

Discussion Summary

Building a safer future? 100% Hackitt

Top Lines

- **The Hackitt Review identified serious problems with the construction sector.** Problems include a weak and ineffective regulatory system; poor enforcement; complex, inconsistent and siloed guidance; a system of product testing, marking and labelling that is easy to game; and poor record-keeping.
- **A particular problem is the competition in the regulatory sector: clients can choose their own regulator.** This has led to a race to the bottom in standards in the construction sector.
- **The Hackitt Review recommended a variety of changes to the system that mean high rise buildings would be viewed as complex, integrated systems: and a duty holder would be required to build a comprehensive safety case for their buildings, so they are safe not only to use but also in fires and other emergencies.**
- **Industry can and should act now to begin implementation of the recommendations,** even without legislation or further direction from government.
- **Government must also begin to implement the recommendations by bringing in the legislation required,** to bring peace of mind to those currently living in high rise buildings.
- **The recommendations of the Hackitt Review should be implemented in full to avoid losing the full system integrated approach taken by Dame Judith Hackitt.**

Speakers

- **Dame Judith Hackitt**, Chair of the Independent Review of Building Regulations and Fire Safety
- **Clive Betts**: MP for Sheffield Southeast, Vice-President of the Local Government Association and Chair of the Communities and Local Government Select Committee
- **Christina Rees**: MP for Neath, Shadow Welsh Secretary
- **Sir David Amess**: MP for Southend West, Chair of the All-Party Parliamentary Fire Safety Rescue Group
- **Emma Dent-Coad**: MP for Kensington, PPS to Shadow Cabinet Office
- **Wera Hobhouse**: MP for Bath, Liberal Democrat Spokesperson for Communities, Local Government and Refugees
- **Roberta-Blackman-Woods**: MP for Durham, Shadow Planning Minister
- Closing comments from **Lorna Stimpson**, Deputy Managing Director of Local Authority Building Control, followed by **Claire Curtis-Thomas**, CEO of the British Board of Agrément

Overview

Hosted by the Westminster Sustainable Business Forum, this event was an opportunity to consider the Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety which was published in May 2018. The Hackitt Review showed whole system change was needed. She made 53 recommendations and warned against them being cherry-picked as it would compromise her integrated professional approach.

The review recommended, amongst other things:

- creating a new regulatory framework and a new Joint Competent Authority with stronger enforcement powers;
- ensuring more effective product testing;
- putting in place a new requirement for the owners of higher risk residential buildings to specify a duty holder;
- developing better procurement practices.

The Hackitt Review also identified a 'golden thread' of the four key pieces of information integral to building safety - the digital record, the fire and emergency file, full plans and the construction control plan - which must become the legal responsibility of those undertaking work on higher risk residential buildings.

Although the Hackitt Review was broadly welcomed by business leaders and has already brought about some change in this sector, some feel it didn't go far enough in terms of recommending specific changes as banning desktop studies, insisting on the use of sprinklers in tall buildings and the introduction of secondary escape routes.

100% Hackitt Initiative

The 100% Hackitt initiative was started by the British Board of Agrément (BBA) and Local Authority Building Control (LABC). It aims to bring together influential individuals who support the systemic change in the construction industry proposed by Dame Judith Hackitt in her review. Dame Judith made 53 recommendations within her report, which also included a warning that cherry-picking implementation of recommendations would compromise the whole system approach. The 100% Hackitt Initiative aims to provide opportunities for those in the industry to discuss cross-disciplinary issues while keeping pressure on Ministers to adopt all the Hackitt recommendations.

Add your voice to those already pushing for this initiative at www.100-hackitt.co.uk.

Signing up online will keep you informed of developments and further events for this initiative.



Discussion Summary



Dame Judith Hackitt gave a summary of her Independent Review of Building Standards. There are many serious issues with the building sector, and this caused her to conclude that there must be a fundamental change in the system to address these issues. Problems include a weak and ineffective regulatory system; poor enforcement; complex, inconsistent and siloed guidance; a system of product testing, marking and labelling that is easy to game; and poor record-keeping.

Her Review overall recommended that high rise buildings must be seen as a complex integrated system, which cannot be treated in discrete packages at each stage of a building life cycle. She recommended a tougher, simpler and more effective regulatory system, including a stronger enforcement package. She also recommended making the regulation clearer on responsibilities: the responsibility for making sure the building is safe should be down to those who own and run a building, rather than a regulator. She also recommended putting in place a system that allows concerns from residents and professionals to be picked up, reported and acted upon.

Finally, she made a plea to industry to feed into the work going on in the Ministry for Housing, Communities and Local Government on this area, including the new Industry Safety Group. Industry and government must be coordinated to build something coherent in the future.

'The purpose of the Hackitt Review is to ensure that we build buildings which are safe for people to live in, and which remain safe for people to live in throughout their lifecycle. [...]

The Review isn't the answer to all the questions, but it can be the starting point to fundamentally change the system around building high rise today.'

Dame Judith Hackitt



Clive Betts MP gave his thoughts on the Hackitt Review and what needs to be done next from his experience as Chair of the Housing, Communities and Local Government Select Committee. He believes that Dame Judith's report is the start of the journey to a better building system.

He agrees that we need an urgent review of both building regulations and building regulation guidance. While he is pleased with the recent announcement to ban combustible materials in cladding for new high rise buildings, he sees a problem banning materials in new builds but still leaving existing buildings with cladding on and expecting people to feel safe in their homes. There needs to be retrofit as well.

Finally, he proposed that we should not just look at measures to improve fire safety in high rise buildings, but also make sure building regulations are reviewed for other high risk buildings, like hospitals, care homes, and student accommodation, where a clear and risk-based approach is also essential.

"Dame Judith's report shows that we need better, simpler regulation, and tougher sanctions to enforce it. Within the industry we need a change of culture- clear accountability, buildings monitored through their lifecycle, involvement of residents, and most importantly the recommendations must be applied to the whole construction sector, not just to parts of it"

Clive Betts MP



Christina Rees MP gave a Welsh perspective of the Hackitt Review and the building regulations. The Welsh Government has been leading the response to the Hackitt Review alongside the Welsh Local Government Association, which is the umbrella body for local authorities in Wales. They have conducted a detailed review of safety which initially focused on external cladding and wider safety measures in those buildings such as fire doors, stair wells and automated sprinklers. As part of this they identified various high rise buildings with combustible cladding which have undergone remedial work.

The Welsh Government's Building Safety Expert Group will help form a response to the issues set out in Dame Judith's report, and identify pragmatic responses in a Welsh context which can lead to a more coherent system.

"We are working to identify pragmatic responses to the Hackitt Review in a Welsh context which can lead to a more coherent system that has the safety of residents at its heart"

Christina Rees MP



Sir David Amess talked about his experience in this area through his work in the All Party Parliamentary Group on Fire Safety and Rescue. David explained the recent history of fires, fire safety and building regulations in the UK which led to the poor quality refurbishment seen in Grenfell tower. One of the most important recent fires was in Lakanal House in Camberwell in 2009. The Lakanal House fire resulted in the loss of six lives, and was caused by two factors. Firstly, the National Building regulations has replaced the London Building Act, which meant the refurbishment at Lakanal House had only a class O surface spread of flame, instead of the one hour fire resistance which was required before. Secondly, the council was not compliant even with that regulation, eventually pleading guilty to four charges of breaching the safety regulations. Following the Lakanal fire, a full technical review of the building regulations and a public inquiry was called for by various groups, including the All Party Parliamentary Group on Fire Safety and Rescue. These never took place. David suggested that if these had happened, perhaps Grenfell fire would never have taken place.

He and the All Party Parliamentary Group on Fire Safety and Rescue will continue to work on this and call for the further implementation of the Hackitt Review's recommendations.

“Every government since the 1970s is guilty of not putting fire safety at the top of their priorities. Regulation has been viewed as a burden on business with self-compliance replacing fire certification since the turn of the century. [...] The last time building regulation guidance was reviewed was 2006. That is not good enough.”

Sir David Amess MP



Emma Dent Coad spoke on her experience as representative- and a part of- the Grenfell community. She emphasised how we must show the survivors and the families of the victims that some action is being taken to ensure that a tragedy like Grenfell never happens again. She would like to see all combustible cladding banned as a starting point, but she would also like to see the implementation of a whole new system of building regulations, as suggested by the Hackitt Review.

From her experience with the architect community, she would like to see the system moving away from design and build, where all of the responsibility gets dispersed in such a way that no one knows who is responsible for what, and move to having system where architects are responsible for their projects from beginning to end.

"It is too little, too late and far too slow."

Emma Dent Coad MP



Wera Hobhouse spoke on the need to start actioning the Hackitt Review by introducing new legislation. For Wera, the essential part of Dame Judith Hackitt's Review was the introduction of a named duty holder. Getting a requirement to have a duty-holder means a change in the Buildings Act 1984, but Wera pointed out that this Act was already amended in 2004: so changing legislation can be done. Changing the law doesn't have to take time.

She will be putting pressure on the Housing Minister to introduce legislation that requires a duty holder, and asked the room to keep up the pressure on parliamentarians to implement the recommendations of the Hackitt Review, to give justice and hope to the survivors and family and friends of the victims of the Grenfell tragedy.

"An appalling tragedy has happened. We cannot go on dithering. Let's stop talking and put something into law"

Wera Hobhouse MP



Roberta Blackman-Woods spoke about her thoughts on this from her work with Labour's new Planning Commission and her experience as Shadow Planning Minister. Roberta was pleased that Dame Judith was asking for complete systemic change in our building regulation system, and that she made a distinction between the building regulations themselves and how they are implemented.

The top four things she would like to see implemented from the Hackitt Review include: a new regulatory framework; new rigorous and demanding duty holder roles and responsibilities; a system where ownership of technical guidance rests with the industry itself; and a robust construction products regime.

She particularly wanted to see industry and government work together to bring about change, but emphasised that industry did not have to wait for Government before making changes itself. Labour has set up a new planning commission which will be talking to communities about high rise buildings, responding to government consultations, and monitoring the implementation of the Hackitt Review's recommendations.

"I hope we will never be ignorant or indifferent to the safety of those living in high rise buildings ever again. I think the Hackitt Review helps us to find a way forward, to bring in new legislation and to clarify roles and responsibilities."

Roberta Blackman Woods MP



Lorna spoke from her extensive experience working in Local Authority Building Control. Lorna gave some illustrations of bad practice in building development that she had experienced, and her thoughts on why the buildings sector had adopted such low standards, which she believes is due to three decades of deregulation, competition, the red tape challenge, light touch regulation and self-certification.

One of the major issues she sees is that anyone can choose who regulates them- if a client doesn't like what one regulatory organisation suggests is needed to ensure the safety of a building, they will shop around until they find someone who will recommend the least intervention at the lowest price. She - and LABC- agree with Dame Judith Hackitt's call for a complete system change, and for this reason she believes that 100% of the recommendations in the Hackitt Report must be implemented. She also encouraged industry to get started, without waiting for legislation, as she believes industry already knows what is wrong with the sector, and what is needed to start building a system that constructs safe buildings.

"We need a modern system, not one where people can choose how much they are willing to pay for safety. It is a low cost, low compliance system currently. This is why we need to implement 100% of Dame Judith Hackitt's Review. And we must start now, not wait until we are told."

Lorna Stimpson



Claire Curtis-Thomas spoke from her experience working with clients and installers through the British Board of Agrément. Claire believes poor procurement practices have led to a culture of poor compliance overall in the sector. Contracts are won by contractors on the back of quotes received from clients in good faith- but as soon as the contracts had been won, pressure is applied to reduce costs and increase profits. This has led to poor quality installations because contractors are cutting corners. She believes that many firms knew they are doing a bad job but felt they had no choice if they want to survive as a business.

She argued that we must change both procurement practices and the building regulations- if both are not changed, corners will continue to be cut, and a tragedy like Grenfell might happen again. She supports 100% of the Hackitt Review recommendations being implemented, and joins Lorna in her call to the industry to act, regardless of Government, and bring about change in the sector.

“Come what may, whatever regime changes we see [in Parliament], we will maintain our position to honour all those who died and to live up to expectations of the families and friends who are left.”

Claire Curtis-Thomas

Q&A

The Q&A covered a variety of topics, including:

- **Is combustion toxicology covered under the recommendations from Dame Judith Hackitt's review?** Dame Judith explained that the safety case approach she recommended means that duty holders will have to demonstrate not only that a building is safe in use, but also that it is safe should a fire happen. The safety case regime, if implemented properly, should therefore cover combustion toxicology. Furthermore, she recommended that regulators should move to a role where they are challenging duty holders- changing from questioning whether duty-holders have abided by the rules to whether they have designed a building which is safe to use and which will not expose people to harmful products in the event of a fire.
- **How does the Hackitt Review address issues around who has responsibility and authority for a particular building system?** Dame Judith explained how, if the Joint Competent Authority is implemented in the way that she intended, it will provide the responsibility and authority needed. Lorna and Emma both agreed with an industry representative's suggestion that engineers, architects and surveyors should be duty holders rather than quantity surveyors.
- **Whether the panel is concerned that an increase in house building to address the housing crisis could mean poor housing is being built.** This was widely regarded as a concern by the panel, although Dame Judith felt it was only a concern if the system isn't changed as she has suggested. She emphasised again that this can be done without changing regulation- the construction sector should already be leading this change. Claire expressed particular concern around not having sufficient capacity to do building inspections on all the housing which is being built. The expansion must only happen in a controlled way, supported by appropriately competent people.
- **Whether the recommendations should be extended to other high risk buildings (schools, hospitals) and low risk buildings?** There was widespread agreement that there should be further reviews of regulation to include low rise buildings, and other high risk buildings like hospitals and schools. There was discussion about who should pay for cladding to be removed and replaced from these high risk buildings.



About the organisers

The **Westminster Sustainable Business Forum** (WSBF) is a high-level coalition of key UK businesses, Parliamentarians, Civil Servants and other organisations. Providing a politically neutral environment for knowledge sharing and discussion on sustainability policy, we help to inform the wider sustainability agenda in government and are a trusted source of independent information and advice for policymakers. We publish authoritative research reports; impact on government policy through our in-depth round table policy discussions and outputs; and inform the wider sustainability debate by convening Parliamentarians, senior Civil Servants, business experts and other stakeholders at our larger policy events and seminars. The WSBF works in the policy areas of construction, infrastructure, water, sustainable planning, green finance and natural capital. We are cross-party, independent and not-for-profit.

For more information on our activities, please visit: www.policyconnect.org.uk/wsbf or alternatively please contact Jim Clark at jim.clark@policyconnect.org.uk

Follow the WSBF on Twitter via [@theWSBF](https://twitter.com/theWSBF)

About the sponsors

British Board of Agrément: The BBA is one of the UK's leading notified bodies offering approval, certification and test services to manufacturers of construction products and systems for more than 50 years. It is also the UK's leading authority on the assessment of insulation products and installation techniques.

www.bbaccerts.co.uk

Local Authority Building Control: LABC is the member organisation representing every local authority building control team in England and Wales (representing more than 3,500 professionals). LABC promotes safe, healthy, environmentally efficient design and construction and works with government, trade organisations, research and professional institutions to support standards, competencies and innovation.

www.labc.co.uk

