create powers of inspection for fire and rescue and make other inspection arrangements including in relation to reporting. Responsibility for this was given, shortly thereafter, to Her Majesty's Inspectorate of Constabulary's (as it was) inspectors and they were appointed Her Majesty's Inspectors of Fire and Rescue Services, in addition to

their existing role inspecting police forces in England and Wales. Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services' (HMICFRS') first fire inspections began in summer 2018 and every service has now been inspected twice. The Chief Inspector has also published two annual reports before Parliament in line with his statutory duty in the 2004 Act. This new inspection regime is funded entirely by the Home Office. Prior to undertaking inspections, the Chief Inspector must first obtain the approval of the Secretary of State to his inspection programme or framework.

The Airwave Communications System

11. Fire and rescue services are equipped with fireground radios which are used for communicating to one another at the scene of the incident. In addition to fireground radios, all fire and rescue services utilise the "Airwave Communications System" which was supplied by Government as part of the "Firelink" programme over ten years ago with the aim of improving communications between all blue light responders.
12. Airwave not only enables "Intraoperability" allowing all fire resources to communicate with one another and with their control rooms, but it also facilitates voice "Interoperability" between all other category 1 and 2 responders. This provides a single communications network allowing interoperability voice calls between fire, police and ambulance. Multi agency communications are essential to allow responders to apply the Joint Emergency Services Interoperability Programme (JESIP) principles effectively.

Progress against the Grenfell Tower Inquiry Phase One Recommendations

13. The Government is committed to implementing the Inquiry's recommendations in a full, yet also clear and transparent manner. To be as transparent as possible, the Home Office publishes regular thematic updates setting out what progress has been made against each Government owned recommendation. This will be enhanced in summer 2021 when we move to a more inclusive system, publishing progress against all 46 recommendations.

14. The creation of a comprehensive thematic tracker represents collaboration with the London Fire Brigade and the National Fire Chiefs Council (NFCC) amongst others, as we recognise the transformational change required by the Phase 1 report can only be achieved by partnership working by those who have responsibility for implementing the recommendations. This is why the Government has provided significant additional funding to the NFCC and why we provided additional financial assistance to every service from the Government Infrastructure Fund.

15. The thematic trackers can be found by visiting Quarterly thematic update on progress against the Grenfell Tower Inquiry Phase 1 recommendations - GOV.UK (www.gov.uk).

Further work pertaining to Module 6

16. Following previous communications from the Inquiry, we understand that there are a number of matters where there is a degree of crossover between Modules 5 and 6. This includes the response to previous coroner recommendations pertaining to operational effectiveness; the adequacy of fire safety legislation and operational guidance (previously the Government's Chief Fire and Rescue Adviser was responsible for issuing operational guidance for fighting fires in high rise buildings - the GRA 3.2 – before the transition of responsibility to the sector and its withdrawal on 31 March 2020). The Home Office has implemented and continues to be engaged in an extensive programme of work in partnership with MHCLG, to reform building and fire safety legislation, regulations and guidance, to ensure the public are safe and feel safe from fire where they live, stay or work. This work includes further action to fulfil the Inquiry's Phase One recommendations addressed to government that require legislative change, including requiring provision of fire safety instructions to residents and consulting on Personal Emergency Evacuation Plans; and to introduce an improved building safety regime. These matters will be addressed as part of our Module 6 opening statement.