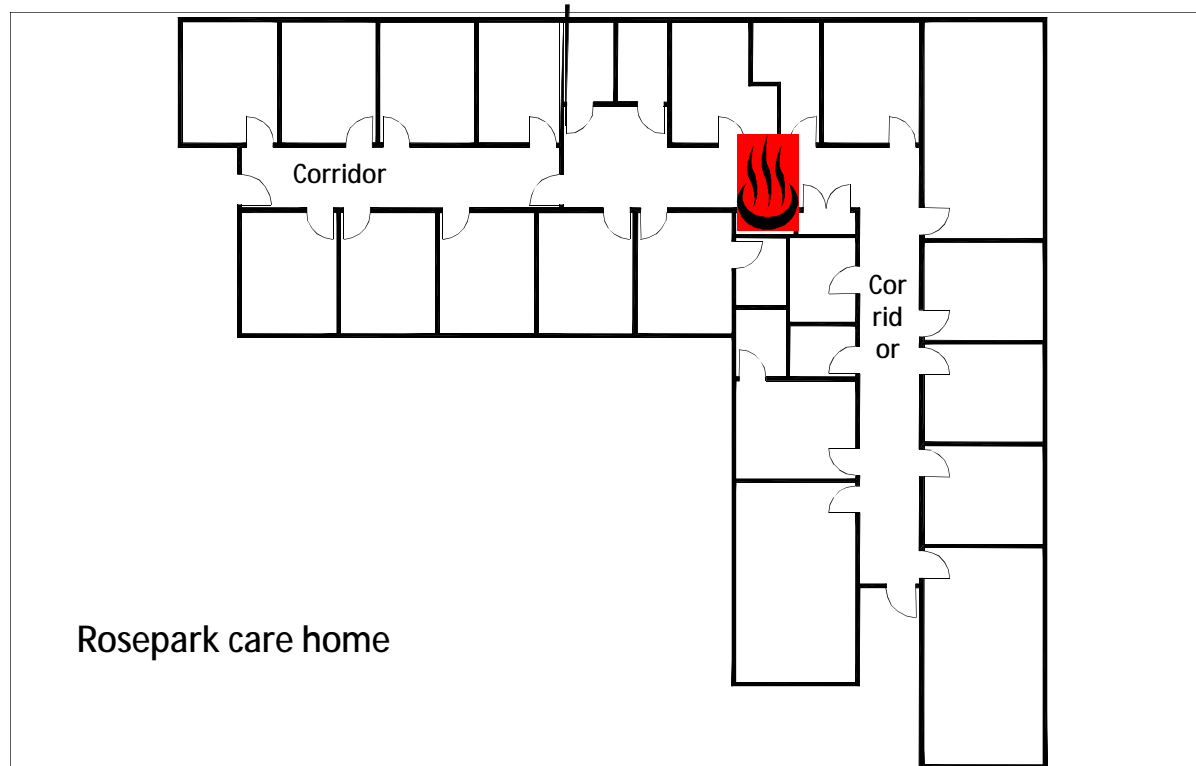


# THE ROSEPARK CARE HOME FIRE

Colin Todd  
Managing Director  
C. S. Todd & Associates Ltd



# ROSEPARK CARE HOME, UDDINGSTON





# REPRESENTED:

**THE CROWN  
THE BALMERS  
STRATHCLYDE F&RS  
NHS LANARKSHIRE  
CARE COMMISSION  
NORTH LANARKSHIRE  
COUNCIL  
SCOTTISH MINISTERS  
GEORGE MUIR**

**ALEXANDER ROSS  
SARAH MEANEY  
ISOBEL QUEEN  
BRIAN NORTON  
IRENE RICHMOND  
YVONNE CARLISLE  
JOSEPH CLARK  
JAMES REID**



# A SHERIFF'S DETERMINATION

- **DOES NOT ESTABLISH BLAME, FAULT OR CIVIL/CRIMINAL LIABILITY**
- **ESTABLISHES (ON BALANCE OF PROBABILITY):**
  - **WHERE/WHEN DEATHS AND ACCIDENT TOOK PLACE**
  - **REASONABLE PRECAUTIONS WHEREBY DEATHS AND ACCIDENT MIGHT HAVE BEEN AVOIDED**
  - **ANY DEFECTS IN ANY SYSTEM OF WORKING CAUSING/ CONTRIBUTING TO ACCIDENT OR DEATHS**
  - **ANY OTHER FACTS RELEVANT TO CIRCUMSTANCES OF DEATHS**
- **“REASONABLE PRECAUTIONS” APPLIES “WISDOM OF HINDSIGHT”**



# **FINDINGS**

## **CAUSES OF DEATHS**

**INHALATION OF SMOKE AND THE FIRE GASES**

## **CAUSE OF ACCIDENT**

- **EARTH FAULT WHERE CABLE PASSED THROUGH KNOCKOUT IN DIS BOARD**
- **LIVE CONDUCTOR CAME INTO CONTACT WITH METAL EDGE OF KNOCKOUT**
- **ARC GENERATED**
- **CABLE SHEATH STRIPPED BACK TOO FAR**
- **KNOCKOUT HAD NO GROMMET**
- **PVC INSULATION ABRADED**
- **SPARKS IGNITED EITHER COMBUSTIBLES OR FLAMMABLE CLOUD**



# FINDINGS

## REASONABLE PRECAUTIONS

**RP1: GROMMET AT KNOCKOUT AND CABLE SHEATH NOT STRIPPED BACK (FIRE AND ALL DEATHS)**

**RP2: INSPECTION AND TESTING OF ELECTRICAL INSTALLATION (FIRE AND ALL DEATHS)**

- ON COMPLETION**
- WHEN CABLE ADDED**
- WHEN INSTALLATION 5 AND 10 YEARS OLD**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

**RP3: PROTECTION OF MEANS OF ESCAPE**

**RP3.1: CUPBOARD DOORS**

**RP3.1.1: CUPBOARD DOORS LOCKED SHUT OR AT LEAST SECURELY CLOSED (SOME OR ALL DEATHS)**

**RP3.1.2: FIRE DOORS TO CUPBOARD (SOME OR ALL DEATHS IF SECURELY CLOSED)**



# FINDINGS

## REASONABLE PRECAUTIONS

### RP3.2: CLOSED BEDROOM DOORS

- ONLY TWO BEDROOM DOORS CLOSED
- WOULD HAVE BEEN RP TO FIT DOOR RELEASE MECHANISMS
- DEVICES AVAILABLE AT ALL RELEVANT TIMES
- RELIANCE ON STAFF WOULD NEED ATTENTION TO TRAINING/DRILLS/ STAFF NUMBERS
- SUITABLE AND SUFFICIENT FRA WOULD HAVE IDENTIFIED NEED
- CLOSED DOORS WOULD HAVE STARVED FIRE



# FINDINGS

## REASONABLE PRECAUTIONS

**RP3.2  
(cont'd):**

### EFFECTS ON OUTCOME

- IMPROVED PROSPECTS FOR TWO RESIDENTS WITH CLOSED DOORS
- OTHER DEATHS IN THAT CORRIDOR MIGHT HAVE BEEN AVOIDED
- TWO RESIDENTS IN NEXT CORRIDOR MIGHT HAVE SURVIVED

**RP3.3**

**SMOKE SEALS ON BEDROOM DOORS  
(TWO DEATHS)**

**RP3.4**

**MINIMISE COMBUSTIBLES IN CUPBOARD;  
PARTICULARLY NO AEROSOLS (TWO  
DEATHS PLUS ALL OTHERS IF PROMPT  
STAFF ACTION AND SECURED DOORS)**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

### **RP3.5: SUBDIVIDE CORRIDOR 4 (7 DEATHS)**

- **OBVIOUS TO FIRE SAFETY PROFESSIONAL**
- **WOULD HAVE BEEN IDENTIFIED BY SUITABLE AND SUFFICIENT FRA**

### **ALTERNATIVES**

- **INTERIM MEASURE -TAKE FEWER RESIDENTS**
- **MOVED HEAVILY DEPENDENT RESIDENTS ELSEWHERE**
- **SPRINKLER SYSTEM**
- **ADDITIONAL STAFF AT NIGHT**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

**RP3.6: FIRE DAMPERS (2 DEATHS FROM SMOKE INHALATION PLUS DIFFERENT STAFF/FIRE SERVICE ACTIONS SO SOME OF OTHER DEATHS)**

**RP4: PROMPT AND EFFECTIVE ACTION BY STAFF**

**RP4.1 CLEAR INFO AT FIRE PANEL, PARTICULARLY ZONE PLAN (SOME OR ALL DEATHS)**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

**RP4.2 : TRAINING AND DRILLS (SOME OR ALL DEATHS)**

**RP4.3: INSTRUCTION OF ISOBEL QUEEN IN NEW FIRE PANEL (SOME OR ALL DEATHS)**

**RP5: EARLY INVOLVEMENT OF FIRE BRIGADE (4 DEATHS NOT OTHERS)**

**RP5.1: IMMEDIATE CALL/EMERGENCY PROCEDURE/ARC CONNECTION (9 MIN DELAY)**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

**RP5.2 : INFO FOR 999 CALL IN MATRON'S OFFICE**

**RP5.3: ACCESS ADDRESS AT TOP OF CALLOUT SLIP**

**RP5.4: CLASSIFICATION OF ROSE PARK AS SPECIAL RISK, SO ANNUAL 1(i)(d) EACH WATCH**

**RP5.5: FIRST APPLIANCE TO HAVE ATTENDED ROSE PARK AVENUE (4 MIN 25 SEC DELAY)**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

**RP6: SUITABLE AND SUFFICIENT FRA (FIRE AND SOME OR ALL DEATHS)**

- FRA BY JAMES REID NOT SUITABLE AND SUFFICIENT**
- NO ACTION BY MANAGEMENT IN ANY CASE**
- FAILED TO CONSIDER RESIDENTS**
- FAILED TO ADDRESS MANY ISSUES**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

**RP7: EARLY AND SUFFICIENT RESOURCING OF INCIDENT BY FIRE BRIGADE (ONE DEATH)  
- SHERIFF ACKNOWLEDGES FIRE UNIQUE IN 14 WAYS NOT KNOWN TO OIC**

**NOW, WITH BENEFIT OF HINDSIGHT:**

**RP7.1: OIC TO EXAMINE FIRE PANEL/ZONE CARD TO VERIFY STAFF INFO**

**RP7.2: OIC TO TREAT UPPER FLOOR RESIDENTS AS UNACCOUNTED FOR**



# **FINDINGS**

## **REASONABLE PRECAUTIONS**

**RP7.3: OIC TO CONFIRM WHETHER BEDROOM DOORS OPEN OR CLOSED**

**RP7.6: MAKE PUMPS 6 MESSAGE 35 MINS EARLIER WHEN “PERSONS REPORTED” SENT**



# **FINDINGS**

## **DEFECTS IN ANY SYSTEM OF WORKING**

**DS1: MAINTENANCE OF ELECTRICAL  
INSTALLATION (FIRE AND ALL DEATHS)**

**DS2: FIRE SAFETY TRAINING AND DRILLS  
(SOME OR ALL DEATHS)**

**DS3: MANAGEMENT OF FIRE SAFETY**

**DS3.1: MANAGEMENT OF FIRE SAFETY WAS  
SYSTEMATICALLY AND SERIOUSLY  
DEFECTIVE (SOME OR ALL DEATHS)**



# **FINDINGS**

## **DEFECTS IN ANY SYSTEM OF WORKING**

**DS3.2: A NUMBER OF KEY CIRCUMSTANCES  
WOULD HAVE BEEN DIFFERENT (SOME OR  
ALL DEATHS)**

**DS4: MANAGEMENT OF CONSTRUCTION  
PROCESS [FAILURE TO IDENTIFY  
ABSENCE OF ELEC INSPECTION/TESTING  
CONTRIBUTED TO FIRE AND DEATHS]**



# FINDINGS

## DEFECTS IN ANY SYSTEM OF WORKING

**DS5: INTERACTION BETWEEN ROSE PARK AND LANARKSHIRE HEALTH BOARD (SOME OR ALL DEATHS)**

- INADEQUATE APPRECIATION OF STATUTORY RESPONSIBILITIES
- NO SETTING OF STANDARDS FOR SUITABLE AND SUFFICIENT FIRE PRECAUTIONS
- HEALTH BOARD DID NOT RECOGNIZE THAT IT SHOULD HAVE EXAMINED FIRE PRECAUTIONS
- FUNDAMENTAL MISUNDERSTANDING OF ROLE OF STRATHCLYDE F&RS



# **FINDINGS**

## **OTHER RELEVANT FACTS**

**OF1: STRATHCLYDE F&RS WERE NOT INSPECTING CARE HOMES**

**OF2: THE CARE COMMISSION AND ITS INTERACTION WITH ROSE PARK 2002-2004**

- NATIONAL CARE STANDARDS RESULTED IN WEAKER REGIME OF INSPECTION**
- IN 2003 FIRE SAFETY AT ROSE PARK NOT SCRUTINISED IN ANY DEPTH**
- WAY IN WHICH FIRE PRECAUTIONS EXAMINED UNLIKELY TO UNCOVER DEFECTS IN POLICIES/PROCEDURES**
- FOCUS ON CARE, RATHER THAN SAFETY**
- NO BASIS FOR FINDINGS THAT APPROPRIATE POLICIES/PROCEDURES/RECORDS/STAFF KNOWLEDGE**



# **FINDINGS**

## **OTHER RELEVANT FACTS**

- OF3: CARE COMMISSION/STRATHCLYDE F&RS  
UNDERSTANDING OF RESPECTIVE ROLES**
  
- OF4: COMPLETION CERTIFICATE ISSUED WHEN  
SERIOUS COMPLIANCE FAILURE (DAMPERS)**
  
- OF5: NO EXTERNAL CHECK OF DOCUMENTATION FOR  
TESTING/INSPECTION OF ELEC AND VENTILATION  
INSTALLATIONS**
  
- OF6: NO STATUTORY REQUIREMENT FOR QUALS OF  
FIRE RISK ASSESSORS OF CARE HOMES**



# **FINDINGS**

## **OTHER RELEVANT FACTS**

**OF7: DEVELOPMENTS SINCE THE FIRE**

**OF7.1: ADVISORY VISITS AFTER FIRE**

**OF7.2: MoU BETWEEN CARE COMMISSION AND THE 8  
F&RS**

**OF7.3: OPERATIONAL CHANGES AND DEVELOPMENTS  
IN STRATHCLYDE F&RS**

**OF7.4: THE FIRE (SCOTLAND) ACT**

**OF8: CHANGES MADE TO BUILDING REGULATIONS**

**OF9: CHANGES AT ROSE PARK ITSELF**



# **FINDINGS**

## **OTHER RELEVANT FACTS**

**OF10: FUTURE REGULATORY DEVELOPMENTS  
- SCSWIS (LOSE PRIVATE HOSPITALS)**

**OF11: SHERIFF COMMENDS COLIN TODD'S  
RECOMMENDATIONS TO SCOTTISH  
MINISTERS FOR CAREFUL  
CONSIDERATION**



# **SHERIFF'S CONCLUSIONS**

- 1. BALMER CARE HOMES LTD HAVE TAKEN STEPS TO ERADICATE DEFICIENCIES.**
- 2. THE HEALTH BOARD'S APPROACH WAS DEFECTIVE. THE CARE COMMISSION'S APPROACH ADOPTED THE TENOR OF THE LEGISLATION. F&RS NOW CARRY OUT INSPECTIONS.**
- 3. STRATHCLYDE F&RS HAVE IMPLEMENTED CHANGES.**
- 4. SHERIFF MAKES PROPOSALS RE ROLE OF ARCHITECT AND BUILDING CONTROL.**
- 5. THERE SHOULD BE CHECKING OF DOCUMENTATION RE INSPEC/TEST OF ELEC/VENT SYSTEMS. CONSIDERATION SHOULD BE GIVEN TO CERT OF COMPARTMENTATION AT REGISTRATION.**



# **SHERIFF'S CONCLUSIONS**

- 6. STAFF TRAINING RE DUTIES IS REQUIRED. DUTIES SHOULD BE AUDITED.**
- 7. THERE SHOULD BE FORMAL FOOTING FOR RELATIONSHIP BETWEEN SCSWIS, F&RS AND HSE.**
- 8. SHERIFF COMMENDS COLIN TODD'S REPORT TO SCOTTISH MINISTERS.**
- 9. RESIDENTS/POTENTIAL RESIDENTS SHOULD BE REASSURED. SCOTTISH MINISTERS WILL CONSIDER WHETHER GUIDANCE REQUIRES FURTHER REVISION IN VIEW OF DETERMINATION AND IN PARTICULAR RECS OF COLIN TODD.**



# **C. S. TODD RECOMMENDATIONS**

- 1. INSPECTION AND TESTING OF ELECTRICAL INSTALLATIONS**
- 2. ADDRESSABLE FIRE ALARM SYSTEMS**
- 3. ZONE PLANS**
- 4. STAFFING NUMBERS**
- 5. SPRINKLER SYSTEMS**
- 6. PROTECTED CORRIDORS**
- 7. SELF CLOSING DEVICES**
- 8. ARC CONNECTIONS**
- 9. STAFF ALARMS**



# **C. S. TODD RECOMMENDATIONS**

- 10. THIRD PARTY CERTIFICATION**
- 11. STAFF TRAINING**
- 12. ROUTINE INSPECTIONS**
- 13. PLANS FOR FRS USE**
- 14. PRINCIPLE OF CARE**
- 15. CALL CHALLENGING**
- 16. FAMILIARIZATION VISITS**
- 17. COMPETENCE OF RISK ASSESSORS**
- 18. INFORMATION ON FIRE STRATEGY**

