



Ministry of Housing,
Communities &
Local Government

Good practice on how residents and landlords/ building managers work together to keep their home and building safe

Call for Evidence



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If you have any enquiries regarding this document/publication, complete the form at <http://forms.communities.gov.uk/> or write to us at:

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Scope of the Call for Evidence

Topic of this Call for Evidence:	<p>The Hackitt Report – <i>Building a Safer Future</i> - noted the important role of residents in helping keep their building safe.</p> <p>This Call for Evidence invites views on how residents and landlords/ building managers work together regarding fire and structural safety and good practice around how residents are supported to each play a part in meeting their responsibilities.</p>
Scope of this Call for Evidence:	<p>This Call for Evidence is being issued following the recommendations in the Hackitt report on residents’ voice and responsibilities (recommendations 3.5 and 4.6). Responses are particularly welcomed from residents of multi-occupancy residential buildings, owners and managers of such buildings and anyone else with an interest in this issue.</p>
Geographical scope:	<p>These proposals relate to England only.</p>
Impact Assessment:	<p>The purpose of this Call for Evidence is to gather evidence to inform the development of policy relating to resident and landlord/ building manager engagement and collaboration in relation to fire and structural safety issues. Any proposed new initiatives which may result from this Call for Evidence would be the subject of further consultation.</p>

Basic Information

Body/bodies responsible for the consultation:	<p>Ministry of Housing, Communities and Local Government</p>
Duration:	<p>This Call for Evidence will last for eight weeks from 18 December 2018 to 12 February 2019.</p>
Enquiries:	<p>For any enquiries about this call for Evidence please contact the Residents’ Voice team at: RVRI@communities.gov.uk</p>
How to respond:	<p>Responses should be submitted by online survey:</p> <p>https://www.surveymonkey.co.uk/r/63QNX9Z</p> <p>We strongly encourage responses via the online survey, particularly from organisations and individuals with access to online facilities. Using the online survey greatly assists our analysis of the responses, enabling more efficient and effective consideration of the issues raised for each question.</p> <p>Should you be unable to respond online we ask that you complete the pro forma found towards the end of this document at page eight.</p>

In these instances, you can email your pro forma to:
RVRI@communities.gov.uk

Or send to:

Residents' Voice team
Ministry of Housing, Communities and Local Government
Fourth Floor- Fry Building
2 Marsham Street
London
SW1P 4DF

Call for Evidence

Introduction

1. Following the tragic event at Grenfell Tower on 14 June 2017, the Government asked Dame Judith Hackitt to undertake an Independent Review of Building Regulations and Fire Safety. Dame Judith published her initial findings in an interim report in December 2017, with the final report being published in May 2018.
2. The purpose of the review was to make recommendations that will ensure we have a robust regulatory system for the future and to provide further assurance to residents that the whole system is working to ensure the buildings they live in are safe and remain so.
3. The review focused on examining building and fire safety regulations and related compliance and enforcement, with a focus on high rise residential buildings.
4. The final report set out over 50 recommendations for Government to consider as to how to deliver a more robust regulatory system for the future.

Why are we calling for evidence?

5. We want to ensure that residents of high rise buildings are safe and feel safe now and in the future, including by giving residents a stronger voice in an improved system of building safety. We are working collaboratively with residents, industry stakeholders and sector experts in delivering these systemic reforms, which will together deliver a change of culture that puts people and their safety first. This Call for Evidence is a crucial part of ensuring the voices of those who may be affected by any potential future changes are heard and listened to.
6. The final report of the Independent Review of Building Regulations and Fire Safety made a number of recommendations on residents' voice and noted the important role residents can play in working with their landlord/building manager in helping to keep their building safe. This includes identifying and reporting on issues that may impact on the safety of the building and playing their part in protecting their own safety and that of their neighbours. There is a lot of good practice across the country which demonstrates how residents and their landlords and building managers are working together to keep their homes and buildings safe. Our expectation is that requirements on landlords and building managers to provide more information and engage more effectively with residents on building safety will drive a step change in how they support residents to play their part in maintaining a safe building.

7. We announced in the Social Housing Green Paper in August this year our intention to rebalance the relationship between social housing landlords and residents as one of our key objectives. The Green Paper included a specific question around how residents can be supported in the important role of working with their landlords to ensure their homes are safe¹. We have heard how important this is for residents and the responses we received will help to further our understanding of social sector residents' views about how the safety of their homes is managed. However, to bring about long lasting and effective change, we need to look at the housing sector as a whole and ensure that residents' voices are heard.
8. To do this, we need to understand what structural and fire safety issues are most important to residents and their landlord/ building manager, the extent to which current engagement and systems work well and what good practice exists that can be learnt from.
9. This call for evidence asks for views from residents and those managing multi-occupancy residential buildings on how residents are currently supported to meet their responsibilities to keep their homes and buildings safe. We also welcome evidence from other organisations.

¹ How can residents best be supported in this important role of working with landlords to ensure homes are safe: Social Housing Green Paper, August 2018.

Questions

About you

1. Are you responding to this call for evidence as a resident or on behalf of an organisation you represent? If you are a resident and a landlord or managing agent, please complete both parts of the questionnaire.

Resident		Organisational response	
Go to question 2		Go to question 24	

Questions for residents

2. Do you live in England?

Yes	
No	

3. If yes, in which Local Authority area?

4. How long have you been living in this property?

Fewer than 12 months	
Between 12 and 24 months	
Two to five years	
Over five years	

5. Do you occupy your flat as a tenant or a leaseholder?

Renting as a tenant		Owner-occupier as a leaseholder		Owner-occupier with a share of the freehold	
Go to question 6		Go to question 7			

6. If you are a tenant, do you rent your home from a Local Authority or housing association, or do you rent it from a private sector landlord?

Local Authority	
Housing Association	
Private sector landlord	
Don't Know	

7. Which of the following applies to the building your home is in?

Local Authority owned building	
Privately owned building	
Housing Association building	
Don't Know	

8. Do you live in a:

Low rise block (including and up to five storeys)	
High rise block (six storeys or more)	
Flat in converted house	
Other (please specify):	

9. Have you received any information from your landlord or building management company explaining how you can help keep yourself, your building, and others in the building safe from fire?

Yes	
No	
Don't Know	

10. How effective do you find the information and engagement with your landlord/ building management company on fire and structural safety?

Highly effective	
Somewhat effective	
Not very effective	
Not at all effective	
Don't know	

11. Please provide detail on your response to the previous question:

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12. How does your landlord or building management company share information on the role you play in helping to manage fire and structural safety in your home and building?
Please tick all that apply:

Tenancy agreement	
Lease agreement	
Handbook/ information pack	
Meeting/s	
Leaflet or poster	
Letter or email	
Other (please specify):	

13. Are you responsible for any of the following in your home?

	Yes	No	Don't Know
Maintenance or replacement of fire door(s) ²			
Maintenance or replacement of windows			
Maintenance or replacement of electrical wiring			
Maintenance or replacement of a gas boiler and radiators			
Other (please specify)			

14. Do you need to seek permission, for example, from your landlord or building management company, before carrying out any of the following changes to your home?

	Yes	No	Don't Know
Making structural changes e.g. knocking through walls			
Maintenance or replacement of fire door(s) ³			
Maintenance or replacement of windows			
Maintenance or replacement of electrical wiring			
Maintenance or replacement of a gas boiler and radiators			
Other (please specify):			

² Fire doors for the purpose of this question means internal fire doors and front entrance door to the property

³ Fire doors for the purpose of this question means internal fire doors and front entrance door to the property

15. Are you responsible for any other issues relating to the fire and structural safety of your home? Please provide detail here:

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16. In the common parts⁴ of your building, does your landlord or building management company expect you to do any of the following?

	Yes	No	Don't Know
Not leaving obstructions, eg bicycles or prams, in the corridors, walkways or entrance/ exit to the building, or in front of fire doors			
Not blocking lifts or staircases			
Removing any rubbish promptly			
Not putting items in bin chutes or internal bin storage areas which may cause fire			
Not keeping fire doors open			
Other (please specify):			

17. Do you think your neighbours play their part in helping keep their home, your home and the building safe from the risk of fire?

Yes	
No	
Don't Know	

18. If you answered 'No' to question 17, what are your neighbours doing that you think may make the building less safe? Please provide detail here:

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⁴ 'Common parts' in this call for evidence means those parts of a building which are shared with other residents, eg staircases, walkways and corridors, lifts, building entrance, bin shelters, external walls etc.

19. If you have a concern about fire or structural safety of the building you occupy, is there an individual or an organisation you can report your concerns to?

Yes	
No	
Don't Know	

20. Who can you report your concerns to? Please tick all that apply:

The individual(s) involved	
Landlord	
Local Authority	
Caretaker	
Building Manager	
Other (please specify):	

21. If you have reported any concerns relating to fire or structural safety, were your concerns dealt with promptly and effectively?

Always	
Usually	
Sometimes	
Never	
Don't know	

22. What changes, such as better communication, do you think should be made to ensure that all residents play their part in ensuring their home, their neighbours' homes and the building is safe from issues relating to fire and structural safety? Please provide details here:

23. Do you have any other comments relating to fire and structural safety? Please provide details here:

Questions for organisations

24. Please tick which of the following applies to your organisation:

Local authority	
Housing Association	
Arms Length Management Organisation (ALMO)	
Tenant Management Organisation	
Private sector landlord	
Freeholder/Building owner	
Building manager	
Housing charity	
Tenants'/Residents' Group	
Property management agency/ estate agency	
Other (please specify):	

25. Are you, or your organisation, responsible for the management of any of the following types of residential building? Please tick all that apply:

High-rise block (six storeys or more)	
Low-rise block (up to and including five storeys)	
Flat in converted house	
Other (please specify):	

26. If you/ your organisation is not responsible for managing residential buildings, please provide any examples of good practice on structural and fire safety management and engagement here:

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27. Do you consider your existing engagement with residents on structural and fire safety allows you to manage fire safety risks in the building?

Yes	
No	
Don't Know	

28. Please provide more detail on your response to the previous question here:

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29. Do you have any examples of good practice on engagement with residents and provision of information relating to responsibilities around fire or structural safety you would like to share? Please provide details here:

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30. Do you provide residents with information clearly stating what their role is for maintaining and reporting on fire and structural safety issues?

Yes	
No	

31. If you answered 'Yes' to question 30, in what format do you provide this information? Please tick all that apply:

Tenancy agreement	
Lease agreement	
Handbook/ information pack	
Meeting/s	
Leaflet or poster	
Letter or email	
Other (please specify):	

32. How frequently do you update or reissue this information?

Once (when resident becomes a tenant or owner of a dwelling within the building)	
Every six months	
Annually	
Ad hoc	
Never	

33. How do you check whether residents are acting on the information you have given them on maintaining and reporting on fire and structural safety issues? Please tick all that apply:

Visits to the property	
Checks of common parts of building	
Building surveys	
Meetings with residents	
Via on site staff	
Resident surveys	
Other (please specify):	

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34. How effective do you find this engagement? Please provide detail here:

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35. Are the residents of buildings owned or managed by you or your organisation responsible for any of the following in the property which they occupy?

	Yes	No	Don't Know
Maintenance or replacement of fire door(s) ⁵			
Maintenance or replacement of windows			
Maintenance or replacement of electrical wiring			
Maintenance or replacement of a gas boiler and radiators			
Other (please specify):			

36. Do residents need to obtain permission before carrying out any of the following structural changes to the flat which they occupy? Please specify all that apply:

	Yes	No	Don't Know
Making structural changes e.g. knocking through walls			
Maintenance or replacement of fire door(s)			
Maintenance or replacement of windows			
Maintenance or replacement of electrical wiring			
Maintenance or replacement of a gas boiler and radiators			
Other (please specify):			

37. Are residents in the building(s) you manage required to do any of the following in relation to the common parts of the building?

	Yes	No	Don't Know

⁵ Fire doors for the purpose of this question means internal fire doors and front entrance door to the individual dwelling

Not leaving obstructions, e.g. bicycles or prams, in the corridors, walkways or entrance/ exit to the building, or in front of fire doors			
Not blocking lifts or staircases			
Removing any rubbish promptly			
Not putting flammable items in bin chutes or internal bin storage areas			
Not keeping fire doors open			
Other (please specify):			

38. What action do you take when you have a concern about fire or structural safety in a particular flat/ dwelling?

39. How successful do you find the action you take is in resolving these concerns?

Extremely successful	
Moderately successful	
Neither successful nor unsuccessful	
Fairly unsuccessful	
Extremely unsuccessful	

40. Have you ever been refused entry to an occupant's property where you have had a structural or fire safety concern?

Yes	
No	
Don't Know	

41. If you answered 'Yes' to the previous question, what did you do next?

42. How frequently are you refused access where you have concerns relating to structural or fire safety?

43. How effective do you think existing mechanisms enabling you to gain access to an occupant's property when you have a concern about structural or fire safety are?

Extremely successful	
Moderately successful	
Neither successful nor unsuccessful	
Fairly unsuccessful	
Extremely unsuccessful	

44. Can you provide more detail on your response to the previous question?

45. If you or your contractors undertake repairs or maintenance work in your building and sees something that is a fire or structural safety risk

a. Do you have a procedure for them to raise this with you?

Yes	
No	
Don't Know	

b. What does this procedure look like and how effective is it?

46. Do you have any other comments relating to fire and structural safety? Please provide details here:

Annex A

Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

4. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the consultation

5. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

6. The Data you provide directly will be stored by Survey Monkey on their servers in the United States. We have taken all necessary precautions to ensure that your rights in terms of data protection will not be compromised by this

7. Your personal data will not be used for any automated decision making.

8. Your personal data will be stored in a secure government IT system. Data provided to Survey Monkey will be moved from there to our internal systems by May 2019.

About this Call for Evidence

This Call for Evidence document and the Call for Evidence process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this Call for Evidence, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the EU General Data Protection Regulation, and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included in Annex A.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this Call for Evidence has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).