

# Monthly Meeting 10<sup>th</sup> November 2008

## Presentation on the Regulatory Reform (Fire Safety) Order 2005

Jonathan Herrick, West Midlands Fire Service

**J**onathan started by referring to a remark Bob Cole had made about a cause of Quick Hitch accidents being due partly to “laziness” and said that this equally applied to causes of fire! He went on to say that last time he spoke to us he was responsible for Fire Training, Building Design and Fire Engineering. Now, his duties had changed to Fire Safety Policy, Engineering and Training and he was going to take the radical approach, today, to start off his presentation by asking “Any Questions?”

John Wood, who is on the BHSEA Council, but is also the Chairman of the Dudley, Sandwell & Birmingham Fire Protection Association, took up the challenge immediately by asking why there were so many interpretations of the Order. Jonathan replied that was because there were no standard proposals in the Order and this meant that, inevitably, different officers would adopt different approaches in different types of business situation. With a risk based approach, the Action Controls would always be different, and he commented that the Order should have been more prescriptive, but the National, goal setting approach prevented that.

Mark Hoare of Birmingham University commented that they had received 10 Inspections in recent months which seemed to be excessive. Jonathan agreed and said that with 100,000 residences and 150,000 multi-occupied premises to visit, WMFS had employed a computer programme to prioritise their inspections. Unfortunately, it didn't do it very well, because as soon as a recent inspection report was processed, the computer allocated that organisation a higher risk rating and, consequently, scheduled another inspection. So, Jonathan added, he had sacked the computer and was developing a better system!

Jonathan went on to summarise the main parts of the order and said that the most significant part of the RRO for Employers was contained in Articles 8 – 22, which is why Officers sought an explanation of these controls during their inspections. Dalvinder Masaun of Sandwell & West Birmingham Hospitals NHS Trust asked if there was a published Audit Form available. Jonathan said it was basically Articles 8 – 22 and the Secretary agreed to publish a list of the Article titles, as follows: -

- Article 8. Duty to take general fire precautions
- Article 9. Risk Assessment
- Article 10. Principles of prevention to be applied
- Article 11. Fire safety arrangements
- Article 12. Elimination or reduction of risks from dangerous substances
- Article 13. Fire-fighting and detection
- Article 14. Emergency routes and exits
- Article 15. Procedures for serious and imminent danger and for danger areas
- Article 16. Additional emergency measures in respect of dangerous substances
- Article 17. Maintenance
- Article 18. Safety Assistance
- Article 19. Provision of information to employees

- Article 20. Provision of information to employers and the self-employed from outside undertakings
- Article 21. Training
- Article 22. Co-operation and co-ordination.

On the subject of Hazard/Risk, Jonathan said that they were not defined well and he questioned the fire services approach following the Woolworths fire in Liverpool. Safety is the responsibility of the Occupiers, because the Fire Service is not in a position to know how they work, on a day-to-day basis. If the Occupier thoroughly understands the risks involved then their risk assessments and controls measures should be appropriate. In large organisations, Management Audits are more necessary and need to assess arrangements for the whole organisation, not just isolated parts of it. Within the organisation WMFS would like to see responsibilities, within control limits for junior managers.

In this context, he went on to say that the National table on **Risk**, relative to **Types of Occupancy** was ridiculously inaccurate because false alarms in hospitals artificially elevated risk ratings and there was a lot of guesswork in the figures for consequences of fires. He added that in old Certificated premises which had a low risk rating and were not visited, despite there being an historically high incidence of deaths. He referred to the tables showing an apparent lull in Enforcement, Prohibition and Alteration Notices and remarked that these were distorted by underlying changes to gathering of statistics and the fact that Alteration Notices were introduced by the RRO.

On the subject of Management and lack of understanding of issues, Jonathan outlined the information requirements for employees and outside organisations who must understand your risks. He added that feedback to management from employees was often ignored, whereupon **Peter Evans** commented that most employees were not bothered and that this need to be overcome by training young people in the right way. Jonathan responded by mentioning the visits to schools and the Safeside Centre at Headquarters with 16 scenarios for realistic experiential learning. This uses Pester Power, whereby children will often advise parents to improve their fire precautions!

Fire extinguisher training was raised by a member and Jonathan commented that they should only be used on small fires in the early stages. The user had to understand the nature of fire development in order to respond effectively and safely. **Alan Phelps of Birmingham City Council** asked if video extinguisher training was adequate and Jonathan doubted it would replace the hands-on feel of the heat from a fire, the weight of the extinguisher and its response.

Jonathan conclude with some detailed observations on the apparent confusions and conflicts introduced by the RRO and said that they would doubtless lead to more debate in the future. Bob Cole thanked Jonathan for his provocative presentation and commented that the questions from the audience showed that it had been enjoyable for them as well. He asked Members to show their appreciation in the traditional manner.