

Features

Private finance and supported housing: an investigation

<https://www.insidehousing.co.uk/insight/insight/private-finance-and-supported-housing-an-investigation-60679>

After his exposé of how the small supported housing association First Priority nearly collapsed, Luke embarked on a more ambitious project about this financial model as a whole.

This feature was an investigation into the risks caused to the homes of 75,000 mentally disabled adults by a controversial lease-based model of finance.

It made a number of revelations.

It used interviews with care providers, investors, an MP, anonymous whistle-blowers, housing associations, and tenants to reveal how private investors are putting the homes of mentally disabled people at risk in order to reap massive dividends from the taxpayer.

It used leaked documents to show that some tenants were denied crucial care due to financial restraints, showing how the model risks putting vulnerable people in dangerous situations.

It examined information on Companies House to reveal conflicts of interest between some of the companies involved.

Luke also collaborated with *BBC Breakfast*, using figures they obtained under the Freedom of Information Act that show an increase in deaths and serious injuries in this type of accommodation. Specialist media is uniquely placed to cover this huge story and this expansive piece of work laid out clearly and startlingly the risks posed by these finance deals.

Grenfell's forgotten victims: life on the Lancaster West estate after the fire

<https://www.insidehousing.co.uk/insight/insight/grenfells-forgotten-victims-life-on-the-lancaster-west-estate-after-the-fire-61817>

Two years after the Grenfell Tower fire, Luke had spent much of that time speaking to people in the area.

He pitched a special feature for the anniversary, looking at the Lancaster West estate. Grenfell was part of this estate and although most of the residents of the estate who didn't live in the tower did not see their homes destroyed on 14 June 2017, their lives still changed forever.

This piece told the story of how residents of the low-rise blocks, known as the Walkways, have been marginalised since the day of the fire. It revealed mass diagnoses of PTSD and a huge uptick in homelessness attributed by experts to the fire.

Despite these events, various letters Luke obtained from the council revealed it had threatened residents with massively increased rents and made it difficult for them to gain medical priority for rehousing.

As well as these general revelations, Luke heard emotive stories from individual residents, giving voices to people who felt that the council had let them down.

This was an important and emotional piece of work, combining damning revelations of council policies in action with human stories of dealing with loss, trauma and tragedy.

Who watches the watchers? Councils' use of unregistered fire risk assessors revealed

<https://www.insidehousing.co.uk/insight/insight/who-watches-the-watchers-councils-use-of-unregistered-fire-risk-assessors-revealed-59751>

For this feature, Luke used the Freedom of Information Act to collect data from 128 local authorities on their fire risk assessors.

He had been tipped off by a contact that the use of fire risk assessors who are not registered with any official body was widespread and decided to find out if this was true for local authorities.

The key findings were that only 26 of the total said that all their assessors were registered, 23 used a mix of registered and unregistered and 23 used exclusively unregistered consultants. The other 56 didn't know whether their assessors were registered.

This was an extremely worrying discovery, especially as it came 18 months after the Grenfell Tower fire, which had supposedly prompted social landlords to take a fresh look at their fire safety policies. The feature laid out the complex issue in a way that was easy to understand and used multiple interviews with prominent experts to present the collective opinion of fire safety professionals that risk assessors should be registered.

Compulsory registration is now being considered by the government as part of its response to the fire, showing that this issue is one of central importance.

INSIDIE HOUSING

Burnham's legacy

Greater Manchester's mayor on Housing First and a tussle with the housing minister
Analysis, page 10



Chat with a challenge

A tough conversation between Bromford's Paul Taylor and social tenant Lizzie Spring
Feature, page 22



PRIVATE FINANCE AND SUPPORTED HOUSING: AN INVESTIGATION

A torrent of private money has poured into supported housing in recent years. With the regulator warning of risks posed by this new model, Luke Barratt investigates what is really going on. *See page 18*



The funding model putting supported housing at risk

Luke Barratt finds out why it is so controversial and what can happen when things go wrong

The rapid rise of commercial investors funding housing for vulnerable tenants has piqued the concern of the regulator.

Housing for people with serious mental illnesses is expensive. Landlords that provide specialist supported housing (SSH) are permitted by government to charge far higher rents than for other social tenures, all paid by the taxpayer through housing benefit. These are often far in excess even of market rents in the same area.

But what if that extra public money isn't being spent on providing care to vulnerable tenants? This is the story of what can happen when the private sector funds services that many argue should be the state's responsibility. And of the risk to the organisations and tenants when things go wrong.

In Gloucester, the council has accused one SSH provider - Westmoreland Supported Housing Association - of claiming money for care it did not provide. Westmoreland denies the accusation. However, the association is under intense financial pressure, as are a number of its peers. The regulator wrote to around 30 similar associations seeking reassurance about their businesses in May last year.

Here's how it works. A small coterie of companies, known as 'aggregators', are central. An aggregator acts as a middleman, buying an ordinary home on the street and adapting it for use as SSH. It then strikes a lease deal with a willing association, meaning the association is obliged to make monthly payments linked to inflation, typically for 25 to 30 years. Then the aggregator sells the home on - lease and all - to an investor at a profit. The association, which is invariably small, gets to grow and the investor gets a steady rate of income straight from the taxpayer via housing benefit. The aggregator walks away with a tidy profit.

Over the past year, the English housing regulator has become more interested in this sub-sector and has investigated a number of these associations. It has made judgements on four of them, declaring them non-compliant with its standards. Last year, one of them - First Priority - nearly went bust.

Nevertheless, the associations have continued to grow, with one estimate by the real estate investment trust (REIT) Civitas putting the total number of vulnerable adults living in leased SSH at around 75,000. Funds have continued to lease homes to at least one of the non-compliant organisations - Inclusion Housing - despite the regulatory judgements. Why?

Jonathan Walters, deputy director of strategy and performance at the Regulator of Social Housing (RSH), tells *Inside Housing*: "These funds have a lot of money to deploy and they need to deploy the money. It's in their mandate. They can't

just hang on to it."

For investors, the deals look good on paper. SSH rents are unusually high, because they are exempt from the government's limitations on rents for social housing. This makes it easier for the investors - which include private equity firms such as Henley Group, or publicly listed REITs like Civitas and Triple Point - to deliver profit to their shareholders.

Problems have arisen when the association can't afford its lease payments. First Priority agreed to pay more money in lease payments than it was even receiving in rent for some homes. This, as *Inside Housing* revealed last year, was the main reason it almost became insolvent, leaving some investors having to accept reduced payments.

Neil Thorneycroft, former interim finance director at First Priority, who was brought in shortly before the regulator's involvement to help address some of the emerging issues, tells *Inside Housing* that councils often don't end up paying the housing benefit they've agreed to.

"The trouble is," he says, "the people who commission it aren't the people who dole out the benefit."

Mr Thorneycroft explains how the investor would agree a rent with the local authority, which commissions the care and pays the rent. This rent is high enough to cover their shareholders' returns, but then the same council's housing benefit department would balk at the cost and provide a lower amount, or nothing at all.

High rents

Rents throughout this sub-sector are extremely high. Comparing similar properties on property websites shows that they are in some cases three times commercial rent levels. Sunil Wickremeratne owns Exclusive Care Limited, which has signed some of these lease deals. Although he previously delegated the running of the business, he has become more hands-on after realising what kind of deals his company was signing up to.

He says that every example he has seen has provided the aggregator with a dividend of at least 9%.

Mr Wickremeratne shows *Inside Housing* a sample rent schedule from one provider, Chrysalis Housing, which allocates £68,900 just for lease payments from the total rent of £99,747 per year. This would mean the investor receiving 69% of the housing benefit being provided by the council.

"What are we paying for?" Mr Wickremeratne asks. "We're paying three times the market rent. Are they specialist-built buildings that have lifts, or soft walls that have been built specifically for their needs? No. They are very average houses."

A rent schedule for a home owned



"These funds have a lot of money to deploy. It's in their mandate. They can't just hang onto it"

by Henley and leased to Westmoreland, which was declared non-compliant last month, tells a similar story: £39,432.71, 59% of the total annual rent of £66,654.26, is set aside for lease payments. Explaining this, Mr Wickremeratne pulls no punches: "Commercial property investment companies are seeing the national health, taxpayer, public exchequer as just ones that can be fleeced."

Andy Brandon, managing director of Henley Group's aggregator arm, Henley Social Investments (HSI), disputes this. "What looks like a high rent, there are reasons for that, such as a three-bed house being required for a single tenant, whereby the rent will reflect the size of the property," he tells *Inside Housing*. "It's an inefficient development process because of the granularity of the developments and because the needs are so tailored. On top of the cost we need a standard developer's margin."

Asked what this margin is, Mr Brandon says: "It's a standard industry development margin. There are no excessive profits to be made in buying, renovating and then selling these properties."

A spokesperson for the REIT Triple Point, meanwhile, argues that the homes are "often both better for tenants and cheaper than traditional alternatives such as residential care".

Another problem at First Priority, according to Mr Thorneycroft, was the high number of empty homes, or 'voids'.

High levels of voids create tight margins, and when margins are tight, risks are magnified.

Last summer, a Westmoreland tenant, Hayden Daniels, took his own life. Mr Daniels lived in a home in Gloucester owned by Henley and leased by Westmoreland. The council says that Westmoreland was claiming money for care and support on this home and others but not providing an agreed level of care to its vulnerable tenants.

A spokesperson for Westmoreland reveals that the previous care provider ceased to trade in 2017 and says: "The support provision was not recommissioned by either the city council or county council. Westmore-

land continued to provide housing management and support to the tenants, with contributions from other local service providers."

In a witness statement submitted to Gloucestershire Coroner's Court, a Dr Khalid from Gloucester-based Aspen Medical Practice said that Mr Daniels had "a long history of mental health problems", including alcohol abuse, "suicidal ideations" and depression.

The doctor added: "In March 2018, it seemed that he was drinking again and he was worried about this, and that drinking a large amount of alcohol might get him into trouble."

The council says Mr Daniels did not receive the support he was entitled to between the time he started drinking again and the time of his death.

There is no suggestion that Westmoreland or Henley are in any way responsible for Mr Daniels' death.

Unexpected deaths and serious injuries in the SSH sector as a whole have grown over the past few years. Figures obtained from the Care Quality Commission by *BBC Breakfast* and shared with *Inside Housing* reveal that unexpected deaths rose from 56 in 2010 to 378 in 2018. Serious injuries, meanwhile, went from 29 to 808.

Because we don't have figures for the number of homes in this sub-

sector, it is difficult to tell whether these deaths and injuries have grown proportionately to the growth in the number of homes.

Gloucester City Council only investigated Westmoreland's care provision after a resident tip-off. Accusations of care not being sufficiently provided are not unique to the equity-linked sub-sector - but there are aspects of the model which mean it is particularly vulnerable to it.

One expert tells *Inside Housing* that cutting back on care costs is "inevitable" when the associations are under so much pressure to pay investors.

According to Mr Thorneycroft, this was never an option for First Priority. "If we'd cut back elsewhere, we could have [continued to pay investors] but we never considered not providing care and support," he says.

Investors' view

Investors don't appear to have paid much mind to the regulator's concerns.

Mr Thorneycroft explains why he thinks the associations do not appear to have slowed down either: "It was just the [aggregators], I think. It was just business for them. They thought First Priority could take it. But that was it. The properties kept coming.

75,000
Estimated
number living
in lease-based
specialist
supported
housing in UK

25-30 years
Typical length of
lease deal, with
social landlord

"What are we paying for? We're paying three times the market rent. They are very average houses"

In the end, we were saying, 'We don't want any more properties.' They agreed in the end to stop. But it was a bit like stopping an oil tanker."

Meanwhile, concerns about conflicts of interest between aggregators and associations are a repeated theme.

The former chair of Westmoreland's board, John Russell, for example, is the chair of Fairhome, an aggregator which arranged deals between the housing association and investment funds.

In its judgement on Westmoreland, the RSH described this as an "inherent conflict of interest", although a spokesperson for the association said no lease deals were signed during his time in the position.

First Priority, as *Inside Housing* previously revealed, was set up by Omar Al-Hasso, who also founded the aggregator HSI. Mr Thorneycroft tells *Inside Housing* that Fairhome also

wanted to put someone on the board.

Trinity, which has also been declared non-compliant, had as its chair Cristina Pashmi, who at the time was also working for the care provider Rehability. Rehability shares an office with the aggregator BCP, which has arranged lease deals for Trinity, including with the REIT Civitas. Ms Pashmi tells *Inside Housing* she resigned from the board due to worries about a declared conflict of interest.

On such cases, Mr Walters notes: "The board would need to be really clear that the aggregator wasn't trying to exercise control over it."

Although these specific problems are common, the fundamental issues with the model are more worrying.

The regulator's judgement on Inclusion was a watershed moment. Rather than picking up on individual problems at the organisation, it criticised the business model itself.

It revealed the worst-case scenario if rents are too high, saying the association was relying on being able to renegotiate lease deals with investors if the market turned against it. If this failed, it said, it risked insolvency.

Paul Bridge, chief executive of Civitas, responds: "When structured to meet fundamental need, this represents stable housing that should remain within the social housing sector in the long term."

Mr Walters comments: "If a traditional association was to do leases, which a lot of them do, that's not particularly a problem. When it's your only source of financing, it's all you've got and you haven't got much cash on your balance sheet and the lease costs are going up for 20 or 30 years linked to inflation, that's when it starts raising questions on the extent to which it is sustainable."

As one expert points out: "The lease payments are index-linked and the income isn't," meaning "the gap between income and expenditure will widen".

Housing benefit agreements are five years long but these lease deals are generally between 25 and 30 years, meaning renegotiations with the authorities are on the horizon.

Mr Brandon accepts that the cost to the taxpayer would be lower if the government were to grant fund this housing directly, rather than continuing to allow housing benefit to take the strain.

Whatever the solution is, the risk of disruption to people's care is all too obvious and the regulator has already warned that SSH homes could be lost to the sector if housing associations are not more cautious.

While debates are ongoing, the sub-sector continues to grow. If something is going to change, it needs to change soon. ■

forgotten



Grenfell's



victims

Residents of the flats surrounding Grenfell Tower have been through a housing crisis like no other - many diagnosed with PTSD as a result. *Luke Barratt* hears some of their stories

Wherever you go in North Kensington, it is difficult to avoid Grenfell Tower.

Nowhere is this truer than on the Lancaster West Estate. Here, three low-rise 'finger blocks' containing 795 homes stretch south-west, away from the tower's base.

Grenfell itself, where a catastrophic fire killed 72 people in 2017, looms large over the whole estate. The tower is now covered in white plastic sheeting with a huge green heart emblazoned at the top, alongside the words "Grenfell: forever in our hearts".

The three low-rise blocks - Barandon Walk, Testerton Walk and Hurstway Walk - are collectively known as the Walkways. The flats closest to Grenfell Tower are known as 'the 300s'.

A great deal has been written about the rehousing process for the 201 families who survived the fire, but the disaster was further reaching than many realise.

For Walkways residents and many others in the surrounding area, 14 June 2017 signalled the start of a housing crisis like no other, as grief for their friends and families and struggles with mental health combined with the cold, hard realities of the west London housing market.

On the night of the fire, many of Grenfell's closest neighbours were told to evacuate. Flaming debris was falling onto people's balconies and there were fears that the tower could collapse.

Nowhere to go

Joe Delaney, a former resident of the 300s, recalls the night: "We were told to get out of the building. We weren't allowed to return until the Sunday or Monday following the fire. [For] five or six days we weren't allowed back."

Mr Delaney says that no one he knows on the estate was offered accommodation in those first few days. He went to stay with a friend but not everyone was so lucky.

"There were people sleeping on the grass outside the estate," he recalls.

Emma Dent Coad, MP for Kensington, tells a similar story: "In the early days, there were people sleeping under bushes and in parks. I know two or three people who were sleeping in their cars."

In response, a spokesperson for the Royal Borough of Kensington and Chelsea (RBKC) stresses that the priority in the immediate aftermath of the fire was to look after families from the tower.

However, they add: "A housing officer did walk around the site on the first night and speak to police officers about any rough sleeping

and no one was seen."

Like many from the tower itself, Walkways residents were initially put up in hotels. At this point, council policymakers went to work on a rehousing policy. Residents of the tower itself and of Grenfell Walk, the small buildings at the foot of the tower made totally uninhabitable by the fire, were put into Category A and awarded 3,000 points on RBKC's homelessness waiting list, sending them right to the front of the queue.

Rise in homelessness

Although issues with the process have been well documented and more than one promised deadline for finishing it has passed, 184 of the 201 families in this category have now moved into permanent homes.

Category B was for everyone else, although reliable numbers in this area are hard to come by. RBKC awarded 129 families 'wider Grenfell rehousing priority', meaning they received 900 points. This put them above most homeless people in the borough but below Category A residents.

Spike Western, a paralegal at North Kensington Law Centre, which is located in the Walkways, says he does not think this accounts for everyone made homeless by the Grenfell fire. The policy, he explains, includes the three Walkways blocks as well as nearby Bramley House and Treadgold House but not any of the other surrounding buildings.

Mr Western says that around a third of his clients are "people who have been made homeless by the fire but don't fall under the policy, mainly because of where they live".

He estimates that close to a thousand households have come forward to tell the council that they are homeless as a result of Grenfell. The council says this is "absolutely not" the case but was unable to provide a figure.

Government statistics show that the number of families on RBKC's waiting list leaped from 2,718 in April 2017 to 3,330 the following year. According to Mr Western, families have continued to come forward since then, meaning RBKC's 129 households are unlikely to tell the full story.

Whatever the final count, how could so many families be homeless as a result of a fire that destroyed one 23-storey block? Mr Western says that many families would have wanted to move even if their homes were intact. "Grenfell Tower was the heart of the estate," he explains. "Everybody would have known each other's faces."

Mr Delaney, who has since moved into a new flat elsewhere in the borough, adds: "I never look at the tower. Even now it's covered, I don't

Let down: stories of rehousing

Residents and those helping with the rehousing effort are practically overflowing with stories of people who have been failed by the process. Here are some of them:

- One resident from Grenfell Walk was initially put in a hotel in Shepherd's Bush, opposite a tower block where a fire spread up six floors along the outside of the building. The resident's window looked directly onto the still-scorched exterior of the tower.
- One Walkways resident, still in temporary accommodation at the time of writing, has been moved from one temporary home to another 16 times.
- Another Walkways resident, initially moved to

a hotel, has been forced to move back after they became unable to afford the temporary accommodation they were moved to. They are now living on the Walkways despite having initially moved out because of mental health concerns.

● One resident was offered a flat with no floorboards in the kitchen.

● Joe Delaney says that the council attempted to convince him to put his two dogs in kennels in Heathrow rather than find dog-friendly hotels, something he managed to do himself.

The council says that anyone "placed somewhere they felt was inappropriate because it caused them distress" was later moved.



look at it. I don't think it should have been covered, personally. I think it had more of an impact when it wasn't covered.

"But I never used to look at it. I never liked being back there. I just couldn't do it. Even now I spend as little time around there as possible."

Mr Western says that all his clients have been diagnosed with post-traumatic stress disorder (PTSD); he has received training from the Grenfell Health and Wellbeing Service on dealing with the condition.

He explains: "The first stage [to recovery] is providing a safe space. It's really difficult to provide that safe space when you're surrounded by triggers. Living next to the burned-out shell that was once the heart of the community is a major trigger."

Because of this, many residents - particularly those from the 300s -

do not want to move back.

The council, however, has not made this easy. As *Inside Housing* reported in September last year, it decided to impose a deadline on Walkways residents for deciding whether to move home from their temporary accommodation.

RBKC wanted residents to relinquish their Walkways homes or move out of their temporary accommodation. After receiving letters from the council about this, residents feared that they could be charged rent on both their temporary accommodation and their Walkways home.

The letter, seen by *Inside Housing*, told residents: "If you choose not to return home and you remain in temporary accommodation after the end of September, you will start to pay rent for your temporary home from 22 October 2018. You will no longer

pay rent for your council home."

It did not clarify what would happen to residents who did not make decisions in time for the deadline. Nevertheless, councillor Judith Blake-man says she spoke to households who had been told by council officers that they could have to pay rents on two properties.

The council insists that "literature and face-to-face dealing made clear from the start no one would have to pay for two properties".

They also say that the idea of imposing a deadline on residents in temporary accommodation was "discussed and due to become policy in September [2018]" but later dropped.

For one 300s resident, however, the uncertainty was too much. She moved back to the Walkways, only to find herself the only one living on her floor.

"The problem is, there are no neighbours," she says. "There is nobody here. I didn't know, when I signed the papers saying I wanted to come back, the state the place was going to be in."

Although she and her children have been diagnosed with PTSD and she lost a friend in the fire, she says no one told her that moving back to the estate could be triggering.

"You feel like it's going to fall on you," she continues. "I feel like crying every day. Every day in this place, my skin is up. The children tell me, 'Mama, I saw a ghost.'"

She says she told the council she has changed her mind and still wants to be rehoused. RBKC has reinstated her wider Grenfell rehousing priority and given her 900 points, but she says she has not been allowed to return to her temporary home.

Previous page: Joe Delaney (left), a former resident of the 300s, and Jacqui Haynes, who was until recently chair of the Lancaster West Residents' Association

This page: one of the Walkways buildings on the Lancaster West Estate

"In the early days, there were people sleeping under bushes and in parks. Two or three people were sleeping in their cars"

"We were tricked into going back," she insists. "They told me everything will be perfect but this place is not liveable."

Three-bedroom council homes, like the one she needs, are few and far between in Kensington and Chelsea. Although the council bought 325 homes after the fire, these were primarily for former residents of the tower.

As *Inside Housing* revealed in February, just one four-bedroom home has become available in the borough in each of the past two financial years.

Fighting tooth and nail

For residents who do not have the 900 points, rehousing can be even harder. Another way for residents to climb the waiting list is to apply for medical priority.

Medical priority for rehousing is awarded to people whose housing is directly causing them medical difficulties. Given the widespread diagnoses of PTSD, it is perhaps unsurprising that figures released to *Inside Housing* under the Freedom of Information Act show that 100 households received medical priority in 2018/19, significantly more than the 61 from the previous year or the 66 from the year before that.

But the bar for medical priority seems to be set high. In a letter - seen by *Inside Housing* - sent by RBKC to a resident last September, the council said that residents would need to demonstrate "severe and enduring health problems that are significantly, directly and adversely affected by their current accommodation".

According to Mr Western, the threshold has been very difficult to reach, even when medical evidence is available. RBKC says there has been no change to its assessment of medical priority since 2014.

Jacqui Haynes, who was until recently chair of the Lancaster West Residents' Association, says this combative attitude is typical of her interactions with the council.

"We've had to fight tooth and nail for everything and it still isn't good enough," she complains. "We've had the two-year struggle of dealing with the effects on the ground every single day that aren't being addressed."

Writing in *Inside Housing* this week, Kim Taylor-Smith, deputy leader of RBKC, apologised for the struggles to rehouse residents from the tower itself, citing the "arbitrary deadlines" that increased the pressure on survivors to move (see page 16).

But for the newly homeless residents from the surrounding area, the nightmare is far from over. ■ *Inside Housing* contacted RBKC with a number of questions about this article. Its full response can be found at www.insidehousing.co.uk

Who watches the watchers?

Worrying new research by *Luke Barratt* reveals that many councils are using unregistered fire risk assessors to decide if their buildings are safe

Ask a social landlord for assurances about fire safety and it's a safe bet that one of the first things they will tell you is that their tower blocks have undergone a fire risk assessment. Regular risk assessment is a big part of most fire safety strategies - but how useful is it for keeping people safe? Grenfell Tower, after all, was risk assessed and it passed.

The truth is that the actual requirements for risk assessments would shock many. *Inside Housing* has previously written about the prevalence of Type 1 assessments - which mean the assessment considers only the communal areas, and not the walls, windows or the inside of flats where many dangers can lie undetected.

But there are also questions over who actually carries them out. In 2005, responsibility for risk-assessing moved away from the fire brigade

and was passed to building owners.

On the matter of who should actually do a fire risk assessment, however, the guidance remains silent. There is no competency requirement of any kind in the law. Seeking to avoid creating a "consultants' charter", the government of the day took the decision to leave it entirely up to the building owner to decide who was qualified to assess their blocks.

Against guidance

This means that should the reader of this article decide to offer their services as a risk assessor today, there would be no legally required training or registration before they were let loose on tower blocks with clipboard in hand. It is not that there are no registers available for fire risk assessors - there are a total of eight lists of competent assessors, five of which have backing from UKAS, the UK's national accreditation service. It's just that

the law does not require assessors to have their name on any of these lists.

This has been a source of concern for many years. In 2013, Peter Gannaway, chair of the National Social Housing Fire Strategy Group, warned that freedom for anyone to call themselves a fire risk assessor "posed a significant risk to public safety".

"We need competent fire risk assessors and they need to be accredited," said Ronnie King, chair of the All-Party Parliamentary Fire Safety and Rescue Group, after the Grenfell fire.

New research by *Inside Housing* sheds worrying light on the extent of this issue for the first time. We have obtained data from 128 local authorities about whether they have been using registered risk assessors. Only 26 said all their assessors were registered, 23 used a mix of registered and unregistered assessors and 23 used exclusively unregistered consultants to assess the safety of their tower ►



blocks. Perhaps just as worryingly, the remaining 56 did not even know whether the professionals they had used were registered. While there is no guarantee that an unregistered assessor will be worse, registration offers a third-party seal of approval that the qualifications possessed are relevant, appropriate and up to date.

While using unregistered risk assessors is legal, it goes against guidance. In 2014, many major fire safety organisations came together to form the Fire Risk Assessment Competency Council (FRACC) and issued guidance on how to choose a competent assessor, identifying registers and recommending that building owners make use of them.

Dennis Davis, chair of the competency workstream at the Fire Sector Federation (FSF) and author of the guidance, tells *Inside Housing*: “We [were] suggesting that was a useful, practical way of approaching fire risk assessments: to ensure at least that you were finding someone who was competent at doing that task.”

Despite this, it has been known for some time that not everyone was doing this. In February last year, Howard Passey, principal consultant at the Fire Protection Association (FPA), warned a seminar that there were hundreds of unregistered fire risk assessors operating around the UK.

High stakes

The fire risk assessor for Grenfell Tower, Carl Stokes, has come under immense scrutiny since *Inside Housing* revealed his name in June 2017. He has been called to the Grenfell Inquiry as a core participant. As is common for Type 1 assessments, his work did not look at the cladding that has been widely blamed for helping the fire to spread up the building.

It is unknown if he was on any of the eight registers recommended by FRACC at the time.

Jonathan O’Neill, managing director of the FPA, which itself carries out fire risk assessments, explains why third-party accreditation is important. He tells *Inside Housing*: “Without any third-party assessment, virtually anyone can set themselves up and call themselves a fire risk assessor. There is no real requirement to have any insurance, to have anyone give you accreditation whatsoever.

“It’s quite a complicated business, particularly the high-risk stuff. Even people who have been in our organisation some time, if they’re going into

fire risk assessment, it’s probably two years since the start of training before we’ll let them out on their own.

“If you get it wrong, it’s people’s lives you’re playing with.”

There are some councils that agree with this. One of the 26 to have used only registered assessors, Brent Council, stated in its response: “The specification for the contract [for fire risk assessment] includes the requirement that all assessors are third-party accredited under a recognised scheme. The register used is FRACS (the Fire Risk Assessors Certification Scheme).”

Mr Davis said the FSF’s position is “that it should be a statutory requirement that you have someone who’s shown to be competent and that means, really, a demonstration of competence”. He added: “In our view, it would be someone who has third-party accreditation.”

Among the 23 councils that have used a mix of registered and unregistered assessors, one argument may be that the unregistered assessors are used on lower-risk homes. One of these – Reading Borough Council – said in a statement: “The [FRACC] guidance makes clear that there is no requirement to use registered fire risk

assessment companies for simple and low-risk properties. Reading Borough Council, with guidance from Royal Berkshire Fire and Rescue Service, have deemed its flats to be in this ‘low-risk’ category.”

Reading is correct to say there is no requirement as a matter of law. Nonetheless, there is a clear recommendation. The guidance states: “We recommend you check that those providing [fire risk assessments] have independent registration with, or certification from, a professional or certification body and that they meet the competency criteria established by the FRACC.”

It then recommends that this specialist should be registered with a third-party certification body.

Asked if he agrees with Reading’s interpretation of the guidance, Mr Davis, who helped to write it, says: “Our view, and I’m talking from a federation point of view, is that everyone who’s doing this work should be competent and you’ve therefore got to be able to demonstrate that competence. Our view would be: go and look at someone who is at least registered with an accreditation organisation, because then you know

you’re dealing with someone who has been audited and has some capability and quality to them.”

Reading’s argument about low-risk properties notwithstanding, 23 councils used unregistered assessors for all their homes, regardless of the risk level. These include councils with a large number of high rises such as Barking & Dagenham, Birmingham, and Bristol.

More than the minimum

Mr O’Neill tells *Inside Housing*: “It’s our view that any high-risk risk assessment should be done by a third-party accredited assessor. In fact, we’ve been pushing in the changes in the Hackitt Review [the independent review of building regulations commissioned by the government after Grenfell] implementation time that all fire risk assessors need to be third-party accredited.

“As an absolute minimum, all high-risk fire risk assessments should be done by an independent, third-party accredited fire risk assessor. It’s crazy, to be honest, that they’re not.”

Of the 23 councils, one of those that uses an in-house team of assessors said that it does not consider it necessary for them to be registered with a third party. This council’s assessors have received training on fire risk assessments from the FPA.

A spokesperson for Barking & Dagenham Council said that its in-house assessors had also received FPA training and cited a number of other qualifications they have received, adding: “The council’s principal quality and compliance manager has a Fire Risk Assessor Level 2 qualification from the Institution of Fire Engineers.”

Mr O’Neill, however, says of the training his organisation provides: “That on its own certainly shouldn’t qualify you for high-risk premises.

“It’s absolutely vital that a fire risk assessment is comprehensive and considers things from all angles, particularly where life safety is involved. We certainly wouldn’t be telling people that they should be going out and setting up fire risk assessment consultancies just because they’ve done a training course with the FPA.”

There are of course 26 councils that do use registered assessors. From Brent to Bury, from Kirklees to Kettering, from Hillingdon to Hackney, these are located all across England.

Clearly, it is possible – and there is no obvious reason why others would not follow suit. ■

“It’s absolutely vital that a fire risk assessment considers things from all angles”

