

FIRE AND RESCUE SERVICE MATTERS

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DEREGULATION AGENDA WIDELY CONDEMNED AT THE GRENFELL TOWER INQUIRY

The Grenfell Tower Inquiry (GTI) reached a significant turning point this month, with closing submissions on Module 6, the part of the inquiry dealing with government policy and regulation. There was widespread agreement, including representatives of the bereaved, survivors and residents and the Fire Brigades Union (FBU) that deregulation lies at the heart of any coherent explanation of the causes of the fire. Martin Seaward, the FBU's counsel, gave a powerful statement condemning deregulation for more than an hour. Some of highlights are reproduced below.

"The evidence received in Module 6 shows that the fundamental underlying causes of the terrible loss of life at Grenfell Tower were political decisions made by central government from 1979 onwards in the service of a social and economic system driven by profit and greed. In particular, the disaster was a product of the neo-liberal agenda over the last 40 years of deregulation, privatisation and marketisation, with the introduction of competition into the public sector in areas previously governed through direct public control. Regulation and oversight by the state of fire safety and fire and rescue services at national and local level was deregulated and replaced by looser regulation, self-regulation and guidance. The dominant mantra was that the private sector knows best, with the public sector being opened up to ever greater private provision, and the public sector being increasingly run down and marginalised, especially after the regime of austerity. Corporate interests were prioritised over and above the needs and rights of citizens, particularly those living in social housing, including as to life, fire safety and equal treatment...

PRIVATE SECTOR

"The election in 1979 of Margaret Thatcher's government heralded a significant ideological change, whereby the market and the private sector were to be set free as far as possible. In 1979,

Michael Heseltine fired the starting gun for the deliberate policy of deregulation in the construction industry. He advocated the part-privatisation of Local Authority Building Control, and reducing the Building Regulations to overarching functional requirements as set out in the consultations, including the Future of Building Control in 1981. Professor Bisby described in his Phase 2 report how the changes first introduced by Heseltine in 1984 provided the construction industry with the flexibility it had been seeking with the creation of private building control, so that designers and contractors were no longer necessary limited by constraints applied by a local authority building control. He said it unleashed a race to the bottom. We agree. The civil servants and DCLG agree...

"The tragedy at Grenfell Tower could well have been avoided if a stricter regulatory regime of the pre-1985 Building Regulations had been preserved, preventing the use of combustible materials in rainscreen cladding systems on existing high-rise. Introducing the functional requirement approach without adequately resourcing and supporting local authority building control was a recipe for the Grenfell Tower disaster... The free market, driven by the desire to maximise profit, was never going to be the correct mechanism for ensuring safety in the construction industry...

"The FBU ask then: why did no one on the Grenfell Tower refurbishment project think fire? The answer is provided in this Module 6-2. The government policy of deregulation, compounded by austerity cuts, allowed fire safety to become a costly burden which could be disregarded with impunity, pending a disaster like Grenfell...

PICKLES

"Lord Pickles stated in his evidence that the failure to review Approved Document B (ADB) was the fault of the civil service, who misunderstood government policy, and not a consequence of the drive for deregulation by him and the rest of the government.

He claimed that all fire safety regulations, including the Building Regulations and ADB, were exempt from the Red Tape Challenge and deregulation. We submit the panel should prefer the evidence of the civil servants, which clearly shows the Building Regulations and ADB were not exempt from the Red Tape Challenge and deregulation, and reject Lord Pickles' evidence on this matter as self-serving and untrue...

"The fact that deregulation was a core policy of the government from 2010 is evident from a letter from Prime Minister David Cameron in April 2011. I will just cite one sentence., which was David Cameron saying: 'Dear colleagues... Be in no doubt: all those unnecessary rules that place ridiculous burdens on our businesses and on society – they must go, once and for all.' I just want to emphasise the description of 'all those ridiculous burdens on our businesses'. That's fire safety [described as] ridiculous...

BUILDING RESEARCH ESTABLISHMENT (BRE)

"The Building Research Establishment (BRE) was first threatened with privatisation in 1981. It was turned into a more commercial organisation during the 1980s, and became an executive agency in 1990. By that time, it had lost half its staff and was operating under market imperatives. BRE's privatisation in 1997 brought commercial pressures and conflicts of interest into the heart of the fire safety regime and limited the work the BRE could do in the public interest... Since its privatisation in 1997, the BRE has failed the wider public interest and been too ready to accept the restrictions imposed upon it by central government and too willing to collaborate with manufacturers...

"After privatisation, the BRE's financial dependence on a government increasingly disinterested in fire safety and on commercial clients with their own agenda led the BRE to fail the fire safety regime by not negotiating a public interest exception to the confidentiality clause, not issuing policy implication reports, not publishing failed test results, not pursuing concerns about fire safety, not advising government properly, not investigating fires properly, not advising other interested parties or the public, not publishing fire safety research findings, not sharing fire data with others in the fire safety regime, not guarding against the known risk of cheating in the fire tests, sometimes even possibly actively assisting manufacturers to game the tests...

"In conclusion, the central state has a fundamental responsibility for the safety of its citizens in a modern society. We submit that central government has failed woefully in this task. They failed to regulate high-rise in particular by avoiding the foreseeable hazards of insulating them against the cold and rain through installing safe rainscreen cladding systems. They've cut back regulations and allowed businesses to ignore safety rules as part of a war on health and safety culture, and to prioritise profit over safety. They've abdicated the duty to research emerging fire risks and develop protection measures. Whereas for half a century central government had an authoritative statutory fire and rescue advisory body that strategically assessed the risks and provided ministers with reliable expertise, that body was abolished as part of deregulation at a time when the built environment was increasing in complexity. The philosophy of deregulation has blighted efforts to improve and has actually worsened the living conditions of millions of people. Grenfell Tower was the combination of more than four decades' worth of these policies. Those who lost their lives were also the victims of big business and an economic and social system that values the generation of wealth over the protection of those without the wealth to protect themselves. In the scramble for profits, those people were collateral damage. Central government and the economic system which they nurture bear ultimate responsibility for the Grenfell Tower fire."