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This circular is	Relevant to the National Framework		
Status	This circular provides an update on fire safety research carried out by Communities and Local Government and trails work planned for 2009/10.		

Fire Safety Policy Update

Issued by:

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Fire Safety Policy Team

Addressed to:

**The Chair of the Fire and Rescue Authority
The Chief Executive of the County Council
The Clerk to the Fire and Rescue Authority
The Clerk to the Combined Fire and Rescue Authority
The Commissioner of the London Fire and Emergency Planning Authority
The Chief Fire Officer**

Please forward to:

Officers responsible for fire safety

Summary

This Circular is to provide Fire and Rescue Authorities with an update on the evaluation of work that the Communities and Local Government (CLG) Fire Safety Policy Team has carried out and trail future work.

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1.0 Introduction

- 1.1 The Fire Safety Policy team has recently published three evaluation reports relating to fire safety policy. With the end of fire safety grants, and the introduction of new legislation covering non-domestic fire safety, it was timely to evaluate work that had been completed and assess the effectiveness of new legislative approaches.
- 1.2 We are pleased to announce that the review of fire safety on sub-surface railway stations, a commitment made in Parliament during the passage of the Regulatory Reform (Fire Safety) Order 2005, is now complete. The 2009 Regulations will be made on 31 March 2009 with a six month transition period, assisted by CLG guidance, before they come into force on 1 October 2009.
- 1.3 We are also finalising plans for our work programme during 2009/10, some of which is driven directly from the findings of the evaluation reports.

2.0 Home Fire Risk Check Grant and Fire Prevention Grants

- 2.1 You will be aware that the Government invested £25m capital funding over the four years 2004-8 in the Home Fire Risk Check grant initiative (HFRC). In addition the Government invested £11.4m resource funding in the Fire Prevention Grant scheme. Both grant schemes were intended as pump priming funding for Fire and Rescue Authorities to enable a surge in ownership of smoke alarms, increased levels of awareness of the need for home fire safety and to generate innovation in the wide field of fire prevention, with a particular focus on arson.
- 2.2 With such large sums invested, it was crucial to evaluate the effectiveness of this approach. We combined the two grant schemes together for the purposes of this evaluation to capitalise on economies of scale. We commissioned Greenstreet Berman Ltd to carry out this work on our behalf. The evaluation has taken a year to complete and provides a fascinating insight into activity in English fire and rescue services.
- 2.3 Greenstreet Berman Ltd did some initial evaluation work of the impact of the HFRC grant based on the first two years of data. It was very early to draw meaningful conclusions but it did provide reassurance that the general direction of travel was right. This report is published for the first time on our website to be read in conjunction with the separate final report.
- 2.4 The final evaluation work started in April 2008, shortly after the grant funding ended. The evaluation was focused on four areas:
 - An examination of how the funding contributed to meeting all three parts of PSA3;
 - Development of an understanding of partnership working by the FRS;
 - An assessment of targeting activity; and,
 - A review of the plans for fire prevention from 2008-09.

- 2.5 To gather evidence for the report, we were able to involve the majority of fire and rescue services and we are grateful for their time and co-operation in developing the findings.
- 2.6 There was clear agreement among all FRSs involved in this evaluation that the grants had been worthwhile. Strong evidence emerged of partnership working and targeting efforts that had gone a long way to improve fire safety outcomes at a local level. The Fire Prevention Grant was used creatively and was felt by many fire and rescue services to have been of great value in helping to seed new initiatives and encourage innovation.
- 2.7 Key findings that you will be particularly interested in:
- Fire and Rescue Services carried out just under **2 million HFRCs** and **installed over 2.4 million smoke alarms** in England;
 - The alarms installed under the HFRC grant contributed greatly to a fall in accidental fire deaths, accounting for 57 per cent of the fall in accidental fire deaths;
 - It is estimated that the grant would save 53 lives per year, with the number of lives saved per year increasing during the course of the grant period as the number of installed alarms rose;
 - Statistical analysis shows that by the end of the HFRC grant (for the period 2004 – Q3 2007) it was also associated with 13,670 fewer fires and 888 fewer non-fatal casualties per year. Considering this and the reduction in deaths, the valuation of benefit of the HFRCs totals £926m to £1,943m assuming a five- to 10-year alarm life.
- 2.8 Looking to the future, we were pleased to discover that all fire and rescue services would continue to develop HFRC and fire prevention work, albeit not always in the same form.
- 2.9 You can find the full report on the CLG website at:
<http://www.communities.gov.uk/fire/firesafety/prevention>.
- 3.0 **Regulatory Reform (Fire Safety) Order 2005**
- 3.1 This legislation has been in force since October 2006. We carried out an initial evaluation of the effectiveness of the Order during the first two years to establish a baseline against which to review the implementation of the legislation over the longer term and to identify if there are any particular areas of concern. The evaluation sought the views of ‘responsible persons’, the enforcing authorities and the fire industry.
- 3.2 We have now published the evaluation findings. In summary we found that:
- The introduction of the Order has been welcomed by the enforcing authorities and both they and the ‘responsible persons’ consider the risk assessment approach is the right one;
 - FRAs are working through the implications of the regime and starting, where necessary, to adapt to the new duties on them.

- 3.3 The evaluation highlighted a number of fairly consistent areas of concern among those whose views were sought. Primarily these were around:
- awareness levels among small and medium sized businesses (SMEs) of the requirements of the Order;
 - a need for greater clarity around the concept of the ‘responsible person’;
 - the advantages of a nationally recognised scheme for fire safety professionals offering risk assessment services; and
 - whilst the FRS were reported to be supportive of and helpful to businesses seeking advice on compliance, there was a preference among some SMEs for more prescriptive guidance on how to comply.
- 3.4 We are now looking at how these findings will inform and feed into our policy development priorities for improving fire safety outcomes in this area.
- 3.5 You can find the evaluation report on the CLG website at:
<http://www.communities.gov.uk/fire/firesafety/firesafetylaw>.

4.0 Fire Precautions (Sub-surface Railway Stations) (England) Regulations 2009

- 4.1 The recent reform of fire safety legislation which led to the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541; “the Order”) simplified the obligations of both those responsible for fire safety in non-domestic premises and those responsible for enforcing fire safety legislation. All of the previous legislation which affected fire safety was repealed or revoked with the sole exception of the Fire Precautions (Sub-surface Railway Stations) Regulations 1989 (SI 1989/1401; “the 1989 Regulations”).
- 4.2 During the passage of the Order through Parliament, Ministers agreed to retain the 1989 Regulations and agreed to provide detailed guidance applicable to all transport premises before considering exercising powers to revoke the Regulations at a later date. This guidance, *Fire Safety Risk Assessment: transport premises and facilities*, is now available on the CLG website.
- 4.3 In addition to the production of guidance, stakeholders drawn from the railway industry, trade unions and fire and rescue service reviewed the 1989 Regulations in the light of the Order. Stakeholders came together to form a small working party which concluded that the Order provides a similar level of protection to the 1989 Regulations for 26 of the individual provisions. However, this left 23 individual provisions where the working party considered that there was no comparable requirement in the Order. Ministers accepted the retention of the 23 provisions and the route forward to making the change in law was the subject of a three-month Government consultation that ended in September 2008. The Government’s response confirmed that the majority of respondents favoured the option of revoking the 1989 Regulations and remaking them.

4.4 The 2009 Regulations will be laid on 31 March 2009. They will come into force on 1 October 2009 to allow a transition period for those affected by the changes. We have produced guidance that will be made available to the train operators and to the enforcers. This was developed by technical experts from Bodycote Warrington Fire and overseen by a small working group comprising key stakeholders with an interest in this matter. The guidance was also reviewed in draft by a wider peer review group. The guidance will be available on the CLG website at:

<http://www.communities.gov.uk/fire/firesafety/firesafetylaw> from 31 March.

5.0 Fire Safety research programme for 2009/10

5.1 We have four research projects which are ongoing into the next financial year.

5.2 We are working with Ipsos MORI on a project looking at FRA experience of negotiating Local Area Agreements. We are in the investigation stage of this project and are working with a sample of FRAs and their LSP partners within local authorities as well as getting the perspective of all nine Government Office regions. We expect to report on the outcome of this project by early summer.

5.3 Work on updating the Economic Cost of Fire Estimates for 2006 is nearly complete. We have commissioned Entec to do this work for us. We expect to publish the results of this work in May.

5.4 Entec has also been commissioned to work on a cost benefit model for businesses who may wish to consider the installation of sprinklers as part of their fire precautions. This project is in its early phase and is unlikely to report before the autumn.

5.5 A second sprinkler focused project is looking at the cost benefit of having sprinklers in new buildings versus building new fire stations in new communities, such as the Thames Gateway. We have commissioned NERA to do this work for us and we expect to publish the findings in late spring.

5.6 There is no suggestion that by carrying out both the Entec and NERA work, Government would regulate further for sprinklers in domestic and commercial properties. Both research projects are about exploring the possibilities: providing FRSs with the evidence base to help influence planners and decision makers to make economically sound decisions at the local level.

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