



**NFCC**  
National Fire  
Chiefs Council

c/o 71-75 Shelton Street  
Covent Garden  
London  
WC2H 9JQ  
[www.nationalfirechiefs.org.uk](http://www.nationalfirechiefs.org.uk)

Sent to: [Consult.competenceandconduct@levellingup.gov.uk](mailto:Consult.competenceandconduct@levellingup.gov.uk)

5 April 2024

### **Consultation on a direction to the Regulator of Social Housing to set a Competence and Conduct Standard for Social Housing**

The National Fire Chiefs Council (NFCC) is pleased to respond to this consultation, published on 6 February 2024, regarding the Competence and Conduct Standard for Social Housing. NFCC is the professional voice of UK fire and rescue services (FRSs) and is comprised of a council of UK Chief Fire Officers.

This response was collated by NFCC's Protection Reform Unit and Strategy and Policy Team. Our response reflects their expertise and competence with the subject matter.

NFCC welcomes the Government's proposal for a new Competence and Conduct Standard relating to staff in the social rented sector. We agree with the Government that in light of the devastating Grenfell tragedy, it is vital that every social housing resident deserves to live in a home that is decent, safe and secure to receive a high-quality service from their landlord and responsible persons when relating to building safety.

Strengthening Tenants' Rights is a key stone in protecting lives in high-risk buildings managed by social landlords. While this consultation relates to social housing only, NFCC would like to see a cohesive and consistent set of expectations for residents across both the social housing and private rented sectors. This would help mitigate social inequities and help make safe housing a right to all members of society, rather than a privilege to some.

NFCC is committed to creating safer, healthier, and more resilient communities and to reducing the risk to people, including vulnerable people, within the home environment. Creating safer homes for people is also a central aim of the varied Protection and Prevention activities undertaken by FRS across the UK.

We are very concerned, given that this proposal is a result of a recommendation from the Grenfell inquiry, that a total holistic, person-centred approach appears absent when dealing with the proposals related to relevant persons.

While Senior managers are made accountable, and are able to drive cultural change, the proposals could go further, as equally those on the front lines must understand the needs of the residents along with soft skills to share and embed knowledge and culture of fire safety processes and procedures such as evacuations, what to do in the event of a fire and what fire safety measures are in place to keep themselves safe from fire, which would align to the duties set out in sections 91-97 of the Building Safety Act 2022 (BSA22) and the Fire Safety (England) Regulation 9.

It is now well established that the residents of Grenfell raised fire and building safety concerns to numerous frontline officers' including the social landlord, council officers and maintenance contractors, Resident felt both "bullied" and "marginalised" by staff from all sectors that work in or with social housing.

### **What NFCC would like to see that**

- The proposals not just apply to the relevant persons as highlighted in the consultation but should go beyond the Relevant to include ALL staff of the registered providers and the service providers who have any engagement with residents and service delivery- so that irrespective of whether someone is front line staff for the Housing provider or for the Service provider, they should be competence to the same standard.
- Fire safety and Building safety modules within the qualifications.

Below is our response to the questions to the 17 proposals as numbered in the consultation with questions not relevant to the NFFC omitted.

### **Richard Fowler MSc BEng(Hons) CFIFireE CMgr**

Head of Service Delivery and Improvement

Protection

Continuous Improvement

Mobile: 07816 369430

Email: [Richard.Fowler@nfcc.org.uk](mailto:Richard.Fowler@nfcc.org.uk)

---

### Proposal questions and NFCC responses:

#### **Question 1: Do you agree with the content of the direction (Annex A) to setting the broad Standard relating to the competence and conduct of all social housing staff?**

Yes, if the direction is applicable to ALL Staff as the question implies, however Annex A makes it clear that the direction only applies to 'Relevant Persons / Individuals' - thus creating a two -tier system of competence and conduct within Registered Social

Housing Provider Organisations. Good practice would suggest that competence and conduct should apply to ALL staff irrelevant of their role, or grade.

**Question 2: As set out in paragraphs 15a and 46b of the policy statement, do you agree that only individuals who have a substantive role in managing delivery of housing management services should be in scope of the qualification requirements?**

**No**

“Managing delivery of housing management services” is different to being a senior manager or senior executive - and therefore the job title should be removed and replaced with a more generic term that encompasses staff of varying grades that may spend a *“Significant portion of their working time managing delivery of housing management services...”*

Many of the front line staff will be the first port of call for residents ( tenants and leaseholders) and will often deal with the issue as part of their day to day role before it even needs to be escalated to senior management level (for example a fire safety concern will often be dealt with by the housing officer or the Repairs & Maintenance (R&M) officer not a senior manager) - therefore will have *“a substantive role in managing delivery of housing management services”*.

So, while it is important that senior managers are qualified and have a good understanding of the application of Housing Management. It is the front-line staff that have to implement and manage the day-to-day service delivery and therefore if a residents' voice is to be heard and actioned properly, ALL staff that have a direct impact on service delivery at any level / grade should be suitably qualified and competent.

Qualifications should be proportionate and reflect the role for example the R&M or Housing officers or the tenant engagement officer should have a qualification / competence in fire safety matters to be able to support the requirements as set out in the [Building Safety Act 2022](#) (BSA22) and the [Fire Safety \(England\) Regulations 2022](#) (FSER22)

**Question 3: Do you agree with the guidance on the scope of housing management services (paragraphs 1-3 of Annex B1)?**

Yes, however, disagree with the statement in Annex B1, Para 3 - “personal care that is provided to a resident in supported housing, therefore those only responsible for managing care and support would not be in scope of the qualification requirement ...” - as it is these members of staff / service providers that will most likely be the first to identify safety issues affecting the resident and their welfare - i.e.

- the need for a Person-Centred Fire Risk Assessment, difficulty / inability to evacuate the building without assistances, not being able to hear the smoke detector; and / or
- Identifying a Repair & Maintenance issue such as a damaged fire door, or breaches in compartmentation or an increase in fire risk within the tenants flat / room/ house.

And therefore whilst a qualification may not be required, being competent and capable ( having the right Skills, Knowledge, Experience and Behaviours to know what to do

in these situations ( i.e. identifying the issue in the first place, making the necessary referrals, etc ) is vital in ensuring the resident is safe in their home but also in helping those accountable to comply with the relevant overlapping legislations ( , BSA22, the Regulatory Reform (Fire Safety) Order 2005 (Fire Safety Order 2005),, FSER22 and the Housing Act 2004 including the Health and Housing Safety Rating System ) if this is to be a true response to Grenfell Tower Inquiry findings and recommendations

**Question 5: Do you think that there are any other functions not listed above which should be in scope?**

- Yes,

The Relevant persons as defined in this consultation need to be competent to comply with their duties and responsibilities but it is equally important that the teams they are managing and are at the front line are equally competent and qualified to carry out their roles and responsibilities efficiently and effectively, thereby assisting the managers to meet their statutory duties accordingly - therefore competence and qualifications should be mandatory for all involved with any degree of service delivery and has an element of building & fire safety and life safety.

This list of functions is missing fire safety and structural safety of buildings and its occupants - and whilst it could be argued that fire safety is encompassed with repairs and management, asset and estate management, and capital / major works - given that this direction and standard has been derived because of the tragic consequences of the Grenfell Tower Fire and the lack of competence in fire safety by those managing residential buildings - Fire Safety and Building safety should be explicit, leaving no room for uncertainty or confusion or any doubt that it is an important element of housing management and crucially resident safety.

Therefore, reaffirming the earlier comment that qualifications, competence, skills, and behaviours should not be limited to senior managers and senior executives BUT should be a minimum requirement for all staff involved in the decision making and / or the delivery of these functions including Board Members and Tenant Representatives/ TRAs.

Hence the need for fire safety module that not only considers the fire safety measures but the need for Person Centred Fire Risk Assessments (PCFRA) and for inclusion in Secure Information Box (SIB) information etc to be able to meet FSER22 requirements but also meet functions B, C, E, G and H as listed in paragraph 25 of the consultation document.

**Question 6: Are there any functions listed above that you think should not be in scope?**

No

**Question 8: Do you agree with the proposal outlined above that individuals must have been in their role for more than 6 months to be classed as a Relevant Person or Relevant SP Manager (except where they are subject to a probationary period) as detailed in paragraph 15c, 46d and 46e of the policy statement?**

Yes, if the individual is currently in post due to a promotion or has joined from a different sector however, it should be a less than 6 months in role if the individual has been acting up or it is a sideways move internally or from one Registered Provider to another, as in this case they should already either be working towards the qualifications or be qualified.

Consideration also given to those that are 'acting up' or on secondment and there in a temporary post that may be longer than 6months - would they be classed a Relevant Person /RSP while in the interim role?

**Question 9: Do you agree with the proposal that those staff who have a probation period should have, or be working towards, a qualification within 9 months from the point at which they take up their role as detailed in paragraph 15d and 46f of the policy statement?**

Yes

**Question 10: Do you agree with our proposal that unpaid volunteers should not be required to gain a relevant qualification as detailed at paragraphs 15b and 46c?**

Agree in principle, but only where for example, the unpaid volunteer is not part of the decision making / governance process e.g. like a Board Member.

Board Members and Tenant Representatives (as paid or unpaid volunteers) should undertake some qualifications and have a level of competence to be able to carry out their role effectively and with accountability for themselves, those they represent but also those they hold to account.

The costs involved in volunteers obtaining the necessary competence / qualifications could be supported by the Registered Provider / Service Provider or through a government funded scheme to improve standards - in a similar way to some European cities like Milan.

**Question 12: As outlined in section 3.1 of the policy statement, do you agree that a level 4 qualification is the correct level for a senior housing manager and individual who is a services provider?**

Yes, this should be a minimum requirement and section 3.2 (para 21) of the policy statement should also include fire safety and building safety module as part of the core course contents and meet the requirements set out in the PAS8673:2022 Built environment – Competence requirements for the management of safety in residential buildings – Specification.

**Question 13: As outlined in section 3.1 of the policy statement, do you agree that a level 5 qualification or a foundation degree is the correct level for a senior housing executive?**

Yes, in line with the response provided above for Q12

**Question 14: Do you agree with our proposals outlined above and in section 3.4 of the policy statement that qualifications can be regulated by an equivalent body to Ofqual or a predecessor body?**

Yes

**Question 15: Do you agree that the criteria that qualifications must meet as set out in section 3.2 of the policy statement is appropriate for ensuring senior housing managers and senior housing executives gain the skills, knowledge, experience and behaviours they need to deliver high quality and professional services to tenants?**

Agree with the principle but feel that given that this standard / direction from Government is in response to the Grenfell Tower Inquiry Recommendations that section 3.2 (para 21) of the policy statement should **be extended to include fire safety and building safety module as part of the core course contents.**

Go as far as to say that **ALL** staff (not just senior managers. and executives) involved with any element of housing management. including Tenant / Resident Associations, Tenant Representatives and Board Members at any level/ grade should have a basic Level 2 or Level 3 qualification in understanding fire safety and building management. and resident safety.

This should form part of the individual's continuous professional development (CPD) and be refreshed annually; as part of the building's fire risk assessment review and / or any material change by way of aligning Housing Act, this standard and Articles.19, 20, 21 and 23 of the FSO2005, as well as meet the standards set out in 'PAS8673:2022 Built environment – Competence requirements for the management of safety in residential buildings – Specification' as a minimum / core requirement.

**Question 17: Do you agree with our approach to defining what it means to be 'working towards' a relevant qualification as outlined in the policy statement?**

Yes, NFCC believes that There also be an expiry date on the qualifications unless CPD is demonstrated, by way of evidencing continuous improvement and mgmt. of competence.

**Question 19: Considering the costs and benefits outlined within the impact assessment, do you agree that all existing staff within the sector should have, or should begin working towards a relevant qualification within 24 months as outlined in section 4.1 of the policy statement?**

Yes

**Question 23: Do you agree with the proposal that an adjusted transition period (twice the amount of time) should apply to registered providers which provide fewer than 50 units of stock, and will also apply in relation to their services providers?**

Yes, this should not be solely on the basis that the registered provider has 50 or less units of stock but the registered providers should be able to demonstrate the burden through some form of commitment declaration with supporting evidence to demonstrate why 4yr transition period is needed

**Question 24: Do you agree with our proposal as outlined above and described in section 3.6 of the Policy Statement that there should be transitional arrangements in place for those with partially relevant qualifications (which meet or exceed the requirements in section 3.1 of the policy statement, but do not meet all the course content criteria in section 3.2)**

Yes, one of the additional modules, should include fire safety to the criteria set out in PAS8673:2022 Built environment – Competence requirements for the management of safety in residential buildings – Specification, as outlined in response to question 15 above.

**Question 26: Do you agree with our proposal as outlined above and described in section 3.7 of the policy statement that there should be transitional arrangements in place for those who have completed an apprenticeship programme without a qualification element provided, they meet other criteria (as above)?**

Yes, it should align to the standards set out in PAS8673:2022 Built environment – Competence requirements for the management of safety in residential buildings – Specification and as outlined above to previous questions regarding core / minimum modules.

**Question 31: Are there any other bodies representing the interests of services providers that you think the Secretary of State should nominate as a body with which the Regulator must consult on the regulatory Standard in relation to these requirements, other than the National Federation of ALMOS and the National Federations of TMOs?**

The National Fire Chiefs Council, the Institute of Fire Engineers, the Fire Protection Association, as and when required depending on what element of the Standard is being consulted upon. Considerations should also be given to extending to the Office for Product Safety and Standards and the Construction Products Regulator, the Building Safety Alliance, Local Government Association.