

Report into Proactive Fire Safety Campaign in Premises Providing Social Care.

Executive Summary

- **Over 50% of premises audited were found to be satisfactory. This is 10% higher than the national average.**

Background

Wiltshire Fire & Rescue Service (The Service) is the designated enforcing authority for the [Regulatory Reform \(Fire Safety\) Order 2005](#) (The Order) which Premises Providing Social Care (Care homes) fall within the scope of.

The Service has a policy which places risk assessment at the heart of our enforcement activities. This is determined through our Risk Management Strategy that requires us to look at a number of factors in deciding which premises we feel warrant a programme of audits to ensure compliance with The Order.

These are:

- National factors. Is there evidence of risk presented by these premises nationally?
- Local factors. Is there evidence of risk presented through local intelligence, fires or through sampling through our audit activities?
- Incidence of death, injuries or rescues in these premises which indicate a level of compliance with the Order that gives The Service cause for concern.

After analysing the risk evidence the decision was made to undertake a proactive campaign to encourage, educate and enforce compliance with The Order during 2009-10.

Risk Evidence

In accordance with our policy we have noted the following indicators of risk.

- National Factors

In 2007/2008, a total of 7175 fire safety audits of premises providing social care were undertaken nationally. Of these more than 40% required enforcement action to address short falls in the standard of fire precautions¹.

In 2006 premises providing social care recorded the third highest incidence of casualties due to fire at 98 persons per 1000 fires².

There has also been national concern over the incidence of fatal fires in care homes in recent years. This includes three separate incidents in 2004, the worst of which being the Rose Park Care Home in Strathclyde where 14 residents died.

These incidents demonstrate the vulnerability of people in residential care to fire situations.

- Local Factors.

Since The Order came into force in October 2006, The Service has concentrated its efforts on improving compliance in a range of premises that provide accommodation to paying guests. During this time The Service has applied a “light touch” with regard to premises providing social care, but now feel that the time is right to take a more detailed look at the level of compliance with The Order achieved by such premises in the Wiltshire & Swindon area.

Within this period, The Service has audited 72 premises providing care subject to the [Care Standards Act 2000](#). Of these, only 29 were found to be compliant. This equates to 40% of premises which is significantly below the national average. The majority of these audits were conducted as a result of “expressions of concern” from other agencies or the public relating to specific premises, or as a result of a high number of reported false alarms.

In the period 2004-2008 there were 63 fires in premises providing social care in Swindon and Wiltshire. This is an unusually high percentage of fires when measured against other premises groups. As a result of these fires there were 4 non-fatal casualties.

1. Operational Statistics Bulletin for England 2007/08. Department of Communities
2. Summary of fire statistics 2006. Department of Communities

Audit Plan for 2009-10

In order to maximise the effectiveness of our enforcement activities in respect of these premises the following outline plan was followed.

- Consultation with the Commission for Social Care Inspection.
- Consultation with industry representatives from within the Wiltshire and Swindon area.
- Instigate a mail shot to providers of social care in the Wiltshire and Swindon area with the purpose of introducing them to The Order and our audit plans.
- The provision of a seminar for providers of social care to spot light their responsibilities in achieving compliance with The Order.
- Commence a comprehensive auditing programme to include known high risk premises and additional sampling of premises from other risk groups.
- Review of the outcomes for publication in financial year 2010-11.

Execution of the Action Plan

- Extensive consultation and meetings took place with the managers and inspectors of the Care Quality Commission (CQC). During these meetings protocols and information sharing was agreed. CQC provided Wiltshire FRS with excellent risk information which was used to effectively target resources for inspections.
- A meeting with key stakeholders from the industry was undertaken. This proved to be extremely valuable for Wiltshire FRs to understand the risks, concerns and problems of those who operate social care premises. These findings were relayed to inspecting officers at an internal training

event and assisted them to gain an understanding of the challenges operators have and allow this to be considered during inspections and detailing remedial works.

- Two seminars were held for Care Home Operators. They were held at Wiltshire FRS training centre and were organised in partnership between Wiltshire FRS and CQC. Over 100 representatives attended the seminars. the seminars provided extensive information on The order and how to comply. The seminars also sparked lively debate and a platform for operators to constructively discuss compliance issues and how to manage risk.
- A comprehensive audit campaign was undertaken and was initially based on the risk intelligence from CQC and our own information. A number of premises not previously known to Wiltshire FRS were identified and these too were audited. In total 243 Audits were carried out, taking 1029 hours of officers time. Of these 129 were deemed to be satisfactory. the remainder received informal enforcement letters. Over 50% of premises were found to be satisfactory which is 10% higher than the national average. No Formal Notices (Article 30 Enforcement or Article 31 Prohibition Notices) were served as a result of inspection.

Significant Findings

- During meetings, stakeholder discussions and inspections, it became clear that many care homes did not have a suitable and sufficient emergency plan. It became apparent that a culture had developed, through misinformation, that it was appropriate for some care homes to operate a 'stay put policy'. that is to say it was acceptable to leave a resident in their room while the staff evacuate and await The Service to undertake rescues or coordinate the evacuation. It is clear from guidance that this is not the role of The Service and that responsible persons must have a robust emergency plan that includes an evacuation strategy. This may be full, progressive horizontal or delayed. All three types of evacuation are acceptable dependant on the nature and construction of the building, characteristics of residents and staffing levels. With the most immobile and vulnerable of resident (e.g. some residents may be too frail to move without causing serious injury or even death) consideration should be given to protecting the area through a fire suppression system, fire ventilation and/or fire resistance above that specified in guidance.
- It was identified that training issues can be challenging to providers due to high levels of staff turn over.
- It was discovered that some care homes had previously made an agreement following discussions with The Service, CQC and the Wiltshire and Swindon Local Authority Building Control Departments in respect of a relaxation in the requirement to put door closers on the doors to bedrooms providing that certain conditions were met. This was due to the health and safety issues raised by self closing doors potentially shutting on frail persons or being too difficult to allow residents to freely operate. The Service has taken legal advice as to the status of these agreements and this is currently under consideration. The considered opinion of The Service is that self closing fire doors are an essential tool in protecting persons at risk from fire. Technology has moved on since the agreement was made and free-swing self closing devices offer a flexible solution to this problem, albeit with an associated cost. After due consideration, The Service will develop a policy in respect of these agreements and communicate as necessary with those effected.

Inspectors Comments

In general, the Community Safety Inspectors were very encouraged with the standards of fire safety achieved in the majority of premises that were subject to an audit and were pleased by the way in which management and staff understood the importance of their roles.

Inevitably the standards achieved did vary widely and the following list is compiled from the most common compliance issues encountered.

Fire Risk Assessments

- Large variations in the training and ability of managers responsible for providing a suitable and sufficient risk assessment was evident.
- The individual needs of the more vulnerable residents were not always fully reflected by the risk assessment.(PEEPS)
- Emergency procedures and evacuation plans were not clearly defined and often relied on Fire Service intervention.
- Insufficient information or control provided with regard to outside undertakings.
- Failure to fully consider staff numbers required to implement the emergency plan, especially at night.

Training

- Insufficient records of training or records out of date.
- Lack of practical fire extinguisher training for key staff.
- Lack of realistic evacuation practice involving the specialist evacuation equipment provided.
- Agency staff not always fully trained in emergency procedures, particularly night staff.

General Issues

- Bedroom doors wedged or propped open requiring physical intervention to release in the event of a fire.
- Inappropriate or excessive storage in circulation spaces.

Maintenance

- Fire doors poorly maintained and smoke seals painted over.
- Self closing devices not fitted or not operating correctly.
- Excessive gaps around doors and sub-standard compartmentation, (usually in older premises).
- Structural maintenance is often low priority
- Inadequate fire stopping around services, cabling etc. when passing through compartment structure.

Conclusion

In partnership with CQC, Wiltshire FRS has been able to undertake an effective and targeted education and enforcement campaign. The process was successful in providing information to premises providing social care and the high level of compliance reflected this. A number of homes visited had revisited their risk assessments as a result of information received through stakeholder engagement. The most notable

of this was a care home which had revised their evacuation strategy and subsequently experienced a fire where the new strategy was proven to be effective.

The high level of compliance reflects, more often than not, a strong desire by care home operators to recognise the importance of fire safety in such premises and to proactively manage fire precautions.

It is anticipated that the final report into the fire at the Rose Park care home in Strathclyde, where 14 residents died in a fire, will soon be published. The Service in partnership with CQC will ensure that the learning points are communicated to care home operators.

The Service and CQC will continue to work in partnership to monitor future levels of compliance.

End.