

ISLE OF WIGHT FIRE AND RESCUE SERVICE



FIRE SAFETY INSPECTION PROGRAMME

SAFETY AND RISK MANAGEMENT FUNCTION

July 2004

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1 INTRODUCTION

- 1.1 The development and management of a Fire Safety Risk Based Inspection Programme will provide important data to assist in the development and evaluation of the Service's Integrated Risk Management Plan (IRMP). This will enable the Isle of Wight Fire and Rescue Service to fulfil its duty to manage the fire risk in the community.
- 1.2 The final decision on the level of enforcement to be taken following an inspection and assessment of risk in any premises will where appropriate embody the principles, expectations and methodology of the Enforcement Management Model (EMM) produced by the Health and Safety Executive (HSE), which is considered national best practice.
- 1.3 The use of the EMM will allow inspectors to make consistent and fair enforcement decisions based on clear guidelines, which will be robust if challenged, and auditable when required.
- 1.4 There are three principle areas that will enable the fire service to manage the fire risk in the community. These are:
 - **prevention**
 - **protection**
 - **responding**
- 1.5 The integrated approach recognises that activity in one or more of these areas has the potential to reduce the risk in the community. However in situations where it may not always be possible to reduce the risk to an acceptable level using Statutory or Community Fire Safety initiatives, the information gathered will be used to provide an appropriate level of fire cover.

2 DETERMINING THE LEVEL OF RISK

- 2.1 The Risk Based Inspection Programme forms part of the Service's overall integrated approach to management by prioritising the inspection of premises. It will initially be necessary to determine the level of risk in the premises in question. This will be carried out by an on-site or remote audit, which will, on completion apply a **risk rating**. The risk to individual persons will be of concern to inspectors carrying out the audit, however it will be the potential for the loss of life or serious injury that will have a major influence on the level of risk determined.
- 2.2 Whilst the risk to the employees and other persons that may be present is the prime influence. An assessment of the risk in the premises and its inclusion in the inspection programme can be made for a number of other purposes, such as:
 - property/business loss
 - loss of heritage
 - loss to the community
 - environmental damage
 - firefighting operations

The findings of the audit process and any **risk rating** applied to a premises, to be stored within the Community Fire Risk Management Information System (CFRMIS), will be influenced not only by life safety considerations but also the potential loss of risk to the community, at a local or national level.

2.3 When determining the risk presented by a particular premises the following factors will be considered. The list is not exhaustive, but each factor must be assessed, on an individual basis:

- type
- type of structure
- use
- nature of occupants
- furniture, fittings and surface finishes
- processes undertaken/materials stored
- potential sources of fire (accidental or deliberate)
- potential fire spread internal and external
- structural fire protection
- compliance with parts B1-B5 of Approved Document B
- fire precautions provided
- standard of fire safety management
- location
- access
- water supplies
- operational needs
- safety of firefighters
- environmental impact of any fire.

NB When an inspector's competence prevents completion of any area, consultation with Safety and Risk Management (S&RM) shall take place.

2.4 When considering these factors it will also be necessary to utilise information from current firefighting practice, at a national and local level. Current fire intelligence and a review of the historical experience of the premises will be taken into account before a final determination of **risk rating** can be made.

2.5 Professional judgement will be taken into account as part of the overall process. Examples might include:

- A low risk hospital may have a **risk rating** of 5, the same as a high risk office. In the case of the hospital the inspector needs only to document the inspection. However in the case of the office, the inspector when faced with conditions that present a high risk will need to take immediate enforcement action.
- It may not be reasonable to equate the life risk presented by a typical hotel, guest house or similar, with that of a comparable building providing care accommodation or used as a hostel, house in multiple occupation (HMO) or similar. Such important factors as the management regime in place and the nature of the occupants will need to be taken into account.

2.6 An initial estimation of the levels of risk, for most occupancy types, can be undertaken according to variations in the following:

- the provision of active and/or passive fire safety systems
- the level of fire safety management provided, or
- the size of the workplace

NB 'Workplace' means any premises or part of premises, not being domestic premises, used for the purposes of an employer's undertaking and which are made available to an employee of the employer as a place of work.

2.7 Using the provision of active and/or passive fire safety systems that would normally be expected in any particular occupancy type as the 'bench mark', then the level of risk could be varied as follows:

- severe under provision very high risk
- under provision high risk
- normal provision medium risk
- over provision low risk
- significant over provision very low risk

The same approach would apply to the level of fire safety management provided or the size of the premises.

2.8 As increasingly sophisticated community risk models are developed to support IRMP, the audit process for a premises must be compatible across all areas of fire service activity, particularly a correlation between the levels of risk for a Fire Safety Inspection Programme and the Fire Cover Review (FSEC) process.

2.9 In order to demonstrate that the Fire Authority is meeting its legislative responsibilities it is critical that at every stage the processes by which the levels of risk and the resulting inspection activity have been determined are reasonable, are recorded, transparent and auditable.

3 ASSESSMENT OF RISK

3.1 The risk from fire in the premises should be assessed by the person responsible for the premises (either as part of a general review of health and safety risks or as a specific exercise). The following checks should be included:

- that a fire can be detected in a reasonable time and that people can be warned
- that people who may be in the workplace can get out safely
- that reasonable firefighting equipment is provided
- that people in the workplace know what to do if there is fire
- that all fire safety equipment is checked and maintained at the required time periods, and to a satisfactory standard.

3.2 Where an employer employs 5 or more people (whether or not they are at work in the workplace at any one time, or at separate workplaces), he/she must keep a **written** record of the risk assessment in respect of each workplace. The record should include all the identified significant findings and the measures taken to deal with them. The requirement for a written record depends on the number of people employed, not where they work.

4 THE AUDIT PROCESS

4.1 The process for carrying out the fire safety inspection of premises in the Isle of Wight is determined by the level of risk presented by those premises regardless of what legislation might apply to them. The principle of audit will form the basis of the inspections.

- 4.2 Whilst the **Description of Risk** Tables give general guidance on determining the level of risk for a premises, that level can be varied according to local circumstances such as:
- historical information on the premises concerned
 - a visit to a premises under section 1(1)(d) of Fire Services Act 1947 (or equivalent under the Fire and Rescue Services Act 2004)
 - reports on fires attended
 - local trends or socio-economic factors
 - fire risk assessments by or on behalf of employers or other bodies such as HSE, local authorities and Environment Agency
- 4.3 **Table 1** is the **Compliance Level/Risk Rating Matrix** and is used to determine the premises **risk rating** and the **level of compliance** with legislation. It will be noted that the types of premises are in line with the purpose groups contained in Approved Document B to the Building Regulations. **Table 2** lists the familiar Home Office **Premises Use Groups** to assist the inspector to readily identify the class of premises being audited. **Table 3** lists the new **Supplementary Line Numbers** which will also assist the inspector to identify the description of premises coded in the CFRMIS.
- 4.4 The Compliance Level/Risk Rating Matrix has been divided by a bold line. Ratings above the line will attract time based inspections as determined by S&RM. Those below will be audited by sample. It is to be recognised that the line will move at the discretion of S&RM when considering the resources available to complete the time based inspections.
- 4.5 The numerical values 8 to 2 provided in the risk rating column of the matrix represent levels of risk and are a guide to overall priorities for inspection. They **cannot** be used to dictate the enforcement action to be taken. Whatever the risk rating of a premises, a **very high** or **high risk** will warrant some form of action to reduce the risk.

5 AUDIT PRINCIPLES

The fire safety audit provides inspectors with a risk based methodology that supports the enforcement principles embodied in the Fire Precautions (Workplace) Regulations 1997 (as Amended), the Regulatory Reform (Fire Safety) Order 2004 and the EMM produced by the HSE, which is considered national best practice.

There are two types of audit that inspectors will undertake:

- 5.1 **The remote audit** – on **first** allocation of a file, inspectors will carry out a **remote** audit of the premises and apply an initial **risk rating** using the Compliance Level/Risk Rating Matrix – **Table 1**. This initial **risk rating** will generally be equivalent to a **medium risk (3)** for the relevant purpose group column.
- 5.2 **The premises fire safety audit** – this is a full audit of a premises carried out using the **Fire Safety Audit and Data Gathering Form** - Appendix 'A'. The results of the audit will determine the final **risk rating**. The Description of Risk Tables may be used to provide additional guidance to the inspector to verify the correct risk rating is allocated. The inspector will need to consider fire intelligence data concerning external factors, which may affect the overall risk profile presented by the premises.
- 5.3 The following **guidance** on audit principles are primarily for those inspectors who may be unfamiliar with this type of inspection. Instruction on the carrying out of a fire safety audit can be found in subsequent paragraphs.

- 5.4 The process of audit is designed to allow the inspector to determine if the process or procedure, subject to the audit, is in practice a true reflection of theory. It is the system, process or procedure that is subject to audit and not people within that system process or procedure. For example, the audit of staff training procedures will look at the sequence of events, detailed in writing, being performed in reality. If the procedure states that 'all staff will receive comprehensive fire safety training on a quarterly basis', the inspector will expect to see evidence that this is true.

The efficiency with which the task is completed may be of relevance but is not what the inspector is looking for. Only if the task is not carried out will reasons be looked for.

- 5.5 The fire safety inspector will start by looking at a system and frequency for review, to ensure it is actually in place. Following this, each element of the system will then be checked, including the review process.

The important factors to be considered are:

- establish that a system exists (policy or procedure)
- check each element (hazard identification, risk assessment, control measures, review)
- only check samples (select particular components of each element)
- check by observation and communication (look and listen for evidence, talk to persons)
- identify deficiencies (in the areas selected for audit)
- address deficiencies

6 THE FIRE SAFETY AUDIT

A fire safety audit is, as its title implies, an inspection that uses the principles of audit as its base, but not as its sole methodology. The process of auditing a premises, assessing risks and making enforcement decisions will embody the principles, expectations and methodology of the EMM.

- 6.1 To assist inspectors to complete a fire safety audit, a form (Appendix 'A') is provided with guidance notes (Appendix 'B') and step by step instructions (Appendix 'C' and 'D'). The form will be used on every occasion a fire safety audit is carried out to ensure a consistent approach and provide a contemporaneous record for future reference.
- 6.2 Fire Precautions (Workplace) Regulations 1997 (as Amended) are founded upon the unequivocal responsibility of the employer to assess and mitigate the risk to those employees who could be affected by fire. It is not appropriate for the Fire Authority to provide a prescriptive solution as the sole means of addressing deficiencies, except where communications have broken down and formal methods are necessary.
- 6.3 It is important for inspectors to recognise that any enforcement action taken must be first verified against the EMM. This is achieved by using **Tables 4 to 9** the enforcement flow charts. Any enforcement action must be detailed enough for the employer to act upon, and it must make clear the required objective.

7 CONDUCTING THE AUDIT

7.1 Responsible Person

The inspectors initial objective is to identify the responsible person(s). In multi-occupied premises the first point of contact should normally be the building manager (owner and/or agent) who will normally have responsibility for the building overall, and in particular the common parts and common fire safety systems.

An individual employer's responsibility for safety in the workplace extends beyond the part(s) of the premises they occupy to a place of ultimate safety. This will include (as a minimum) some responsibility for the common parts.

In multi-occupied premises employers have a responsibility to co-operate with each other and any other person who has control overall of the premises to ensure adequate fire safety measures are in place. This process will inevitably require action by the owner, as a person having control (and responsibility).

It is not acceptable for an individual employer or occupier in a multi-occupied premises to simply tolerate inadequacies in the common parts of the premises on the basis that a third party has principal control.

7.2 Prior to the Inspection

Time must be taken to prepare for the audit. If the premises are known, then careful research of the file should be undertaken. Particular attention must be given to all factors that will affect the overall risk rating of premises, these will include not only life risks but also those to facilitate IRMP, compliance with parts B1-B5 of the current Building Regulations, firefighter safety and the effect of any fire in the premises on the environment.

NB When an inspector's competence prevents completion of any area, consultation with S&RM shall take place.

7.3 Employers Fire Safety Management Plan (or equivalent)

Every employer shall make arrangements as appropriate, having regard to the nature of their activities and the size of their undertaking, for the effective planning, organisation, control, monitoring and review of the preventive and protective measures (preventive and protective measures mean the measures identified in the risk assessment the employer needs to make to comply with the requirements and prohibitions imposed upon him/her by or under the relevant statutory provisions, this shall be recorded where 5 or more employees are employed).

In order to develop and maintain the safety of the building and that of employees and others expected to be there, the building management team should have formulated and documented a fire safety strategy. This strategy may include a **fire safety manual** in which technical specifications for all aspects of the workplace are included, ie.

- a **fire safety policy statement** appropriate to the building configuration, location, occupation and use. The fire safety policy statement should include general safety issues related to the use of the building and the aims and objectives of the proposed management system and its methodology,
- fire safety specification for the workplace including plans where appropriate,
- safety management structure,

- continuing control and audit procedures,
- actions to be taken in a fire emergency,
- fire drills,
- housekeeping,
- planned maintenance procedures,
- staff training,
- security,
- record keeping.

In order to maintain the effectiveness of the fire safety strategy, it will be essential that regular and effective testing and maintenance procedures are conducted and evidence of this is documented.

7.4 Risk Assessment

The fire safety audit should commence with an examination of the fire safety risk assessment and emergency plan. These documents underpin the rationale for the fire safety strategies within the premises. The inspector must use **professional judgement** to form an initial view regarding the safety case presented and decide to what extent these matters will require verification.

Past experience has shown that there are considerable number of employers who are unaware of their responsibilities to carry out a risk assessment. However, even where there is no risk assessment available most responsible persons do have a general, if incomplete or imprecise, understanding of their responsibilities for fire safety in the premises. In many cases they may have taken some action to meet these obligations.

In the absence of a written fire risk assessment, the inspector must establish what, if any, control measures are in place. **This will form the starting point for the audit.**

This process will enable the inspector to gauge the extent of the responsible persons understanding of their responsibilities and provide an opportunity to **educate** and **inform**. Understanding and acceptance of responsibility should be seen as one of the primary purposes of the fire safety audit.

7.5 Emergency Plan

The responsible person should ensure that:

- people in the premises know what to do if there is a fire,
- the premises can be safely evacuated,
- there is a written plan where five or more people are employed and
- the written plan is available for inspection by the Fire Authority.

In drawing up the emergency plan, the responsible person should take the results of their risk assessment into account. If the premises is in a building, which is shared with other employers or occupiers, the emergency plan should be drawn up in consultation with those persons and the owner(s) or other people who have any control over any part of the building.

7.6 Documentation

Any effective management system will be supported by a range of documentation. The inspector will inspect available documents to obtain evidence that effective systems are in place.

In addition to the written risk assessment this evidence should include the emergency plan, service records, staff training records, fire drill records and the company policies and procedures relating to fire.

The inspection of documents need not be exhaustive; the inspector should record those documents seen, including the date of each document. The aim is to establish the current position, raise management awareness and assist in forming a view about how detailed and physical inspection of the premises will need to be.

7.7 Verification of Standards

Verification is completed by a physical inspection of some or all of the premises to check compliance with the legislation. The extent of the verification will depend upon a number of factors but **must always** include the **risk critical constituent** and **may** include a **sample constituent**.

7.8 Risk Critical Constituent

The fire safety audit will include a physical inspection of at least one of the following parts of the building.

- common parts and fire safety systems of multi occupied premises
- final exits
- protected/external staircases
- external routes
- areas licensed for public entertainment

NB Where major deficiencies are found in the sampled risk critical elements a full inspection of all risk critical elements is to be made.

7.9 Sample Constituent

The selection of the sample constituent will follow when the risk critical constituent has taken place. By this stage the inspector will have enough information to form a comprehensive view regarding the standard of the premises and must now exercise professional judgement to decide the extent of the additional sample constituent to be inspected. When making this decision inspectors should include the areas that appear to present the greatest risk. In a single occupied building no further verification may be necessary. When considering the sample to be inspected, inspectors should take into account any relevant history on the premises file. Particular account should be taken of records that indicate a higher level of risk in a certain area of the premises.

Where areas of high fire risk are noted during the risk critical constituent the inspector may wish to include these in the sample constituent, eg. Industrial kitchen, spray booth, highly flammable store, vulnerable occupants etc. A multi storey single occupied premises, where the risk profile is uniform, the recommended approach is to randomly sample enough floors to satisfy the professional judgement of the inspector.

In multi occupied buildings a different approach is required. The **premises** not the building is the significant area under the legislation. Multi occupied buildings will contain a number of individual premises, and as such a number of responsible persons.

When carrying out a verification inspection, an audit of the premises or areas with the highest risk should be sampled but **all** individual premises are to be visited in order to assess, educate and inform those responsible. **Part A** of the form will be completed for each occupier.

If in the professional judgement of the inspector, there remain areas of concern following the sampling and verification process, a full **top to bottom** inspection should be carried out.

7.10 Risk Rating

As part of the fire safety audit process the inspector will be required to decide the premises **risk rating**. This rating will be used to determine the frequency of future fire safety audits. The inspector will use the information entered on the form to determine the compliance level (1 to 5). This compliance level is then applied to the **Compliance Level/Risk Rating Matrix**, using the appropriate premises use group column to determine the initial **risk rating**. The final **risk rating** is found by adding or subtracting the weighting factor from Part B, Section 1 of the form.

Full account of the file history must be taken during this process. Where there is doubt concerning the **risk rating** the inspector should refer to the appropriate **Description of Risk Tables**, for further guidance.

7.11 Educating and Informing

Educating and informing employers and others about their duties under the legislation is a fundamental part of the enforcement regime of the Isle of Wight Fire and Rescue Service.

The Regulatory Reform (Fire Safety) Order 2004 requires specified individuals, (responsible person) to take responsibility for providing, applying and maintaining their own fire safety solutions.

In the context of the legislation, educating and informing serves two purposes:

- To provide an initial level of enforcement activity where a premises gives no immediate cause for concern but no risk assessment has been completed.
- to provide an efficient method for dealing with a predictable need, ie. lack of knowledge concerning responsibilities under the legislation.

8 AFTER THE AUDIT

8.1 When the audit has been completed, the overall **Compliance Level** from the Fire Safety Audit and Data Gathering Form will be compared with **Table 4 – Initial Enforcement Expectations**, which will offer the range of enforcement options to be considered.

8.2 A meeting with the responsible person is to be held where possible, to discuss the areas of non-compliance, and the possible enforcement options available.

- 8.3 The inspector will verify the level of enforcement indicated using **Table 4 to 9** and if required arrange for a management review to be carried out.
- 8.4 Just as important as enforcement action, encouragement should also be given for compliance. If appropriate, observations should also be made to encourage the process of continuous improvement.
- 8.5 The inspector should use the completed form as basis to prepare additional reports or when considering the appropriate enforcement action. When all work on the file is completed, the form shall be retained on the file for future reference and quality assurance purposes.

9 RISK BASED – RE-INSPECTIONS

The Isle of Wight Fire and Rescue Service will carry out re-inspections using a **Risk Based Inspection Programme** with the system of audit as its base (the Fire Safety Audit). The Fire Safety Audit provides inspectors with a risk based methodology that supports the enforcement principles embodied in the Fire Precautions (Workplace) Regulations 1997 (As Amended) and the Enforcement Management Model (EMM) produced by the Health and Safety Executive (HSE), which is considered national best practice.

9.1 Risk Based Inspection Programme

The methodology behind the risk based inspection programme is based on the following:-

- 9.1.1 A risk file will be created for each premises which will then be allocated a **risk rating** based on the use of the building and the perceived level of risk within the premises. The risk rating will range from 8 (highest risk) to 2 (lowest risk).
- 9.1.2 Each premises based on its use will also come within one of the following **premises use groups**:
- Institutional and Residential
 - Residential/Other
 - Shops and Licensed Premises
 - Assembly and Education
 - Industrial and Storage
 - Other Workplaces
 - Offices
 - Other Venues

Within each **premises use group**, premises will be allocated a risk particular to their group as determined by the **risk rating**. This may be either; Very High, High, Medium, Low or Very Low. For example, a very high risk hospital may be allocated a risk rating 8, where as a very high risk office may be allocated a risk rating 6. The programme will then select for inspection risk files based on risk and the time frequency from the last inspection.

NB 'Workplace' means any premises or parts of premises, not being domestic premises, used for the purposes of an employers undertaking and which are made available to an employee of the employer as a place of work.

9.1.3 The number and type of premises to be inspected each month will be determined by S&RM based on:

- the risk rating of the premises
- incidents of local and national concerns
- changes in local circumstances
- the resources available

9.1.4 The percentage of risk files inspected within each risk rating will also be determined by S&RM.

9.1.5 A **specific premises user group interrogation** will select from all premises use groups a set percentage of risk files from a specific group of premises, **Table 16**. This will enable S&RM to target particular groups of premises, with available resources directed toward life risk premises.

9.1.6 The risk based inspection programme, in addition to identifying risk files for inspection, based on the risk rating, will also take into account risk files for inspection based on the frequency of the last inspection. The frequency of inspections will be determined by the risk rating and premises use group, see **Table 17**.

9.2 Method

A minimum number of 30 risk files may be selected by group. The number and group selected will be determined by S&RM.

Where there are no files of a given risk rating available for selection within the time range, that number of files will be deferred to the next highest risk rating, eg. if all **risk rating 8** files have been inspected within 6 months; that number of extra files will be added to **risk rating 7**, and so on.

Risks identified for a fire safety audit will be issued a job sheet with a one month completion date.

The inspector on receipt of the job sheet will verify the action required, this may be either:-

- a) conduct a fire safety audit, or
- b) review the risk rating after consideration of all available information – the remote audit.

Following a premises fire safety audit, the inspector will determine the **risk rating** using **Table 1** and the Fire Safety Audit and Data Gathering Form before completing the job sheet and returning the file to Fire Safety Administration.

9.3 Premises Requiring Initial Risk Rating

Information supplied by the Valuation Office Agency (VOA), has indicated that a large number of businesses occupying premises – and so paying a Business Rate; are not included on the CFRMIS.

It is therefore vital, that these premises, together with known premises that have not received an initial risk rating, receive a **compliance management inspection**.

An annual 20% audit of premises requiring initial risk rating will continue on a rolling programme and will be in addition to the monthly re-inspections. The number and group selected will be determined by S&RM.

9.4 **Inspection Priorities**

Re-inspections will be allocated an inspection **Priority 1**. Other inspections will be allocated an inspection priority ranging from **Priority 2** to **Priority 12**, depending on the premises use group and the premises within the reference area allocated to each inspecting officer.