



PROTECTING YOUR
BUILDINGS FROM FIRE



The Chief Fire Officers Association (CFOA) was established in 1941 and has become the professional voice of the UK fire and rescue service (UK FRS)

In all of its activities, the Association works to achieve four aims which shape its direction.

These are:

To lead and influence the direction of the UK FRS on professional, managerial and leadership issues.

To be the focal point for professional advice that drives and contributes to the development of policy, impacting on the UK FRS.

Effectively communicate views and priorities.

Support members to achieve both individual and collective improvement.

Members are supported to fulfil their leadership role in protecting local communities and making life safer through improved service delivery. CFOA provides professional advice to inform government policy and is committed to developing strategic and technical guidance with services all over the UK.

The membership and professional partnerships of CFOA are wide and varied, encompassing senior management, subject experts and those involved in service delivery at fire and rescue services across the UK. It can count every fire and rescue service in the UK amongst its professional partners.

As a registered charity, the Association aims to reduce the loss of life, personal injury and damage to property and the environment by improving the quality of fire fighting, rescue, fire protection and prevention in the UK.

This happens through the provision of advice, information, leadership, research, informed comment and other services to relevant bodies, and to the Association's own members.

Through the work of the Association, the promotion of efficiency of the UK FRS to the benefit of the public and all communities continues to increase.

CFOA is supported by a small team in Tamworth who assist the directors, presidential team and membership. CFOA became a limited company in 1998 and followed this a year later by becoming a charity.

There are ten Directors at CFOA including a three-person presidential team with four Strategic Directorates, each headed by a Director.

Each directorate encompasses a number of standing committees or working groups, lead officers for particular references and a number of task and finish groups. Portfolios cover operations response, prevention, protection and road safety, people and organisational development, and corporate services and sector improvement.

Each member of the Association belongs to one of 11 regions, which follow the boundaries of the former regional development agencies.

These regions provide important opportunities for local working, while at local level, members of the Association have regional and independent representatives who sit on the Members Sounding Board (MSB), which acts as a sub-group of the main CFOA Board.

CFOA's Fire Fleet and Equipment Conference, July 2014



All aspects of governance, business organisation and business process constantly adapt, as the Association meets challenges that continue to change.

As with many associations, CFOA's work is wide and varied, from initiatives on furniture fire safety, to work with children and young people. Amongst the areas that the Association are currently involved in are waste management and recycling fires, unwanted fire signals and flooding.

Waste Management

In November last year, CFOA organised a Fire Futures Forum on Waste Management.

Attended by stakeholders from waste management and insurance sectors, alongside other strategic leaders, the aim was to achieve consensus on key issues, understand each other's perspective, and identify potential solutions that would result in a reduced number of fires at waste management and recycling centres.

CFOA, along with other partner organisations, including the waste sector, insurers and Environment Agency, recognised that in order to effect positive change, it was important to work collaboratively, through the production of appropriate and manageable solutions that are proportionate to the risk, as well as being cost effective and achievable for the industry and enforcing authorities.

Thanks to this work, a national Code of Practice will be launched in the autumn, with a parliamentary seminar scheduled for November.

Unwanted Fire Signals

The Association's work in the area of unwanted fire signals saw the release in June 2014 of the Guidance for the Reduction of False Alarms and Unwanted Fire Signals, together with a Code of Practice: Best Practice for Summoning a Fire Response via Fire Alarm Monitoring Organisations.

Throughout the years, the FRS has worked with partners to reduce the number of unwanted fire signals generated from buildings protected by automatic fire detection and fire alarm systems. It has resulted in the reduction of a third of these incidences, but there is still the need for improved action associated with the management of false alarms and the number of resulting unwanted fire signals.

The new guidance advocates a partnership approach as being the best way to deal with unwanted fire signals from automatic fire detection and fire alarm systems.

The Code of Practice sets out the recommended expectations of the actions of both Fire Alarm Monitoring Organisations (FAMO) and the FRS. It concludes with a FAMO declaration, completion of which will demonstrate the commitment from organisations who have agreed to operate in accordance with the Code of Practice.

Flooding

Fire and rescue services from all over the country have been at the forefront of the multi-agency operation that sought to mitigate the devastating impact of flooding on local communities that many experienced during the 2013/14 winter floods.

This operation was supported by the Fire and Rescue Service National and Advisory Framework (NCAF) which enabled the necessary deployment of assets across geographical and political boundaries, to directly assist fire and rescue services dealing with flooding.

These floods were the greatest test since the inception of the NCAF arrangements where, for prolonged periods of time, the vast majority of National Resilience flood response assets were assigned to an incident somewhere in the south or south west of England.

In the light of this level of commitment, the FRS is in the process of reviewing NCAF and their response capabilities to ensure they remain fit for purpose.

Part of this process included the National Flood Event Debrief.

Held in April 2014 at the Fire Service College, it brought together representatives from the FRS, Environment Agency, Met Office and other partner agencies to present individual case studies and identify learning points for the future.

All of these initiatives perfectly underline a key aspect of the Association as it continues to move forward: greater collaboration.

As the pace of change quickens, CFOA will support its membership and the service in making transformational change while continuing to be a repository for good practice, research commissioning and information exchange.

Members will continue to be provided with personal development opportunities that give them the skills to manage change, and CFOA will enhance its cross-sector leadership programme to enable it to learn more from others involved in transformational change.



CFOA President Paul Fuller talks to the media during the winter flooding in Somerset



Don't gamble with your fire risk assessment!...

If you are responsible for a business premises, the law requires that you have a fire risk assessment. To find competent providers, you need BAFE.

Under the provisions of the Regulatory Reform (Fire Safety) Order 2005, the Duty Holder or Responsible Person for a building is required to make a Fire Risk assessment to clarify the fire precautions necessary to ensure the safety of staff, customers and property.

At present there are no adequate means to ensure the competence and reliability of a company commissioned to carry this out.

BAFE scheme SP205 has been developed specifically to address this situation, and will provide reassurance to the Responsible Person that they are doing everything possible to meet their obligations.

So don't leave everything to chance. Make sure that your suppliers are registered with BAFE.



www.bafe.org.uk

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Promoting Quality in Fire Safety

Inspiring confidence and promoting growth: the Regulators Code and Primary Authority

Since 6 April 2014 the landscape for Fire and Rescue Services' (FRS) Protection functions has changed considerably. On that date, **Primary Authority** (bound in new statute and supported by guidance) and the **Regulators Code** (approved code of practice and guidance) came into force for FRS. In this article we provide an introduction to the Primary Authority Scheme and the Regulators Code.

FRS deliver services to the community in a number of ways, including Prevention activity, helping people to be safe on the roads and at home; Protection work, helping people to be safe at work and at leisure; and Response, helping people in all kinds of emergency situations. However, FRS only regulate (or enforce) fire safety as a part of their Protection work.

Primary Authority (PA) can deliver significant benefits for business. Risk assessors may also be interested in PA, because the relationship between the FRS and business can impact on the risk assessments or the instructions and directions, which businesses give to their risk assessors.

The Regulators Code (the Code) is the statutory code of practice that governs FRS regulatory activity which sets out the service business should receive from the FRS, so that business and their risk assessors can hold FRS accountable for their regulatory behaviour.

FRS involvement in the Better Regulation/growth agenda principally relates to the services' approach to the way in which they regulate, the language they use when dealing with business, the consistency of the approach employed up and down the country, and the consequential confidence they inspire in business to invest and grow. Businesses should be safe in the knowledge that the safety systems they put in place will be acceptable to all FRS and within their entire building portfolio. In addition, by focusing inspections on those businesses that are putting people at risk in case of fire (or that are deliberately failing to deliver fire safety), FRS can create a 'level playing field' for business to compete.¹

Primary Authority

A product of The Regulatory Enforcement and Sanctions Act 2008 (amended), Primary Authority (PA) is designed to deliver two principal products: *assured advice* and *inspection plans*. There is a third product that is less well-defined called *earned recognition*.

Assured Advice

Throughout the dialogue held between a Primary Authority and its business partner, many ideas will be discussed and much advice may be given. Day-to-day advice becomes assured advice only when this has been agreed between the parties. Assured advice is robust, bespoke advice given to the business and, once in place, must be respected by all enforcing



authorities. The intention is that this enables businesses to invest with confidence (in products, practices and procedures), knowing that the resources they devote to compliance are well spent and cannot be over-riden by an enforcing authority with a different view of that particular matter.

The work of fire risk assessors may also be directly affected by the advice given to business by the Primary Authority. For example, Primary Authorities might discuss with their business changes to fire risk assessments or to the organisational awareness of the business, resulting in changes to organisational risk tolerance. The fire risk assessor would therefore be well-placed to seek involvement in partnership meetings, to help them understand the changes being made within the business. They may wish to give the FRS their view of the business and its approach to fire safety, as well as to voice the considerations they have given to the implementation of safety measures within the business.

Inspection Plan

An inspection plan for a business can be produced by its Primary Authority. The plan should be of benefit to both the business and to enforcing authorities. An inspection plan can improve the effectiveness of visits by authorities, by indicating to them that a particular matter is robust within the business and that the enforcing authority need not spend time considering it. Alternatively an inspection plan could, for example, highlight a change of process for the business, about which feedback regarding implementation at the local level may be required (to inform the business and primary authority of its success or otherwise). Such plans should, therefore, avoid repeated checks and enable better sharing of information. If the business is subject to a routine or proactive inspection by an enforcing authority, the FRS must follow the requirements of an inspection plan (unless the Primary Authority has been notified in advance and has agreed to an alternative course of action). If an inspection plan specifies feedback to the Primary Authority after an inspection, the enforcing authority has to provide it.

Earned Recognition

All FRS enforcing authorities maintain a risk-based approach to addressing fire safety risks in their respective areas of responsibility. In consequence of this risk-based approach, FRS may already be delivering on the principles of earned recognition. Where businesses can demonstrate, for example, good fire safety management, the FRS may apply a 'good' risk rating and, in consequence, the inspection frequency or risk value associated with the premises may fall. In contrast, poor fire safety management or a 'poor' risk rating may result in a higher inspection frequency. The simple premise is that FRS should concentrate their fire safety activity on places in which people are at risk of harm in case of fire. Businesses that can demonstrate that people in their premises are safe in case of fire should come under less scrutiny than those that pose a greater risk.

Earned recognition is about finding ways to reduce the administrative burden of regulation on those businesses that have a strong track record of fire safety management and practical fire safety measures. It does not necessarily result in fewer inspections, but may provide an opportunity to make a fire safety visit a positive experience for the business, or to improve the targeting of inspections to where people may be at risk of harm in case of fire.

Further Information on Primary Authority

The Better Regulation Delivery Office has produced a wealth of information for businesses involved in PA, and for Regulators acting as a PA or as enforcing authority. Information on primary authority is available from: <https://www.gov.uk/government/organisations/better-regulation-delivery-office>

The Fire and Rescue Services can engage in PA as a primary authority, or may be subject to the terms of PA as an enforcing authority. There is no limit to the number of businesses that FRS can engage with as a primary authority. The terms of the agreement will determine the businesses that fall under the PA relationship e.g. the 'responsible person' may be responsible



for a number of businesses but may not want the PA to apply to all of them. An FRS that acts as primary authority to a business also acts as enforcing authority to other PA agreements that are in place (together with all other FRS). The table below shows the number of businesses and authorities in PA relationships and the number of enforcing authorities (as at 22 August 2014).

No. of business entries in the PA register for fire safety	87
No. of organisations in fire safety partnership	34
No. of fire and rescue authorities in partnership	10
No. of fire and rescue authorities acting as enforcing authorities	46 (England & Wales)

Table showing the number of businesses, organisations, primary authorities and enforcing authorities involved in PA.

Regulators Code

The Regulators Code (the Code) was 'born' out of The Legislative and Regulatory Reform Act 2006 and is a statutory Code of Practice for regulators. The Code is a shorter iteration of its predecessor (the Regulators Compliance Code) and is a flexible, principles-based framework which is intended to support growth in 'compliant' businesses through open, constructive and easy dialogue between FRS and those they regulate.

The Code is essentially a code of practice for FRS in carrying out their respective enforcement activities (protection work). It also

sets out for businesses (or those being regulated) the service they can expect to receive from the FRS. The statutory principles of good regulation should be understood by all FRS fire safety inspectors, they are:

- **Regulatory activities (enforcement) should be carried out in a way which is transparent, accountable, proportionate, and consistent; and**
- **Regulatory activities (enforcement) should be targeted only at cases in which action is needed (i.e. in cases in which people are at risk of harm in case of fire).**

For the purpose of clarity, 'regulatory activities' means the whole range of regulatory options and interventions available to regulators. The Code seeks to promote proportionate, consistent and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate. It is therefore fundamental to the Code that businesses can contact their FRS to discuss matters with them, as well as feel able to do so without fearing enforcement action. It is the responsibility of each FRS to create a culture of business involvement, engagement, and helpful communication. However, the Code is about proportionality and fully expects FRS to enforce appropriately and robustly when safety in case of fire is threatened.

FRS and other regulators subject to the Code were provided with a lead-in time, to allow policies and operational procedures that guide their regulatory activity to be developed before the Code came into force. Further guidance on how to adhere to the code in practical terms will be provided to FRS and to businesses by the Chief Fire Officers Association.

¹ *Inspections of businesses to pre-determine an operational response to emergencies (under section 7(2)(d) of the Fire and Rescue Services Act 2004) is not included in this article.*



BAFE - HELPING YOU TO MEET YOUR FIRE PROTECTION OBLIGATIONS

Current fire protection legislation across the UK requires property managers of all non-residential premises to have adequate fire protection. It is their responsibility to ensure that there is an adequate, updated fire risk assessment and that all aspects of the requirements are carried out competently. This is not only to ensure that customers, staff and premises are adequately protected, but also to minimise the risk of costly unwanted false alarms. The most recent CFOA guidance for the Reduction of False Alarms and Unwanted Fire Signals highlights some of the solutions to this problem, amongst which is the use of third party certificated providers of fire protection services.

To demonstrate that the responsible person (duty holder in Scotland) has met their obligations, many public authorities and commercial organisations now insist that their fire protection services are carried out by a company that has been third party certificated. Many now specify that providers are BAFE registered. You can find out if your potential provider is third party certificated, by looking on the BAFE website: www.bafe.org.uk.

BAFE is the independent third party certification, registration body for the fire protection industry. We develop schemes for UKAS accredited certification bodies to assess and approve companies to recognised standards. There are now more than 1150 BAFE registered companies across the UK. Our aim is to support property managers to ensure that they get quality fire protection for their premises, staff and service users.

In 2012, BAFE launched the first UKAS accredited scheme for Companies who carry out **Fire Risk Assessments** (SP205) which is a vital part of meeting obligations under fire legislation. The scheme considers the competence of the individual assessors as well as the quality requirements

for the organisation. There are a growing number of companies registering to the scheme throughout the UK.

If you are looking for the **supply and maintenance of portable extinguishers**, look for one of the 330 Companies accredited to BAFE Schemes SP101/ST104. Companies are certificated to ISO9001 and all of their technicians are assessed by BAFE for initial and ongoing competence. There are currently more than 1200 BAFE registered technicians, working for our registered companies.

For installing or maintaining **fire alarm systems**, Companies should hold BAFE modular SP203-1 scheme approval. This scheme includes design, installation, commissioning and maintenance of fire detection systems and also requires that all equipment used is third party certificated. The scheme now has over 730 registered companies. Registration to this BAFE scheme is often a key requirement criteria in tenders for the provision of fire alarms.

Our **Emergency Lighting** scheme (SP203-4) sets out the standards and staff competence criteria to be met. It is modular, as with the fire alarm scheme, and is achieving growing recognition from end users.

There are a range of other BAFE schemes covering particular sectors of the fire protection industry and details can be found on the BAFE website, along with a complete search facility to find registered companies in your area.

So if you want to be sure you are getting your fire protection from companies who are properly and regularly assessed, look for more information at:
Website: www.bafe.org.uk
Email: info@bafefire.org.uk



THE VALUE OF 3RD PARTY CERTIFICATION FOR FIRE PROTECTION SERVICES

Third Party certification bodies are an important and vital part of the fire industry. They ensure that companies with certification are fully trained and competent in carrying out work such as maintaining and testing fire extinguishers, providing fire alarm systems and carrying out detailed fire risk assessments. Company Managers or Facilities Management companies who provide these services to their clients have a vital responsibility to ensure that these services, or those of their sub contractors, meet national standards and achieve their legislative duties.

Thousands of companies are now registered to various schemes and as DCLG (Department for Communities and Local Government) say in their

Guidance notes: *“Third-party certification schemes for fire protection products and related services are an effective means of providing the fullest possible assurances, offering a level of quality, reliability and safety that non-certificated products may lack. This does not mean goods and services that are not third-party approved are less reliable, but there is no obvious way in which this can be demonstrated.”*

Due to fairly recent changes in the law with regard to] Fire Risk Assessment, it is necessary to ensure that the person undertaking the fire risk assessment is competent and have provided the much needed assurance for end users with regard to the quality of their Fire Risk assessments to meet their obligations under the Regulatory Reform (Fire) Order 2005, the Fire (Scotland) Act 2005 and the Fire and Rescue Services (Northern Ireland) Order 2006.

There are no national standards for the competence of a fire risk assessor, although there are a number of organisations that have their own schemes setting out standards of competence, such as the Institute of Fire Engineers and the UKAS accredited Warrington Certification FRACS scheme for individual assessors. A competency Council was established following the serious fires at Lakenal House and Rosepark Care Home, to provide guidance on the competence requirements and they have published their recommendations and a guide for specifiers.

There is also the UKAS accredited scheme from BAFE (SP205) which offers third party certification of organisations that provide fire risk assessments, ensuring both the competence of the assessors and the capability of the organisation to support them. There are three certification bodies licensed to deliver this scheme and IFC offer a similar scheme in their own right.

In summary, there can be no room for complacency by building managers over the quality of their fire protection. Starting with the fire risk assessment and working through the passive elements of the building structure, the alarms, extinguishers, signage and emergency lighting, there must be compliance with legislation and Building Regulations. The enforcing bodies, generally the fire and rescue service, are actively pursuing companies and individuals that have not taken all reasonable precautions and the number of prosecutions is growing. To ensure that you have the best possible fire protection in place, both now and in the future, the use of third party certificated providers is an essential factor.



It's no good burying your head in the sand...



... You need BAFE ✓

When you specify fire alarms, portable extinguishers or emergency lighting you need to be sure that they meet the latest standards, using approved equipment and that your contractor is competent.

There are now **over 1000** BAFE registered contractors from all parts of the UK who are certificated so that they meet your requirements.

These key third party certification schemes are backed by UKAS accredited Certification Bodies thus ensuring you get the products and systems your fire risk assessment requires.

BAFE.... Independent – National – Quality!

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