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Submission from the Royal Institute of British Architects to the Grenfell Tower Inquiry's consultation on the Terms of Reference of the Inquiry

The Royal Institute of British Architects (RIBA) is a global professional membership body that serves its members and society in order to deliver better buildings and places, stronger communities and a sustainable environment. We provide the standards, training, support and recognition that put our members – in the UK and overseas – at the peak of their profession.

**1.0 What do you think the Inquiry should cover?**

1.1 The Grenfell Tower Inquiry will need to undertake a comprehensive investigation into the origin and development of the fire, the reasons for the spread of the fire and the factors that led to the huge loss of life. This should include analysis of:

- i. The original design and construction of Grenfell Tower, its condition prior to refurbishment, the material alterations made to the building, and the management and oversight of the design and construction process for those material alterations, from conception and commissioning to completion.
- ii. The Building Regulations approval and inspection process in relation to the material alterations to Grenfell Tower, and compliance with other relevant regulation such as the Gas Regulations, the Regulatory Reform (Fire Safety) Order 2005 and appropriate codes of practice.
- iii. The management regime for Grenfell Tower, in relation to matters such as maintenance of emergency lighting, fire doors, fire compartmentation and fire-fighting equipment, and communication of emergency procedures, as well as fire risk assessment and management.
- iv. The fire and rescue operation at the Grenfell Tower fire and the operating procedures followed.

1.2 Whilst the Inquiry must clearly consider the specific sequence of decisions, actions and occurrences that led directly to the events of 14 June 2017, the RIBA strongly believes that the terms of reference of the Inquiry must be very broadly based.

1.3 The Grenfell Tower fire was a catastrophic event. With the exception of the Piper Alpha oilrig explosion and fire in 1988, in which 167 people died, the number of confirmed fatalities in the Grenfell Tower already places it as the building/structure fire disaster with the greatest loss of life on the British Isles in peacetime since the fire at the Theatre Royal, Exeter, in 1887.

1.4 The RIBA proposes that the Inquiry must have the broadest possible remit to examine the overall regulatory and procurement context for construction of buildings in the United Kingdom, to ensure that any systemic issues that may impact on the design, quality of construction and safety of buildings in respect of fire and which could have contributed to the Grenfell Tower fire are brought under appropriate scrutiny. It should also review the mechanisms by which the Fire Brigades are engaged in the development of Building Regulations and are able to provide input into the design of individual buildings, and by which operating procedures during building fire and rescue deployments are determined. This should include, but not be limited to:

- v. The efficacy and usability in relation to fire safety of current Building Regulations guidance and associated standards and codes of practice, and the effectiveness of the building control compliance and enforcement process, with particular regard to changing approaches in the design and construction of the external envelopes of buildings, the application of Building Regulations fire safety requirements in the refurbishment and/or alteration of existing buildings, the need to consider the history and any shortcomings of previous alterations and renovations, and the role of sprinkler and fire suppression systems as a life safety feature in buildings of all types. This should also consider the validity of fire testing data that is not based upon large scale testing of complete external wall assemblies.

(Following the fire at Grenfell Tower, the RIBA called for the immediate commencement of the delayed formal review of Building Regulations Approved Document B; a review recommended by the Coroner after the inquest into the deaths resulting from the 2009 fire at Lakanal House, which also encouraged consideration of retrofitting of sprinkler systems in high rise residential buildings containing multiple domestic premises. The results emerging from the current DCLG testing programme, prompted by the Grenfell Tower fire, demonstrate more than ever an urgent need to investigate the efficacy and usability of the current version of Approved Document B and related standards, as well as the building control compliance and enforcement regimes. The RIBA believes that the review of Approved Document B must be a comprehensive, transparent and fundamental reappraisal, rather than amendment or clarification, and should begin without delay in parallel with the Grenfell Tower Inquiry, to remove uncertainty, provide clarity and protect public safety.)

- vi. The impact of the Regulatory Reform (Fire Safety) Order 2005, in particular the introduction of a regime of fire risk self-assessment and the repeal of fire certificate legislation with oversight by the local fire authority.
- vii. Developments in building procurement approaches which mean that the Lead Designer (architect or engineer) is frequently no longer responsible from inception to completion of the project for oversight

of the design and the specification of materials and products and inspection of their on-site installation, with the contract for both design and construction elements often being made the responsibility of the contractor.

- viii. The virtual disappearance of the role of the on-site clerk of works in undertaking detailed continuous inspection of the work of contractors and reporting any non-compliance with design, specification and good practice to a professionally qualified contract administrator representing the client or client body. This has led to a great diminution in the level and effectiveness of independent oversight of construction and workmanship on behalf of the client.
- ix. The current provisions for training of professionals, contractors and sub-contractors in the building industry in design and construction for fire safety and the collaborative approach required to deliver fire safe buildings.

(The RIBA Regulations and Standards Group is working with the Association for Specialist Fire Protection and other construction industry stakeholders to develop an overarching strategy to encourage collaborative working across the whole design and build process to improve the quality of installed fire protection within the built environment, utilising the RIBA Plan of Work to ensure that there is a detailed specification for fire protection in initial building designs, and a schedule for fire safety throughout the construction process.)

- x. The adequacy of the regulatory framework for registered providers of social housing and private landlords in relation to fire safety and the levels of fire safety awareness amongst housing providers and tenants, including the possible need for statutory rights of entry for landlords or enforcement agencies to install, test and inspect electrical equipment both as part of the building infrastructure or private domestic installed electrical equipment.

**2.0 Is there any type of evidence that you think is essential for the Inquiry to obtain?**

- 2.1 The Grenfell Tower Inquiry should be a full public inquiry, with evidence taken under oath and the inquiry able to order witnesses to attend by summons, including in addition to residents of the Grenfell Tower all individuals with responsibility for leadership and management of the building, the design and construction of the material alterations to the building, the building regulations approval and compliance monitoring process, and the fire and rescue operation. All relevant documentation, correspondence and computer files relating to any of these matters should be available to the Inquiry. The proceedings of the Inquiry should be tape recorded in full and daily transcripts made available. The transcripts should include any technical reports used in evidence.

2.2 In particular it will be important that the Inquiry establish through documentary evidence and testimony:

- The quality and comprehensiveness of the original or refined client brief for the material alterations, including all established quality, cost and programme objectives and constraints.
- The membership, structure and responsibilities of the client's project team, particularly in relation to how the client sought to ensure that the quality of the completed project met their requirements.
- The form of procurement model chosen by the client, specifically identifying the detailed allocation of responsibilities for project management, design, construction, inspection and certification to various participants within the project structure, and the evidence of specific project-related competencies required of each as part of their selection and appointment processes.
- The final terms, conditions of appointment and scope of services to be provided by each of the various members of the design team for all stages of the project and details of their reporting arrangements.
- The specific nature of any independent scrutiny by agents of the client body of the works undertaken by the contractor both in relation to design and specification and to implementation on site.
- The number and nature of visits to the site by the regulatory authority or organisation responsible for approving and certifying compliance with Building Regulations, including details of any inspections carried out of the installed cladding at the various levels of the tower block and all other required key fire protection measures, particularly in relation to compartmentation, fire-stopping and protected means of escape.
- The exact nature of the materials and products used in the material alterations.
- The nature and authorship of any forms of certification produced that indicated the compliance status of the finished project.
- The nature and application of any quality assurance processes as used by the various project participants.

2.3 In considering the broader systemic issues, the Inquiry may wish to take evidence from a wide range of housing sector and construction industry stakeholders, encompassing clients, professionals and contractors with responsibility for fire safety in buildings. This will also include those Ministers and civil servants with responsibility for the Building Regulations and other relevant legislation and regulations.

2.4 In taking expert evidence on the behaviour of fire in buildings and the regulatory framework for design and construction for fire safety, the Inquiry may wish to consider the need for independent input from experts not directly or indirectly involved in the development of UK Building Regulations, perhaps from a recognised authority from outside the UK.

2.5 The Inquiry may also wish to consider the findings of recent independent inquiries and industry reports which have dealt with systemic recurrences of defective and unsafe construction in the UK, including defective installation of elements of fire protection.

**3.0 What should the Inquiry deal with in its interim report? What should be left for the main report, so the interim report can be published quickly?**

3.1 An interim report might reasonably focus on the cause of the fire and the direct factors that led to its spread, and why so many of the residents were unable to escape or be rescued from the ensuing inferno. This should encompass those aspects numbered i to iv in paragraph 1.1 above.

3.2 Any initial findings that can enhance fire safety in similar multi-storey residential buildings containing multiple domestic premises should be published in the interim report as immediate recommendations for implementation.

3.3 The RIBA believes that the Inquiry must also examine and report upon the wider systemic procurement and regulatory context that may have contributed to creating the circumstances in which such a major fire could have taken hold and led to such disastrous consequences; the main report should include consideration of the issues numbered v to x in paragraph 1.4 above.

**4.0 Would you like to be kept informed of the Inquiry's work? How would you like to be contacted?**

4.1 Yes, the RIBA would like to be kept informed about the Inquiry's work, and will make its expertise and knowledge and that of its members available to the Inquiry. The RIBA contact will be:

Adrian Dobson  
RIBA Executive Director Members