



# Protection Board: Programme Business Case (PBC)

Issue Date: 6 March 2020

# Contents

<b>Executive Summary</b>	3
<b>Strategic Case</b>	4
The Strategic Context	4
The Case for Change	6
<b>Economic Case</b>	11
Short-List Options Analysis	11
Overall Findings: The Preferred Option	13
Benefits	14
<b>Finance Case</b>	16
Financial Implications of the Deal	17
<b>Management Case</b>	19
Finalise Programme Management Arrangements	19
Finalise Risk and Assurance Management Arrangements	21
Post-Evaluation Review Arrangements	21
<b>Data Section</b>	22
<b>Evidence Pack</b>	23

# Executive Summary

## Introduction

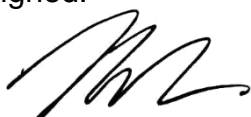
This Programme Business Case (PBC) seeks approval from the Ministry of Housing, Communities, and Local Government (MHCLG) to invest £10 million a year to develop and oversee a programme to deliver on the commitment made by the Secretary of State for Housing, Communities and Local Government to inspect or assure all high-rise<sup>1</sup> residential buildings no later than the end of December 2021, and to then ensure the National Fire Chiefs Council (NFCC) and fire and rescue services (FRS) have a system and resources in place to maintain confidence in the protection system for HRRB and other high risk premises. The work is overseen by the Fire Protection Board (the Protection Board).

## Recommendation

To deliver the commitment made by the Secretary of State for MHCLG, the Protection Board recommends that MHCLG provide an initial £10 million in the financial year 2020/21 to the NFCC and FRS. To increase the likelihood of delivery and ensure value for money the Protection Board recommend using a risk-based approach to ensure triage and audit interventions are undertaken of the buildings within scope. It is anticipated that further funding will be made available in 2021/22 for the second year of the programme but this will be subject to confirmation as part of the Spending Review. Without further funding into 2021/22 it will not be possible to complete the programme.

A proportion of the initial funding, around £4 million, would be allocated to the NFCC to build a new national infrastructure to support frontline protection work. This will include developing a national risk-based framework for protection with supporting operational guidance; central support for fire and rescue services; oversight of delivery and development of a trajectory; and work to support fire and rescues services to deliver. The central funding allocation will be reviewed in quarter 1 and quarter 3 and, if required, used to target additional frontline FRS interventions. The remaining £6 million of funding will be distributed to FRS through grant funding with a minimum of £60,000 per service<sup>2</sup> (equivalent to the cost of one Inspecting Officer) with the remainder using a formula based on the estimated number of buildings in scope for the exercise. The FRS will be expected to use this funding to increase their capacity and capability to undertake the work and provide the central team with the necessary returns for programme assurance purposes. Currently, we have confirmed funding for 2020/21 and will need to include protection funding for 2021/22 in the SR bid at which point an assessment of the funding split will be undertaken.

Signed:



**Date: 6 March 2020**

**Roy Wilsher, Chair Protection Board**

---

<sup>1</sup> In this document a High-Rise Residential Building is defined as any residential building of 18m or more to the height of the top occupied storey. This defines the scope of buildings to be covered within this programme. Estimates provided by MHCLG indicate there are approximately 11,000 High-Rise Residential Buildings.

<sup>2</sup> Services with no or fewer than five high rise residential buildings will not receive any funding.

# Strategic Case

## The Strategic Context

Since the Grenfell Tower Fire on the 14th June 2017, there have been a number of major fires where buildings have not behaved as they should, lacking sufficient fire protection and spreading more quickly than expected. These fires have illustrated that there remain significant fire risks from failings in the built environment and highlights deeper problems with fire safety in buildings.

Building and fire safety is a requirement by law on the responsible person, as set out the Regulatory Reform (Fire Safety) Order 2005 (The Fire Safety Order) and applied to the common parts of HRRBs. Fire and rescue authorities have a critical regulatory role in enforcing the Fire Safety Order, through fire safety audits and operational crews. This work, commonly known as protection, has been identified by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspections as an area of significant concern across fire and rescue services, with many protection teams identified as being under-staffed and under-resourced. The number of fire safety audits undertaken has declined by 42 per cent since 2010.

The Secretary of State's for MHCLG has outlined the following priorities and ambitions:

1. To provide expert and consistent inspections across the country and ensure that we are identifying, managing and recording risks, while increasing the pace of inspection activity across high-rise residential and other high-risk buildings.
2. To ensure building owners are acting on the very latest safety advice.
3. To ensure that all residents of high-rise blocks are safe, feel safe now and in the future, with the aim all high-rise residential buildings have been inspected or assured no later than December 2021.

To meet these priorities, the Secretary of State for MHCLG made a statement setting out the Government's plans:

*I expect all high-rise buildings to have been inspected or assured by the time the new building safety regime is in place, or no later than 2021. Residents of these buildings should be swiftly informed of the results of those assessments and inspections, with any changes acted upon as soon as possible.*

*I can also confirm that my Department will provide £10 million a year of additional funding to help local authorities improve their inspection capabilities and to support the work of the protection board, which we are now launching.*

*Should the protection board consider it necessary, I will, of course, consider providing additional resources during the remainder of this financial year to increase the pace of inspection and assurance work.*

MHCLG Secretary of State, 5th September 2019

In September 2019, the then Minister for Crime, Policing and the Fire Service invited the NFCC to chair a new Protection Board. The membership includes the Home Office, MHCLG, the Local Government Association (LGA), London Fire Brigade (LFB) and Greater Manchester Fire and Rescue Service (GMFRS). The Protection Board terms of reference is included in the evidence pack: 'Fire Protection Board – Terms of Reference'.

The board aims to strengthen protection activities across FRSs in England and is charged with delivery of the ministerial commitment to increase the pace of inspection activity across HRRBs to inspect or assure these buildings no later than December 2021. The board has been developing a programme of work to meet this new expectation and increase the capacity of services ahead of the new Building Safety Regime, helping to identify and help resolve fire safety issues before other major incidents occur.

To date, the board has overseen several exercises and produced briefings carried out by the NFCC and FRS:

### **Framework for Managing Risks for High-rise Residential Buildings with ACM Cladding**

The Protection Board has designed a new framework for Fire and Rescue Services (FRSs) and Fire and Rescue Authorities (FRAs) to operate so that a greater level of oversight can be provided on how the risks for identified high-rise residential buildings (18m and above) with combustible Aluminium Composite Material (ACM) cladding are being managed. The results have been positive so far.

### **High-rise Residential Buildings Interventions Feasibility and Impact Assessment**

The Protection Board asked the London Fire Brigade (LFB) and Greater Manchester Fire and Rescue Service (GMFRS) to undertake an analysis to estimate the resource implications of undertaking audits on all high-rise residential buildings by December 2021.

### **Costs for Safety Interventions in High Rise Residential Buildings**

The Protection Board have discussed the costs of interventions with the Home Office. Work on the Hackitt regime has given us some indicative figures which may help inform the costs of interventions by the Fire and Rescue Authorities.

### **Triage Process for High Rise Residential Buildings for the Protection Board Building Risk Review Process**

The triage process for High Rise Residential Buildings for the Protection Board Building Risk Review Process splitting the buildings in scope into three tranches.

1. Proposals for 'desktop' prioritisation of buildings within scope (18-metre ACM) including those known as they were visited previously by FRSs.
2. FRSs will have information on HRRBs other than those with ACM, with concerns, such as other cladding types, compartmentation issues and other fire safety concerns, that represent a known risk to FRS with premises required to be inspected/audited by a fire safety officer.
3. Includes the remaining HRRBs. The largest number of buildings with the least amount of information held by FRS. This will be covered with a proposed Triage system through fire station-based crews (not all will have formal training in regulatory fire safety) they will gather operational risk information about buildings in scope, using a list of proposed yes or no questions used to inform risk. Afterwards a fire safety officer will review and assess if an inspection or further intervention may be required.

The Home Office works closely with FRSs to reduce the number of fire related deaths and keep people safe. By improving the pace and quality of protection activity through this programme, more people will benefit from having a level of assurance that fire risks in their buildings and businesses have been assessed. Increasing the identification and management of fire risks has the potential to avoid fire-related deaths in the near future.

The Home Office is also introducing legislation in the wake of the Grenfell Tower Inquiry Phase 1 Report to strengthen fire safety legislation and to create the power to enable delivery of several recommendations made by the Inquiry.

The benefit of increasing capacity and capability across the NFCC and FRSs to deliver the programme will be to further support government objectives to keep people safe in the long-term. The data collected from the programme and any data being collected by other sources, will provide improved information for the regulatory arrangements proposed for MHCLG's new Building Safety Regulator. There is a danger, seen in the market reaction to ACM clad buildings, that without this improved regime there will be unwelcome effects on both the mortgage and insurance markets.

## **The Economic Rationale for Intervention**

The main economic problem with building and fire safety in high-rise residential buildings is the lack of information or the asymmetric information that currently exists. This is exacerbated by the problem of 'a lack of co-ordination'.

That is, that building owners / managers or responsible persons, may or may not have more information than residents / leaseholders or simply may not have enough information or expertise to make appropriate informed assessments of both building and fire safety in high-rise residential buildings. Unfortunately, this often results in misjudgements or a lack of action over building materials and fire safety measures. Where a property does not have a 'fit for purpose' fire risk assessment, this may result in mortgage lenders not advancing sufficient funds to buyers and denying sellers the ability to sell their home at a reasonable market value price.

The difficulty facing residents and leaseholders in most cases is the inability to take co-ordinated action to have a proper fire risk assessment undertaken or to ascertain information about the structure of their residence.

The Government is required to legislate (Building Safety Bill and Fire Safety Bill) to take further action to improve and strengthen building and fire safety. This element of that overall strategy is essential to ascertain the risks in high-rise residential buildings, to document and record these, to take appropriate follow-up or enforcement action where relevant, so that there is a real change to building and fire safety, thus residents will be and will feel more secure. The FRS audit or intervention does not solve these problems in itself, but as part of wider action, the contribution of the FRS to identifying and recording any issues with building and fire safety will be important. Thus, combined with remediation, promoting best practice, enforcement, education and government action, the issues in the mortgage market are likely to resolve over time.

## **The Case for Change**

Significant steps have already been taken to address building and fire safety risks since the Grenfell tragedy. The work of the board aims to strengthen protection activities ahead of the new Building Safety Programme (BSP), which was established by MHCLG to cover high-rise residential buildings 18m and over, to make sure that residents of high-rise buildings are safe - and feel safe - now, and in the future.

The Government has also banned combustible materials in the external walls of high-rise residential buildings of 18m and over, and following a review into its effectiveness, is now

consulting on extending the ban significantly further. With the support of local fire and rescue services and a panel of independent expert advisers, MHCLG is supporting building owners in taking immediate steps to ensure their residents' safety and in making decisions on any remedial work that is necessary to do.

But it has been recognised that further action is needed. Although only the common parts, came within the Fire Safety Order; protection work has been consistently identified as requiring improvement in recent HMICFRS inspections. Out of all 45 FRS inspected, over half 'require improvement' or were found to be inadequate at effectively protecting the public through the regulation of fire safety.

HMICFRS have stated that in certain services, protection teams are understaffed and under-resourced and 'lack of resource and capacity continues to limit protection work'. The recent State of Fire and Rescue Report states:

*"In the 27 services that provided comparable data, the number of appropriately trained staff who were allocated to protection work had reduced from 655 in 2011 to 450 in 2019. Another problem the sector faces is the number of qualified protection staff who move to more lucrative posts in the private sector. With inspecting officer qualifications taking at least 18 months to complete, services don't have a quick fix to fill staffing shortfalls."* (p87, para 3.)

This is reflected in the 42 per cent reduction in the number of fire safety audits carried out by FRAs over the last eight years. Whilst every service should have a risk-based inspection programme, 'some are failing to meet their own set targets with the resources they have allocated (p32).'

NFCC has recently agreed a new Competency Based Framework for fire safety officers. This will benefit fire services in their protection role but will equally make their staff even more attractive and marketable to the private and other fire safety sectors.

Since the Grenfell Tower fire and other major residential fires such as the Cube fire in Bolton, it has become clear that buildings have not behaved as they should, due to failings in the built environment and fires have spread more quickly than should be expected. See evidence pack for analysis of recent residential fires: Timeline of Major Residential Fires since Grenfell (June 2017).

These fires have illustrated there remains significant fire risks from combustible cladding – as well as other emerging issues such as wooden balconies and timber frames – and deeper problems with fire safety in buildings constructed over recent decades.

It is clear from the evidence given by HMICFRS, and the deeper fire safety concerns which have emerged following Grenfell, that protection activity, including in high-rise residential buildings, must be improved and increased quickly, although it must be remembered that the fire and rescue service only ever had responsibility for the common parts, that is, the staircase. By investing £10 million this year to build a programme to inspect or assure all high-rise residential buildings before the end of December 2021, we will improve the identification and management of fire-related issues and decrease the chance of another major incident occurring.

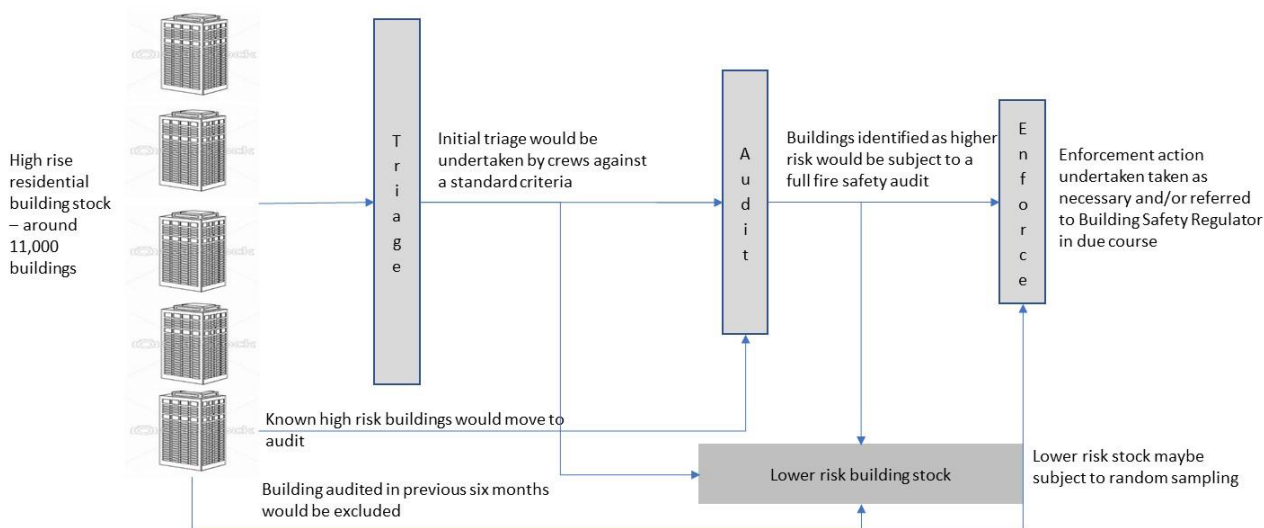
## **The Delivery Model**

The Protection Board has developed an indicative delivery model – based on Option Four in the short list analysis (below) – based on a triage and audit model. This model is

considered appropriate for those services that have not undertaken assessments or inspections of all high-rise residential buildings in their area.

This model set out at high level below:

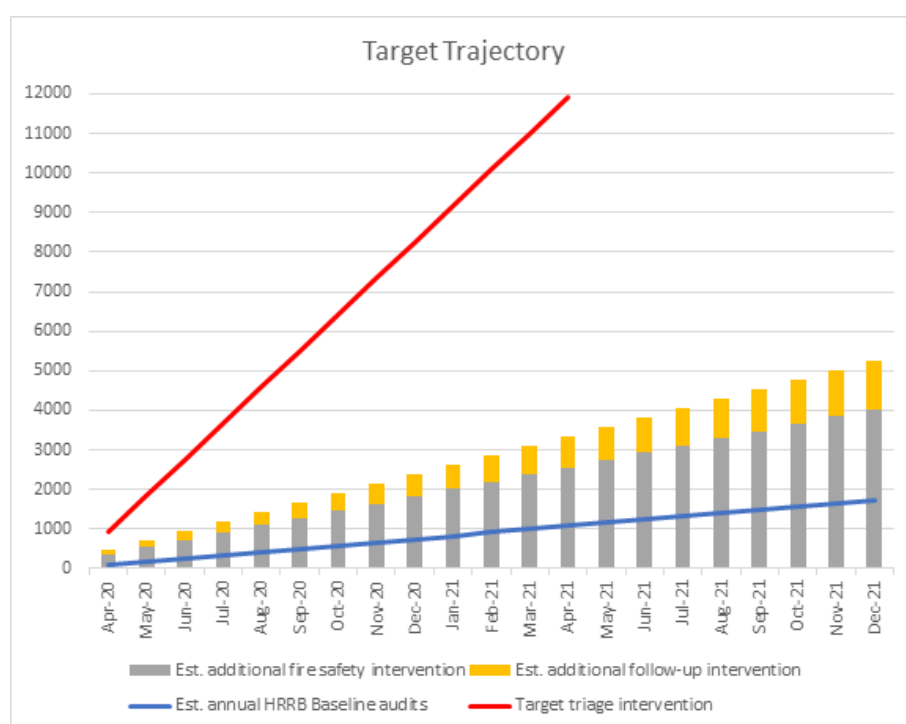
The proposed delivery model seeks to focus scarce specialist resource and manage risk effectively



All FRS will be asked to produce trajectories for delivery of the triage and audit phases. We may expect some local adaption of the model, particularly in rural FRS' where the stock is less dense. The model will be reviewed and adapted as necessary.

FRS undertook around 2,800 fire safety audits of building over 11m (four storeys) last year. Previously 18m was not a recorded data point, therefore we do not hold reliable national data for audits of buildings over 18m at this point in time, but NFCC have estimated based on the best available data that annually, English FRS may be auditing around 1,000 purpose-built blocks of flats 18m and above as part of business as usual inspection activity each year. The illustrative delivery trajectory for delivery of the programme based on this model is presented in Figure 1:

**Figure 1, Illustrative delivery trajectory for delivery of the programme.**





This assumes that all initial triage assessment will be complete by the end of next financial year (2020/21) and the inspection programme will ramp up over time. The current stock of high-rise residential buildings 18m and above to be triaged, is around 11,000 buildings in England based on estimates provided by MHCLG. Overall, this trajectory assumes nearly 6,000 buildings may be visited, and 35 per cent may require additional intervention. In practice we would expect each service to develop their own plans, we know a number of smaller services already undertake annual visits to all residential buildings over 18m. The trajectory is indicative and will need to be refined, including assumptions about the level of initial triage interventions leading to a fire safety audit and the number of follow up interventions. These will have a significant impact on the resource requirements and the overall likelihood of delivery.

Programme delivery will be carefully managed. All FRSs will be required to provide a trajectory and regular updates on progress as part of the grant conditions attached to the funding. These conditions will also include requirements to use the funding on protection related activity only. The funding for NFCC will be, in part, used to build the capacity to develop a national level trajectory and monitor progress and identify areas where further support is required. This may include quality assuring local plans.

The Protection Board have identified that delivery will be considerably more challenging in Metropolitan services, and in particular in London. This is due to a combination of the scale of the challenge – nearly 60 per cent of the building in scope are in London, 5 per cent in Greater Manchester, and 5 per cent in the West Midlands – and major challenges with recruitment and retention of inspecting officers. Developing delivery plans, particularly in London, will be an area of on-going focus for the Protection Board.

A standard approach to triage has been developed and will be rolled out for those FRS's planning to adopt this model – as noted some services may decide to undertake audits of all buildings. NFCC will also produce operational guidance to support service delivery.

## Key Strategic Risks

The Protection Board has identified a number of key strategic risks associated with the programme:

- Retention and recruitment: many FRSs are finding it difficult to attract and retain Protection staff meaning it is challenging to build capability, which in turn impacts on capacity and delivery
- Training requirement: even when Protection staff are recruited, the combination of the training required, and their development can result a significant period before they are deemed competent to undertake complex fire safety work.
- Displacement: there is a risk that existing protection staff maybe displaced Protection activities surrounding other high-risk buildings including hospitals and care homes.
- The current coronavirus crisis is having a significant effect on FRS across the country and this may impact on the delivery of the inspection and assurance programme. However, all possible strategies and mitigations will be put in place to avoid any delays. Should there be a considerable and sustained impact on FRSs, the Protection Board would come back to ministers with further advice.

The proposed delivery model is designed to at least in part mitigate these risks, however it does mean that we are relying on fire crews to undertake basic triage. NFCC will develop a core triage model, which may be adapted by local services depending on the experience and level of training afforded to local crews. This approach offers value for money but will mean that some buildings are only triaged, which will be necessarily limited in scope. This can in part be mitigated by considering some random sampling or review by more experienced managers. This will be considered as the programme develops and the level of 'conversions' from triage to audit will also be carefully tracked so significant deviations from what is anticipated can be explored.

# Economic Case

## Short-List Options Analysis

The programme will be aligned with the proposed scope of the new Building Safety Programme regulatory regime. That is, the work is limited to high rise residential buildings of 18m or more to the height of the top occupied storey. This implies that the current stock of building to be triaged or inspected is around 11,000 buildings in England based on estimates provided by MHCLG.

The Protection Board identified the following short list of delivery options:

### **Option 1 – Do nothing**

This option has not been considered in detail. The statement made by MHCLG Secretary of State committed funds to increase the pace of protection activity and support the work of the Protection Board. The results from HMICFRS inspections highlight the need for improvement of protection activity across FRS so taking no action would mean protection activity remains understaffed and under-resourced. This would pose a significant risk to delivery of the Government's stated objective and to the Government's reputation if another major fire were to occur. Doing nothing would not meet the objectives of the Government and it is therefore recommended this option is not considered going forward.

### **Option 2 – Distribute all money directly to FRSs through General Grants to undertake protection work.**

Under this option, we would distribute all the additional funding to FRSs according to the existing Fire Funding Formula. This would allow us to quickly pay out additional funding to FRSs through a formula they are already familiar with and would provide all services with some funding to increase their protection work.

This would mean that distribution would not take into account the distribution of buildings over 18m, so we would expect there would be significant variations between the funding services receive and their need to uplift activity. Some services will receive more funding than they need, some services less. It is unlikely we could attach conditions to this funding, so we would have no control over how it is spent, and no funding would be paid to the NFCC for their central programme and co-ordination functions. This would mean there is no effective oversight of the delivery programme.

### **Option 3 – Provide funding to NFCC to develop centralised team and fund FRSs strategically to carry out a full inspection of all buildings in scope.**

This option would see a proportion of the funding provided to the NFCC to build a centralised protection team to oversee and manage the delivery of the programme and the wider protection support to FRS in the longer term as the BSP develops through to full implementation. This would include developing a new database and implementing programme management processes to effectively report progress to the Protection Board.

FRSs would then be allocated funding based on the number of high-rise residential buildings in each service's area. Home Office Analysis and Insight are currently using ordinance survey data to gather data on the number of high-rise residential buildings across the country and a new funding formula will be developed by the Home Office.

Under this option, funding will be provided to undertake a full inspection for all buildings in scope. The Protection Board recently commissioned LFB and GMFRS to conduct a feasibility and impact assessment of undertaking a full inspection and a paper was presented to the board (See evidence pack: high-rise residential buildings inspections feasibility and impact assessment.)

The paper concluded that across London and Greater Manchester, whilst resource constraints could be mitigated somewhat by allocating some non-technical functions to staff other than Inspection Officers, it is very unlikely that significant numbers of fire safety staff could be recruited or trained to the appropriate level to complete a full inspection of all high-rise residential buildings by December 2021. The approach would mean that many FRS would need to prioritise significant amounts of existing resource to these buildings, meaning they are unable to deliver interventions to higher risk premises including hospitals and care homes.

This option benefits from more effective distribution of funding to FRSs and builds long-term capacity and capability within the NFCC for protection expertise going forward. Additionally, a full inspection of all buildings gives the greatest level of assurance to residents on the safety of their homes. However, undertaking a full inspection of all buildings in scope is unlikely to be deliverable in the timeframe without significant impact on wider building safety.

#### **Option 4 – Provide funding to NFCC to build centralised team and fund FRSs strategically to deliver a risk-based triage and audit programme.**

Under this option, the NFCC will be provided with funding to build a centralised protection team to oversee and manage the delivery of the programme and provide wider Protection support to FRS in the longer term as the BSP develops through to full implementation, as per Option 3. The NFCC will also be responsible for developing guidance on a tiered risk-based approach to inspection programmes for buildings within scope. Many of the buildings within scope of the exercise will be relatively low risk. The framework would be developed by setting different levels of intervention based on risk.

Over time, this option would contribute to the broader strategic objective to improve consistency in protection work. In findings from Tranche 2 inspections, HMICFRS identified the need for greater consistency in how FRS define high-risk premises, the frequency of audits and the use of enforcement action and commented on a deficit in the fire sector's national capacity and capability to drive change.

A central protection team to advise on risk-based inspection methodology would be informed by and build on existing work currently being undertaken by the NFCC around risk definition and management and would contribute to addressing recommendations made by HMICFRS in advance of the next Spending Review.

The central funding will be used to develop a legal capability to assist front line delivery of enforcement action; central expertise for difficult audit cases linked to the Joint Inspection Team under MHCLG, national protection policy guidance and improved data collection and analysis. Drawing from existing datasets being put together by MHCLG and informed by the work of the Joint Regulators Group, this would look to improve the accuracy and consistency of fire and rescue service data on buildings within scope which could eventually inform the work of the new Building Safety Regulator. This would be within the bounds of fire safety and operational risk information necessary to triage in-scope buildings for closer inspection or intervention. Funding would also be provided to FRSs using a new Home Office funding formula, providing some payment to all English FRS

with further distribution based on the number of high-rise residential buildings in each area, as per Option 3. FRSs will then use the new framework to deliver proportionate levels of audit or intervention based on risk across all buildings in scope.

This option also provides the benefit of more effective funding distribution to FRSs and will enable the NFCC to build long-term capacity and capability for protection expertise. By taking a risk-based approach, this will increase the likelihood of completing the programme by the end of 2021 whilst still fulfilling the commitment made by the Secretary of State for all buildings to be either inspected and/or assured. However, it should be noted that under this option the level of assurance provided across the entire scope of buildings will be less compared to Option 3. To mitigate this risk, we will evaluate both the framework and the way it is being used by FRS at periodic intervals during the lifecycle of the programme.

## Overall Findings: The Preferred Option

The Protection Board recommends that the programme is delivered through **Option 4 – Provide funding to NFCC to build centralised team and fund FRSs strategically to deliver a risk-based triage and audit programme**.

**Option 1** has been discounted from this assessment as it will not meet the ministerial commitment.

**Option 2** requires little preparatory time as an existing funding model can be used to distribute money to FRSs. More money can also be allocated to FRSs to complete intervention as no additional funding will be provided to the NFCC; FRS could utilise this funding in a range of ways to support these objectives, such as recruiting additional inspecting officers, investing to retain existing staff in the current competitive market, or additional capacity for data collection and analysis. However, using a funding formula is unlikely to deliver optimal value for money as there will likely be a mis-evaluation of funding, leaving many FRSs with too much or too little money. Additionally, not investing in improving the national infrastructure for protection activity or building a centralised NFCC team fits poorly with the strategic fit of the Building Safety Programme. This option should be discounted due to its significant drawbacks.

**Option 3** could deliver a high level of assurance across all buildings in scope and therefore is a very good strategic fit. It is also likely to deliver on the objective to meet the ministerial commitments and provides value for money by allocating FRSs money through a new funding formula. Providing money for the NFCC to build their capacity and capability should also enhance value for money and improve protection work in the long-term. However, the LFB and GMFRS study showed that delivering a full inspection for all buildings in scope by the end of 2021 is not feasible. Also, a full inspection of all buildings in scope is unlikely to be necessary and therefore is a waste of valuable resources. For these reasons, primarily that this option is not feasible, Option 3 should be discarded.

**Option 4** shares many of the same benefits as Option 3; delivering a good strategic fit for the BSP, working towards the ministerial commitments and providing value for money by investing in the NFCC. However, by using a risk-based triage approach to intervention, the likelihood of delivering the programme on time is significantly increased as less time will be required by skilled inspection officers to visit lower risk buildings. Whilst this option will not give the level of assurance that a full fire safety audit can provide across all buildings, this risk is outweighed by the benefit of finishing the programme on time, ahead of the BSP. This option is the most likely to achieve the following:

- A good strategic fit with the aims, priorities and ministerial commitments outlined in the Strategic Case.
- It is affordable and is the most likely to deliver the optimal value for money for the taxpayer, in terms of efficiency and effectiveness.
- The risk-based triage process is deliverable by the end of December 2021 (whereas Option 3 is not), given the caveat over the response and impacts of COVID-19.
- It strengthens the Building Safety Programme and fire safety leadership, creating a hub of expert knowledge including policy development, fire safety and engineering (especially in complex cases), data and analysis function and communications, campaigns and education to directly support FRS frontline services across their differing demands and skills gaps.

## Procurement

No direct procurement will be required for this programme. Funding will be provided to NFCC and FRSs who will be responsible for building their own capacity and capability including any procurement activity.

## Benefits

Option 4 is likely to deliver significant benefits to the Government, the Home Office, the FRSs and the NFCC. Some of these benefits are described below:

- The main benefit is that the funding allocation would allow the FRSs, who are ideally placed to conduct this task, to be supported by NFC to deliver a robust inspection and intervention programme of the 11,000 high-rise residential buildings to meet ministerial commitments.
- The NFCC would build a national infrastructure and a hub of expert knowledge that would be available to support FRSs across England.
- There would be a strengthening of and more consistent approach to fire protection activity for FRSs across England. The NFCC would be enabled to efficiently and effectively support frontline FRS activity to help them achieve this goal.
- The Protection Board funding (£10m) would make a considerable contribution to addressing the concerns of HMICFRS over the requirements for the improvement of protection work across England.
- Fire safety and engineering, complex work and legal advice would be significantly strengthened to enable FRSs to draw on expert advice where required to aid frontline services to deliver on these commitments.
- Rather than having disparate records, the data and analytics function to be developed within NFCC would improve the current information available on high-rise residential buildings, working towards a central resource of minimum data for the 11,000 in scope buildings. This would be useful for government, NFCC and local FRSs to aid planning, monitor trends and remedial action.
- Buildings that have already been visited during the ACM Building Risk Review phase, resulting in significant information capture, will be able to inform the triage

process and therefore valuable FRS resource will not be spent ineffectively by visiting these buildings.

- The NFCC propose to conduct more effective communications, campaigns and education programmes to provide benefits to FRSs in terms of facilitating learning, and promoting consistency – which will differ across FRSs, promote best practice and to provide expert advice.
- The NFCC also propose to develop National Organisational Learning tools for protection, to build on the existing success of the National Operational Guidance (NOG) model. This is likely to be a very significant benefit allowing online learning from local sites, and allowing learning over longer periods of time, even if FRS staff access this in short time periods.
- Government are likely to be better served by the strengthened policy resource developed within NFCC including advice and expert input to the BSP, fire safety and other fire safety related matters.
- The combination of interventions by government (increasing building and fire safety), remediation, the adoption of best practice by the sector, more informed and educated public and sector, along with FRS activity in audit and interventions are likely to make significant contributions to improvements in fire safety. This activity is also likely to lead to more robust fire risk assessments conducted by responsible persons, who are also more likely to adopt best practice. All of these, taken together, are likely to lead, over time, to a resolution of problems associated with the mortgage market for those who live in high-rise residential buildings.

# Finance Case

We would expect the bulk of the funding to focus on increasing capacity and capability in both the short and long-term. The proposals should set out the balance between the actions necessary to secure both objectives. We will also need to be careful to ensure that the funding is genuinely additional and does not cause displacement.

The Protection Board identified five broad areas where funding should be prioritised. These were:

1. Providing a national infrastructure for protection: This would provide greater centralised capacity within NFCC to support the work of the Board, provide support to FRSs, oversee delivery of the programme and ensure the programme of work is integrated with and support development of the new regulator. This could explore the scope to establish more regional co-operation around capacity, development of capability and planning for smaller services e.g. complex audit, fire engineering, data analysis, and legal support.
2. Developing a risk-based framework and protection based operational guidance: Defining the triage/audit framework for the programme and Fire Protection guidance will be key initial tasks for the work. This would need to include how and when to engage local authorities.
3. Increasing capacity short-term: This could include identifying recently retired members of staff with the appropriate skills, potentially commissioning out some of the work to private sector contractors and making better use of core firefighter capacity for lower risk buildings through 7.2(d) visits. FRS could utilise this funding in a range of ways, such as recruiting additional inspecting officers, investing to retain existing staff, or additional capacity for data collection and analysis.
4. Increasing capability long-term: Improve the training and upskilling of protection staff in FRSs to improve the capability of services to undertake intervention. An early deliverable would be to understand the pace at which this could be undertaken across FRSs. Ideally, this would be used to help develop a more flexible cross-regional capability based around significant concentrations of high-risk buildings including high-rise buildings.
5. Improving legal support for FRSs: This could include a central enforcement team to support FRSs to undertake complex prosecutions and develop guidance, particularly where the FRS lack capacity.
6. Alignment of FRS data: This would look to improve the accuracy and consistency of FRS data on buildings within scope which could eventually inform the work of the new Building Safety Regulator. This would be within the bounds of fire safety and operational risk information necessary to triage in-scope buildings for closer inspection and ensure this is aligned to work undertaken by local authorities. Many FRS systems are not set up to capture this data or routinely record fire audits for high rise residential buildings so there may be some local investment required. This should be aligned to and build on the LA led data exercise to identify all residential buildings and their external wall systems.

Funding could be identified in this financial year to start to build the national infrastructure, develop an initial risk-based framework that could be tested in an FRS and undertake a



rapid capability and capacity assessment of all fire and rescue services. The latter would include identification of the number of buildings and the current capacity of the service and would be used to inform the future funding model. This would be subject to rapid development of a set of proposals for ministers and identification of necessary capacity to supplement existing resources.

## Financial Implications of the Deal

Funding of £10 million is confirmed for the first year of the programme and we expect that there will be ongoing costs as a large proportion of the funding will be used to support additional frontline capacity. Further grant funding will be determined as part of the spending review process, but we expect this to continue to be a priority for government. The grant funding will be used while the Building Safety Regulator is established. The grant will be gradually replaced by the fee-based model introduced as part of the regulatory reforms led by MHCLG, enabling the capacity to be mainstreamed.

## Financial Risks

Under our preferred option, the £6 million funding will be paid out to FRSs according to a new formula to be developed by Home Office Analysis and Insight. This will be driven by the location of high-rise buildings to ensure the funding is targeted to FRSs with the greatest need to uplift their protection activity. We will need to ensure this formula is analytically robust and accepted by the sector as a whole.

The funding will be managed under section 31 grant rules and FRSs will be required to comply with a number of conditions. The Fire and Resilience Directorate in Home Office has significant experience of administering these grants and is confident they have appropriate financial control mechanisms in place. There is some risk that the funding will not be spent in year by FRSs. We will carefully monitor and manage expenditure trends and take appropriate action where necessary.

The indicative breakdown of funding is presented in Table 1 and the workstreams summarised in Table 2:

**Table 1, Protection Board funding allocation, £ million.**

Body	£m	
<b>NFCC</b>	0.89	Central Protection programme and policy team
	1.67	Enforcement, fire engineering and complex case support frontline FRS activity
	0.52	Data analytics and performance team
	0.92	Communications, campaigns and education
<b>Total</b>	<b>4.00</b>	
<b>FRS</b>	<b>6.00</b>	Distributed to 43 FRS in England (uses OS address and building height data) <sup>3</sup>
<b>Total</b>	<b>10.00</b>	<b>FRS and NFCC allocation</b>

<sup>3</sup> Data taken from AddressBase® Ordnance Survey, 2019. See: <https://www.ordnancesurvey.co.uk/business-and-government/help-and-support/products/addressbasepremium.html>.

There is an initial allocation of £6 million to all FRS on the basis proposed, with a review at Q1 and Q3 to determine whether to push more funding to FRS to fund direct delivery. Flexibility around this is a vital component of the allocation, given that each FRS will have different requirements to meet the objective and NFCC are ideally placed to assist and support these requirements. Final allocations and methodology will be subject to sign off by the Protection Board and Ministers.

There are four principal workstreams that support FRS frontline activity to meet the aims and objectives, outlined in the Strategic Case. These include:

- Central Protection programme and policy team this will significantly strengthen the focus of policy support and leadership to the NFCC team, making considerable contributions to both demands from central government and FRSs across England.
- Enforcement. fire engineering and complex case hub to support frontline FRS activity – many smaller FRSs or where there are a smaller number of high-rise residential buildings may not have the expertise when it comes to significantly complex buildings, therefore creating a hub of expert advice around complex and high-rise residential buildings will make a real difference to how frontline activity can be more effective and efficient<sup>4</sup> This workstream also includes the flexible resource.
- Data analytics and performance team – it has been clear that following Grenfell there was a lack of data and knowledge on high-rise residential buildings. The recording and analysis of data around fire protection in this vital area will improve central information on which to build. It is seen as an essential component of creating a knowledge hub and a crucial way to support frontline FRS activity.
- Communications, campaigns and education – this is often an area that is overlooked and having the foresight to gather knowledge and expertise but then to disseminate it and promote best practice will be critical to ensuring a consistent approach across FRSs whilst still allowing these FRSs to adapt their own learning and fill skills gaps, thus ultimately supporting frontline FRS activity.

**Table 2, Protection Board workstreams and funding, £4 million to NFCC.**

<b>Data &amp; analytics</b>	<b>Fire safety</b>	<b>Central Policy</b>	<b>Comms &amp; education</b>
current staff	current staff	current staff	current staff
new analysts	new legal advisers	new policy/admin staff	new comms/ed staff
IT and software	contracted services	hub leadership	learning
expenses	flexible resource, FRS	miscellaneous	engagement
<b>0.52</b>	<b>1.67</b>	<b>0.89</b>	<b>0.92</b>

<sup>4</sup> It should be noted that the only legal route for enforcement activity will be through the local Fire and Rescue Authority but having a centre of excellent to guide and support that activity will be critical.

# Management Case

## Finalise Programme Management Arrangements

### Programme Governance

The programme will be structured using established governance structures. A monthly Protection Board was established in September 2019 where significant decision and control points are made, and continued business justification is assessed. The programme's terms of reference have been agreed by the board (see evidence pack) and defined roles and responsibilities will be set out for the duration of the programme.

The board's membership reflects the programme's key stakeholders:

Board Chair: Roy Wilsher, Chair, NFCC.

Members: Mark Hardingham, Chief Fire Officer, Suffolk FRS and NFCC Protection Committee Chair.

Dan Daly, Assistant Commissioner, London Fire Brigade.

Tony Hunter, Assistant Chief Fire Officer, Greater Manchester FRS.

Nick Coombe, NFCC lead on the Building Safety Programme and NFCC Protection Vice Chair.

Charles Loft, Advisor, Local Government Association.

Neil O'Connor, Building Safety Programme Director, MHCLG.

Luke Edwards, Fire and Resilience Director, Home Office.

Rod McLean, Head of the Fire Safety Unit, Home Office.

### Programme Plan - Deliverables and Key Milestones.

Upon Ministerial agreement of parameters and approach to programme delivery, the NFCC will develop a detailed programme plan outlining key milestones for delivery. The plan will be reviewed and monitored by all key stakeholders at the monthly Protection board and risk and issue management processes will be in place to measure progress and achievement of objectives.

As outlined in the Economic Case, key deliverables and milestones will be driven by five key workstreams within the programme:

1. **Providing a national infrastructure for protection**: This would provide greater centralised capacity within NFCC to support the work of the Board, provide support to FRSs, oversee delivery of the programme and ensure the programme of work is integrated with, and supports development of, the new Building Safety Regulator. This could explore the scope to establish more regional co-operation around capacity, development of capability and planning for smaller services, for example, complex audit, fire engineering, data analysis, and legal support.
2. **Developing a risk-based framework and Protection based operational guidance**: Defining the triage/audit framework for the programme and Fire Protection guidance will be key initial tasks for the work. This would need to include how and when to engage local authorities.

3. **Increasing capacity short term:** This could include identifying recently retired members of staff with the appropriate skills, potentially commissioning out some of the work to private sector contractors and making better use of core firefighter capacity for lower risk buildings through 7.2(d) visits. Fire and rescue services could utilise this funding in a range of ways, such as recruiting additional inspecting officers, investing to retain existing staff, or additional capacity for data collection and analysis.
4. **Increasing capability long term:** Improve the training and upskilling of protection staff in FRSs and to improve the capability of services to undertake interventions. An early deliverable would be to understand the pace at which this could be undertaken across fire and rescue services. Ideally this would be used to help develop a more flexible cross regional capability based around significant concentrations of high-risk buildings including high rise.
5. **Improving legal support for FRSs.** This could include a central enforcement team to support FRSs to undertake complex prosecutions and develop guidance, particularly where the FRS lack capacity.

**Alignment of FRS data:** Improving the data NFCC holds on buildings in-scope and ensuring this is aligned to work undertaken by local authorities. This would look to improve the accuracy and consistency of FRS data to help triage in-scope buildings for closer inspection. This would need to align to work undertaken by local authorities and could eventually inform the work of the new Building Safety Regulator. Many FRS systems are not set up to capture this data or routinely record fire audits for high rise residential buildings so there may be some local investment required. This should be aligned to and build on the Local Authority led data exercise to identify all residential buildings and their external wall systems.

## Delivery Risk

The current coronavirus crisis is having a significant impact on FRSs and if this is considerable and sustained, may delay the delivery of the objectives for frontline services to inspect or assess the 11,000 high-rise residential buildings. The Protection Board will closely monitor this and liaise and engage with FRSs and put mitigating actions in place and/or provide further advice to ministers should this risk impact on deliverability.

## Programme Plan - Dependencies

The programme has the following interdependencies with other workstreams:

- MHCLG Building Safety Programme: External wall system data collection exercise, Expert Panel, Industry Safety Steering Group, Ministerial Taskforce, Joint Inspection Team
- The Protection Board discussed a paper on aligning the Protection Board with the wider Building Safety Programme (see evidence pack).
- In response to the Grenfell Inquiry Phase 1 report, the Government and NFCC are working to implement several recommendations to improve fire safety and protection.

- The Government will be bringing forward legislation to remove the legal ambiguity to ensure that enforcement action can be taken by FRSs on external wall systems.
- The creation of a shadow Building Safety Regulator (BSR).
- Recommendations of HMICFRS, including findings from Tranche 2 inspections on greater national consistency in protection, and investment in the fire sector's national capability and capacity.

These workstreams are closely interlinked with the work of the Protection Board and will be continually reviewed and managed throughout the programme lifecycle. The Protection Board core membership from the NFCC, Home Office, MHCLG, FRS and LGA are also closely involved with these workstreams and will provide regular updates to the board.

## **Programme Closure**

In line with the Secretary of State for MHCLG's commitment and upon agreement of our delivery method, we expect all high-rise residential buildings to be either visited, triaged and audited where necessary by December 2021 at the latest.

At this stage, the programme will be reviewed against progress towards the new Building Safety Regulator, either in full or shadow form, and against outcomes of any future spending review.

## **Finalise Risk and Issue Management Arrangements**

The NFCC will develop and manage a full risk and issues register which will be reviewed by the Protection Board on a monthly basis.

## **Finalise Assurance and Post-Evaluation Review Arrangements**

### **Assurance and Approvals**

The NFCC will develop an integrated assurance programme to manage the progress of delivery and report to the Protection Board.

### **Controls**

Under our preferred option, FRSs will only be able to use the funding to undertake agreed activities. The grant funding will be paid out in arrears for qualifying costs which will be agreed between FRSs and the Protection Board and Home Office.

## **Programme Evaluation and Sharing Lessons Learnt**

The Protection Board will consider commissioning a full evaluation of the programme and a Lessons Learned Report will be written by the NFCC to be passed on to the Building Safety Programme and other relevant stakeholders before project closure.

# Data Section

## Data Usage

The Protection Board will work closely with the NFCC to establish governance structures for data collection and data sharing. The Home Office will work closely with the NFCC data team as they improve the data held on in-scope buildings. The Home Office want to ensure these data are securely collected and shared and aligns to data collection work being undertaken by local authorities and other government departments and agencies.

To develop a new funding formula based on the distribution of high-rise residential buildings across the country, the Home Office has undertaken a mapping exercise using Ordnance Survey data to identify building distribution.

## Transparency and Open Data

The NFCC will co-ordinate the gathering of data from local FRSs and regularly report progress against targets through the monthly Protection Board. The Home Office will not put individual building data into the public domain however aggregated data will be made public as necessary as programme progresses. The NFCC may wish to make any of this data public depending on their governance arrangements taking into account Data Protection Act and General Data Protection Regulation considerations.

## Freedom of Information (Fol)

The NFCC and FRSs will hold new data collected throughout the programme and will be expected to comply with obligations under the Freedom of Information Act and comply with any data sharing requests, subject to Data Protection Act and General Data Protection Regulation considerations.

# Evidence Pack

- a. Fire Protection Board – Terms of Reference
- b. Assurance framework – pilot evaluation and rollout
- c. HRRB Inspections feasibility and impact assessment
- d. Timeline of Major Residential Fires since Grenfell (June 2017)
- e. Aligning the Protection Board with the broader Building Safety Programme (BSP)
- f. Assurance framework – pilot evaluation and rollout to all Fire and Rescue Services
- g. Developing the forward Inspection Programme