

# Fire Safety in Care Homes

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## After Rosepark



Colin Hird  
Building Standards Division



# Sheriff Principal Lockhart

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*“The purpose of the conclusions drawn is to assist those legitimately interested in the circumstances of the death to look to the future. They, armed with hindsight, the evidence led at the inquiry, and the determination of the inquiry, may be persuaded to take steps to prevent any recurrence of such a death in future.”*



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# Advisory visits by Fire Services

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- At the instigation of the Scottish Ministers, a process of advisory visits by Fire Services to care homes throughout Scotland was instigated following the fire (OF7.1)
- Led to joint statement from the Care Commission and HM Fire Service Inspectorate (Scotland) – fire safety practices in care homes, 28 January 2005

<http://www.scotland.gov.uk/Topics/Justice/public-safety/fire-and-rescue-services/fire-rescue-advisory-unit/publications/archive/Care%20Commission>



# Care Commission

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- Fire safety advisor appointed by the Care Commission
- Fire safety aide memoire for Care Commission Officers
- Memoranda of Understanding were, in 2005, entered into between the Care Commission and the eight Fire and Rescue Services in Scotland (OF7.2)

# Future Developments in the Regulatory Field

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- Relationship between Social Care and Social Work Improvement Scotland (SCSWIS), Fire and Rescue Service and the Health and Safety Executive (OF10)
- Draft Memoranda of Understanding (MoU) agreed for 24 hour care premises
- Full MoU expected in 2012 - Task and Finish Group

# Fire Safety Legislation and Guidance (OF7.4)

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- The legislation in relation to fire safety which had been in place at the time of the fire was replaced by a comprehensive new legislative framework, in the Fire (Scotland) Act 2005
- The Fire Safety (Scotland) Regulations 2006

# Fire Safety Legislation and Guidance (OF7.4)

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- Strategic Enforcement Guidance for Fire and Rescue Authorities (Aug 2006)
- Fire Safety Guidance Booklet
- Practical Fire Safety Guidance for Care Homes (revised Feb 2008)
- 3<sup>rd</sup> DRAFT of Care Homes guide complete, consultation Jan-April 2012  
published summer 2012
- [www.firelawscotland.org](http://www.firelawscotland.org)

# Checking of Documentation (OF5)

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- Strategy agreed with Health and Safety Executive, Fire and Rescue Services and the Care Inspectorate (SCSWIS) - draft position paper written
- Target is to have protocol agreed and adopted by partners in Spring 2012
- Care homes guide amended on electrical preventative maintenance and checking of fire dampers

## Competence of risk assessors (OF6)

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Dutyholder may need to employ someone who has appropriate qualifications, experience and indemnity insurance

*“The fact that a person or company is operating in the fire sector or that someone has previous fire service experience, does not mean that they are a fire safety specialist”*

[www.firelawscotland.org](http://www.firelawscotland.org)



# Competence of risk assessors (OF6)

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Awareness raising of fire risk assessor third party registration schemes:

- Institution of Fire Engineers
- Fire Industry Association
- Warrington Certification Ltd
- Institute of Fire Safety Managers
- Institute of Fire Prevention Managers

# Competence of risk assessors (OF6)

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- Draft consultation paper complete (November 2011)
- Ministerial Approval (December 2011)
- Consultation (Jan-April 2012) & responses analysed (May 2012)
- Work in conjunction with Fire Risk Competency Council Project (June 2012)

# Fire and Rescue – Enforcement Policy

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- FRS to consider National policy based on FRS Circular ‘Strategic Enforcement Guidance for Fire and Rescue Authorities’
- Scottish Government to consider whether this guidance should be amended to be more specific with regard to risk profiling of premises
- Fire and Rescue Service Reform

# Colin Todd Recommendations (OF11)

<b>Subject</b>	<b>Action by Scottish Ministers</b>
Doors opening to corridors	Emphasis changed to alert duty-holder to dangers of using non-fire rated doors
Storage of combustibles and aerosols	Check CHG continues to address issues
Minimum number of staff in relation to sub-compartment size	<ul style="list-style-type: none"><li>• Staff numbers emphasised in relation to evacuation (no benchmark)</li><li>• risk varies with physical characteristics of building, dependency of residents and whether sprinklers installed</li></ul>

# Colin Todd Recommendations (OF11)

<b>Subject</b>	<b>Action by Scottish Ministers</b>
Frequency and duration of staff training and drills	<ul style="list-style-type: none"><li>• determined on the basis of risk assessment (goal based)</li></ul>
Provision of information to staff	<ul style="list-style-type: none"><li>• Information to staff when calling FRS</li><li>• zone information at fire alarm panel</li></ul>
Competence of risk assessors	<ul style="list-style-type: none"><li>• third party registration schemes recognised</li><li>• Competency Council stakeholder project</li></ul>
Early summoning of FRS	Covered in CHG, to be strengthened

# Colin Todd Recommendations (OF11)

<b>Subject</b>	<b>Action by Scottish Ministers</b>
Care home fire safety management	covered in CHG, check adequacy
Third Party Certification	<ul style="list-style-type: none"><li>• firelaw website already amended</li><li>• guidance in revised CHG</li><li>• other guides when revised</li></ul>
Routine inspection by management recorded in log book	covered in CHG, check adequacy
Principle of Care to include key life safety message	covered in CHG, check adequacy

# Colin Todd Recommendations (OF11)

<b>Subject</b>	<b>Action by Scottish Ministers</b>
Routine inspection by management recorded in log book	covered in CHG, check adequacy
Principle of Care to include key life safety message	covered in CHG, check adequacy
Plans for use by FRS unless zone plan adequate	consider possible link to fire strategy information (see below)
Documentation of information on fire strategy (design)	agree gap exists between building as designed and fire safety in use

# Colin Todd Recommendations (OF11)

<b>Subject</b>	<b>Action by Scottish Ministers</b>
Firelaw risk assessment documents	under revision
Other textual amendments to the CHG	<ul style="list-style-type: none"><li>• provision of addressable alarms</li><li>• partial sprinkler coverage as a cost effective option in certain cases</li><li>• Reference to radio linked and acoustically activated hold open devices</li><li>• amend evacuation text</li></ul>

# Developments in Building Regulations (OF8)

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- Built to 1981 Regulations as amended
- 6<sup>th</sup> Amendment to the Building Standards (Scotland) Regulations, enacted in 2001
  - sub-compartments
  - fire hazard rooms e.g. Store rooms, bedrooms
  - fire detection and alarm system
- Not retrospective

# Developments in Building Regulations (OF8)

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- The Building (Scotland) Regulations 2004 came into force on 1 May 2005
- Standard 2.15 Automatic fire suppression system;
  - mandatory in care homes;
  - BS 9251 : 2005 - Sprinkler systems for residential and domestic occupancies.  
Code of practice
- Not retrospective

# Certificate of Completion – the position of the architect and Building Control Authority (OF4)

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Application for Certificate of Completion  
declaring compliance with Regulations

*“It is a fact relevant to the circumstances of these deaths that a certificate of completion was issued in circumstances where there had been a serious failure to comply with Building Regulations (in respect of the omission of fire dampers)”*



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# Certificate of Completion – the position of the architect and Building Control Authority (OF4)

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- Architect should declare on what basis they are employed ; and
- what steps they have taken to ascertain compliance with Building Regulations
- More prescriptive regime?

# Reasonable Inquiry - 1

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- Introduced in May 2005 under the Building (Scotland) Act 2003
- Completion Certificate submitted by relevant person declaring compliance with Building Regulations
- Approved Certifiers of Construction
- Verifier accepts or rejects based on 'reasonable inquiry' - guidance limited



# Reasonable Inquiry - 2

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- Research carried out by Optimal Economics Ltd  
'Identify a future model for reasonable inquiry'
- Report published October 2011 on BSD website  
at [www.scotland.gov.uk/bsd](http://www.scotland.gov.uk/bsd)

# Reasonable Inquiry - 3

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Four key themes emerged from research:

- Foundations
- Energy performance
- Safety (especially structure and fire)
- Accessibility

# Reasonable Inquiry – the future?

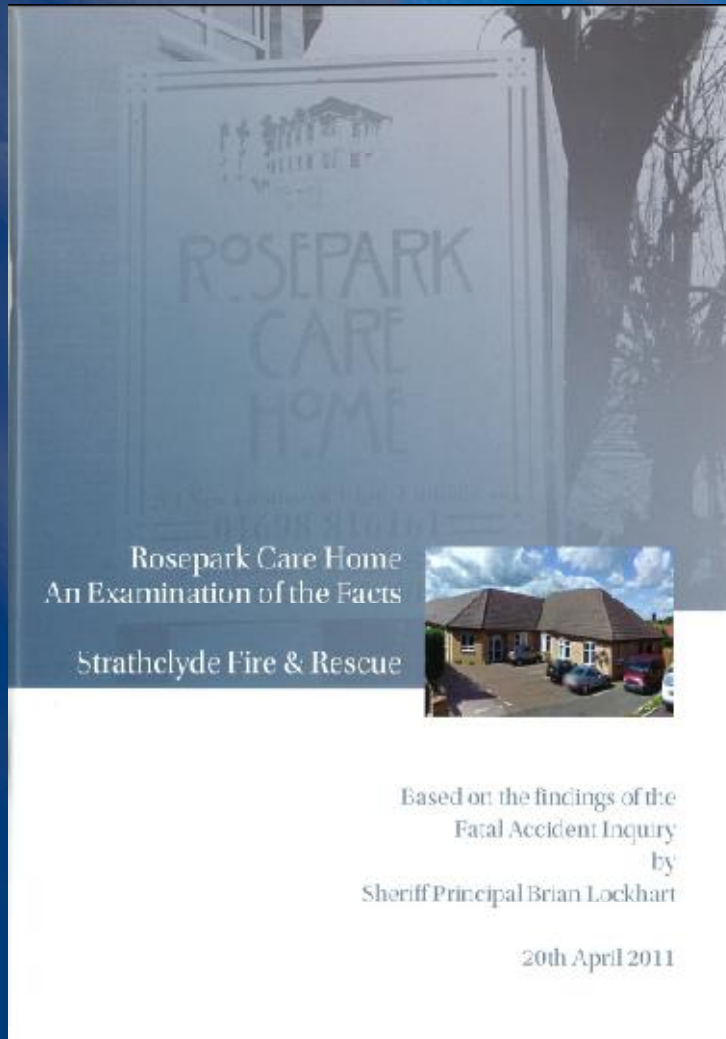
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- National risk assessment model
- Risk ratings e.g. care homes ‘high risk’
- Compliance inspection plan
- Development of a handbook of good practice in site Inspection
  - competence of people involved
  - supervisory arrangements
  - complexity

# Strathclyde Fire and Rescue

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Report launched at  
seminar on  
4<sup>th</sup> August 2011



# FRS Incident Response (OF7.3)

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- SF&R OTN – A124 (Dec 2008)
- Design of FRS turnout slip
- FRS resourcing and incident command
- Marking of doors / rooms
- Annual Familiarisation by watches

# FRS Incident Response (OF7.3)

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- Incident response plan :
  - access points
  - type of resident
  - list of questions to staff on arrival including whether bedroom doors are open or closed
  - must check FA panel
- Sheriff recommendation – bedroom doors

# FRS Incident Response (OF7.3)

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## Call Challenging

*“My findings demonstrate the need for the Fire Service to be called immediately and the need for a speedy and sufficient response. I consider it should be plain for the circumstances of this Inquiry that a practice which involved delay in responding to a fire alarm in a care home at night would be a dangerous one”*



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## Developments at Rosepark (OF9)

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- Electrical distribution boards now in separate cupboards and kept locked
- General storage cupboards kept locked – aerosols separate from sources of heat
- Swing free door closing devices fitted to all bedroom doors
- Doors closed at 23:00 but staff can use clinical judgement

# Developments at Rosepark (OF9)

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- Staff training
  - immediate 999 call to FRS
  - fire wardens course
  - 3 day induction for new staff
  - care manager's job description
  - monthly fire drills & matrix
  - annual training on extinguishers

# Developments at Rosepark (OF9)

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- Fire alarm system replaced with analogue addressable system
- Fire alarm zoning simplified
- Auto-dial to fire and rescue service (FRS)
- Electrical installations inspected quarterly by competent person and records kept
- Annual inspection by Strathclyde FRS

# Scottish Minister - Statement

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*“having consulted the Lord Advocate, I assure members that any inquiries, including public inquiries that are necessary to establish the cause of the fire will be undertaken, their results made public and appropriate action taken to minimise the risk of such a fire in future”*

*Cathy Jamieson – Justice Minister*

*4 February 2004*



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# Have we done enough?

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