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The Queen's Walk
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Our ref: SB 2017 07 02 ICO

Elizabeth Denham, Information Commissioner
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF

3 July 2017

Dear Commissioner,

Guidance on publication of fire risk assessments

I am writing to ask your office to issue urgent guidance to local authorities on the disclosure of fire risk assessments, and other fire safety information, to residents concerned about their safety in council-owned buildings.

As a London Assembly member and a councillor in the London Borough of Camden, I have in recent weeks been working with the community around the Grenfell Tower in Kensington and Chelsea and with residents in Camden, where four of our residential tower blocks have been evacuated on the advice of the London Fire Brigade.

In both these cases, the publication of fire risk assessments carried out before these incidents is being resisted by the local authorities, despite requests made by councillors and other representatives - including myself in Camden.

I note that your Information Rights Strategic Plan 2017-2021 contains a key commitment to "strengthen transparency and accountability and promote good information governance" and says:[i]

"We will use the information gathered from the public, those we regulate and other stakeholders to identify areas of poor practice or non-compliance." and

"We will use all of the powers and tools available to us to improve practice, but be proportionate and fair in doing so."

I also note that you have written to political parties and councils in recent months to advise on good practice in other areas of information management, and believe that proactive guidance from your office to clarify the application of the public interest test in publishing information on the fire safety of people's homes is vital at this time.



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We are seeing widespread and deep concern from residents of buildings owned and/or managed by councils across the country, and requests for this information are being made by many of these residents.

There is therefore a strong case for all fire risk assessments (and the details of checking and sign-off after refurbishment work) to be published in full as soon as possible. Residents everywhere need to be able to see what information is held about their safety at home and what action is being taken to improve it.

Full transparency for residents, with councils publishing a register of fire risk assessments online, was one of the recommendations of the London Assembly Housing and Planning Committee in December 2010 following the 2009 Lakanal House fire in Southwark, which claimed six lives.[ii] However, most councils have not yet acted upon this.

I believe it would be appropriate for you to act now and issue guidance on how the public interest test should be applied in these cases, before receiving complaints under FOI legislation.

The process of applying for information, internal review and then appealing to your office takes several months. Leaving worried residents in each building potentially affected to go through this process individually to get the information they need could be avoided by some clear guidance now on the public interest test and your expectations of transparency.

I hope you will consider this request and write back to me with your views and any action planned as soon as possible.

Yours sincerely,



Sian Berry
Green Party Member of the London Assembly

p.s. These concerns also apply to tenants of housing associations and arms-length management organisations, as well as private landlords. Any advice from you would also be useful for these residents to point to, although I recognise your office may not have the ability to issue guidance directly to these bodies.

[i] Information Rights Strategic Plan 2017-2021, ICO, May 2017
<https://ico.org.uk/media/2014134/20170413icoinformationrightsstrategicplan2017to2021v10.pdf>

[ii] Fire safety in London. Fire risks in London's tall and timber framed buildings. London Assembly Housing and Planning Committee, December 2010
<https://www.london.gov.uk/moderngov/documents/s2394/>



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