



Home Office

Crown Premises Fire Safety Inspectorate Annual Report 2019/20

October 2021



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Introduction by the Chief Inspector Peter Holland CBE QFSM FIFireE (Life)

I am pleased to present my Annual Report on the work of the Crown Premises Fire Safety Inspectorate (CPFSI) during the period April 2019 to March 2020.

Fundamentally my team's role on behalf of the Government is to ensure that people are safe from fire in Crown Premises in England. They are government buildings, Parliament and Royal Palaces. All premises which are either owned by or contracted directly by the Crown for occupation by itself or others. All appointments of the Inspectors including myself as the Chief Inspector are authorised by the Home Secretary. We undertake this important statutory role under the auspices of the Regulatory Reform (Fire Safety) Order 2005 (FSO). It is achieved by inspecting to check on levels of compliance and by taking the necessary action to ensure non-compliance is addressed efficiently and effectively. Employees and members of the public who resort into buildings under our regulatory responsibility have the right to expect to be safe from fire.

In my last report I made mention of the tragic Grenfell Tower fire in June 2017 which perversely helped to raise awareness of the importance of fire safety. The impact of that fire will continue to be felt for years to come for many reasons. However, in a positive way the public continue to be far more aware of the dangers of fire. That is also the case for Crown Premises for which my Inspectorate has statutory responsibility as the Enforcing Authority. It is a well-known fact that in the immediate aftermath of seeing tragedies people do react positively from a safety perspective. Sadly, their memories are under normal circumstances far too short. However, this horrific incident has rightly raised awareness over a much longer period.

I am therefore pleased once again to say I have noticed a continuing improvement in fire safety awareness particularly in government occupied buildings. The inspection programme has become more dynamic enabling the team to be increasingly proactive by targeting the highest risk premises. This development is due to the introduction of the new management information software system called 'Themis' which I had mentioned was being introduced in my last report.

I am pleased to report that I was successful in recruiting 5 additional Inspectors who are all very experienced. The funding was additional to the budget and was based on the recommendations of an independent report by the National Fire Chiefs Council. It is also worthy of note that 2 of them are females, which for those who aren't aware, was quite an achievement as males predominate amongst fire safety inspecting officer posts across the Country. They have both brought not only a great deal of knowledge and expertise as indeed have their 3 male colleagues but importantly help improve the diversity of the team to more closely reflect those whom we serve.

Again, it proved to be a challenging year as we carried one Inspector vacancy for most of the period with the result that we didn't carry out as many inspections as I had planned. However, our risk-based inspection programme enabled the team to focus on those premises with the highest risk. Whilst prisons and other custodial secure premises are, and continue to be, by far the highest risk from a fire safety perspective ¹ many other Crown buildings were inspected as the report illustrates.

Custodial premises are the highest risk from fire given the nature of the institutions and their occupants. I don't therefore underestimate the scale of the challenge of managing a large population of prisoners, whose individual difficulties and behaviours affect many things as well as presenting a major fire safety challenge. In addition raising the fire protection standards to a satisfactory level is proving a major challenge given the type of construction and age profile of the prisons in England. Most of the prison estate was originally built to much lower fire safety standards and before the FSO applied to prisons. I have had regular meetings at the highest level in HM Prison & Probation Service (HMPPS) and my team of Inspectors have met more frequently with HMPPS's senior fire adviser. They have a fire safety improvement plan which has been significantly enhanced with the inclusion of additional funding for 2020/21 and beyond to generally improve fire safety and specifically to address the current shortfall in much needed automatic fire detection in cells.² Whilst between 2018/19 and 2019/20 there was an increase in the number of fires in prisons the outcomes were more positive with the numbers of injuries decreasing by almost a third. ³ That is very good progress which needs to be sustained.

We have been working closely with HMPPS, the Ministry of Justice (MoJ) and the private providers of prisons to drive down the fire risk where it is reasonably possible. Whilst steps have been taken to successfully improve fire safety, even more concerted action is necessary to reduce the numbers of fires and improve compliance with the FSO. After full inspections were carried out in sixteen prisons, all but two of them had serious enough deficiencies to require formal action, and we had to serve an Enforcement Notice at one establishment. In the other five serious cases the respective Governors had to produce 28-day action plans to address their issues of non-compliance with the FSO identified by our inspections. This area of our work will continue to be a high priority in coming years.

I am fortunate enough to have a highly skilled and experienced Team Leader who is widely respected both by stakeholders and the other Inspectors. I have also been pleased

¹ <https://www.gov.uk/government/statistics/detailed-analysis-of-fires-attended-by-fire-and-rescue-services-england-april-2018-to-march-2019> Home Office FRS statistics for 2018/19: The highest rates of fire per 1,000 buildings per year were seen in; prisons with 5,021, • hospitals with 263, and • supported/sheltered housing with 158

² <https://www.gov.uk/government/news/prisons-receive-156-million-maintenance-boost>

³ HMPPS internal Fire Incident Report data - unpublished

to retain high levels of expertise within the team by changing the employment model to move them onto permanent contracts. This is ensuring there is long term commitment to improving fire safety compliance in Crown Premises as they are no longer on fixed short-term secondments. This has also reduced the training demand as the team are all experienced Inspectors.

We have also started the development of the long overdue new management information system (MIS) for the team. 'Themis' as it is known is already improving our assessment of fire risk as it is dynamic, providing up to date information on a wide range of important factors. It will also as time goes on improve our ability to capture more accurate fire safety management data and to deploy our Inspectors even more effectively.

I would like to take this opportunity to thank the team for their continuing hard work, dedication and professionalism.

A handwritten signature in black ink, reading "Peter Holland". The signature is written in a cursive style with a large initial 'P'.

1. Context and role of the Crown Premises Fire Safety Inspectorate

1.1 The Home Office has policy responsibility for the Regulatory Reform (Fire Safety) Order 2005 (FSO) which applies to all premises, save for those expressly excluded, such as domestic premises. In multi-occupied residential buildings, the FSO applies to the parts of the building that are used in common, but not individual homes.⁴ Local fire and rescue authorities are the enforcing authority for the majority of premises to which the FSO applies. The Fire and Rescue National Framework for England requires fire and rescue authorities to have a risk based inspection programme and management strategy in place to ensure compliance with the FSO in their area.

1.2 The Crown Premises Fire Safety Inspectorate (CPFSI), based in the Home Office, is the regulatory body which ensures compliance with the FSO in government buildings, Parliament and Royal Palaces, indeed all premises which are either owned by or contracted directly by the Crown for occupation by itself or others. The Inspectorate is responsible for compliance with the FSO in over 10,000 Crown Premises made up of over 16,000 buildings - many premises or sites comprise multiple buildings. Ministry of Defence premises have their own fire safety inspectors within their Defence Safety Authority.

1.3 The annual budget for CPFSI was increased from the period of this report to £1,010,000 which included additional funding for 5 new Inspectors who were all in position at the end of January 2020. By the end of the year the team therefore ultimately consisted of 12 Inspectors, a Team Leader and a Chief Inspector supported by a Chief of Staff and an Executive Officer. The Inspectors and Team Leader are contracted home workers as their work regularly takes them all around England. Fire safety is a devolved matter in Scotland, Wales and Northern Ireland so they have their own arrangements to meet their statutory obligations. Assistance continues to be given on request to the Welsh fire safety regulator as well as sharing professional learning. Although based in the Home Office, the Inspectors work independently with no interference in the way they carry out their inspections and write their reports, other than for normal management supervision.

1.4 The inspection regime is based on risk of fire and injury, with the highest risk premises being prisons and other custodial secure premises. Inspectors liaise with a variety of stakeholders, including fire and rescue services, other enforcing authorities and statutory bodies, to promote consistency, share advice and guidance as well as identifying and highlighting increased risk. This includes providing advice on proposed building work in Crown Premises in order to ensure compliance with the Building Regulations in relation to fire safety.

1.5 The inspection process for prisons is both lengthy (involving four inspectors for two days) and complex in comparison with other inspections. This is in part because it is an

⁴ The Fire Safety Bill <https://services.parliament.uk/Bills/2019-21/firesafety.html> will clarify how the FSO applies to certain parts of domestic premises (flat front doors and cladding)

extensive task to inspect the numerous buildings at a prison and partly because the inspectors have to work within detailed custodial protocols both for their personal safety and as part of ensuring that the prison continues to operate correctly during the inspection. It also reflects the complexity of the fire risk and control measures in prisons where neither the staff nor the prisoners can escape from fire as easily as in normal premises, and thus demands a more detailed and rigorous approach in comparison to other Crown premises.

1.6 When initial advice and suggested actions are not put in place following our inspections, urgently where necessary, we take appropriate enforcement action in accordance with our [Enforcement Policy](#) and follow the principles of good enforcement set out in the [Regulators Code](#). Crown Immunity from prosecution exists for Crown bodies in accordance with Section 49 of the FSO, but CPFSI has full statutory enforcement powers in relation to non-Crown bodies working in or on Crown premises.

2. The scale of the risk: Number of fires & injuries in Crown Premises

2.1 Data sources:

The Home Office Incident Recording System (IRS)⁵ allows FRSs to complete an online incident form for every emergency incident attended, be it a fire, a false alarm or a non-fire incident (also known as a Special Service incident).

2.2 Fire statistics in prisons are collected by HMPPS prison staff using an online system. These statistics include **all** fires in prisons, that is both those attended by FRSs and fires that are deemed to be small and under the full control of prison staff so no call is then made to the FRS. IRS and HMPPS statistics are not, therefore, directly comparable.

2.3 The rate of fires in prisons compared with that in other buildings is very high. Using data from the IRS when this comparison was made i.e. for the combined years ending September 2012 to September 2018 there were 5,021 fires for every 1,000 prison buildings, compared with the next highest category, hospitals, where it was 263 per 1,000 and Sheltered Housing where it was 158 per 1,000 buildings.⁶

2.4 Using HMPPS fire statistics⁷ there were 1308 prison fires in 2019/20 (up 24% from 1,055 in 2018/19). Only a very small number of fires attended by FRSs (IRS statistics) happened in other Crown Premises - 10 (2018/19) and 7 (2019/20)⁸.

2.5 It should be noted that the proportion of deliberate to accidental fires in Crown premises is very different to that in other occupancies. IRS statistics for 2019/20 show that only 27 per cent of non-dwelling fires (excluding prisons and young offender units) were deliberate but that figure was 92 per cent in prisons and young offender units.⁹

2.6 Deliberate fires in prisons are driven by a range of factors – such as status, regime challenge, self-harming - which are much more prevalent in the prison environment and population. In parallel, the likelihood of injuries is far higher for fires which are started in a cell from which the occupant cannot self-evacuate to protect themselves. Whilst the

⁵ <https://www.gov.uk/government/publications/data-protection-and-privacy-notice/fire-and-rescue-service-incident-recording-system-privacy-information-notice>

⁶ From Table 3 in https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/831136/detailed-analysis-fires-attended-fire-rescue-england-1819-hosb1919.pdf

⁷ HMPPS Fire Incident Reporting System data – unpublished.

⁸ Source – [Fires in Crown Premises attended by fire and rescue services and non-fatal casualties and fire-related fatalities in those fires, England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/fires-in-crown-premises-attended-by-fire-and-rescue-services-and-non-fatal-casualties-and-fire-related-fatalities-in-those-fires-england)

⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975021/other-building-fires-dataset-aug20.ods

number of fires increased after the previous year's fall from 1210 to 1,055 (2018/19) it increased to 1,308 (2019/20) The number of staff and prisoners who were injured as a result of these fires decreased from 61 to 41 in the corresponding period after a slight rise from 57 (2017/18) which is a positive outcome despite the increasing number of fires.

Figure 1: Fires in all Crown Premises, England, 2017/18, 2018/19 and 2019/20

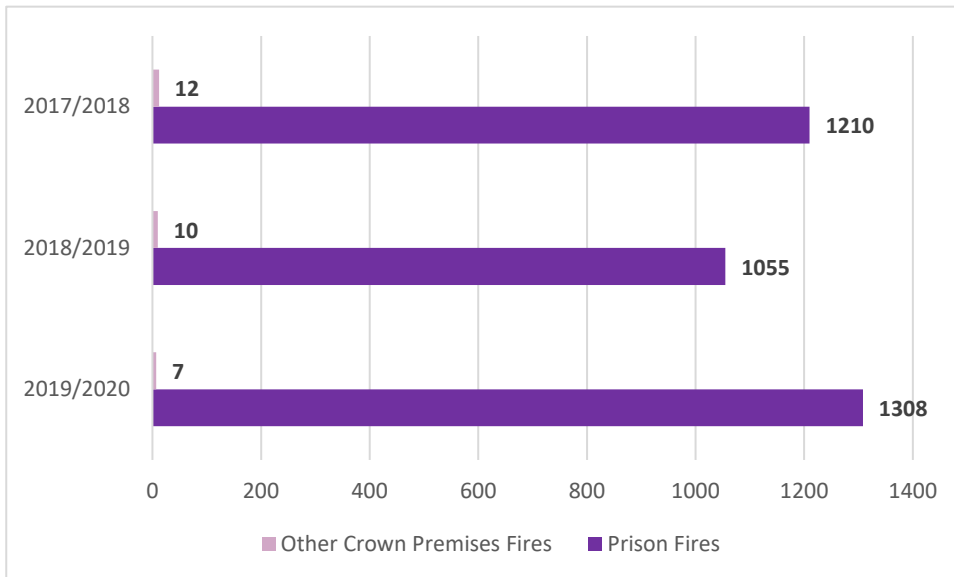
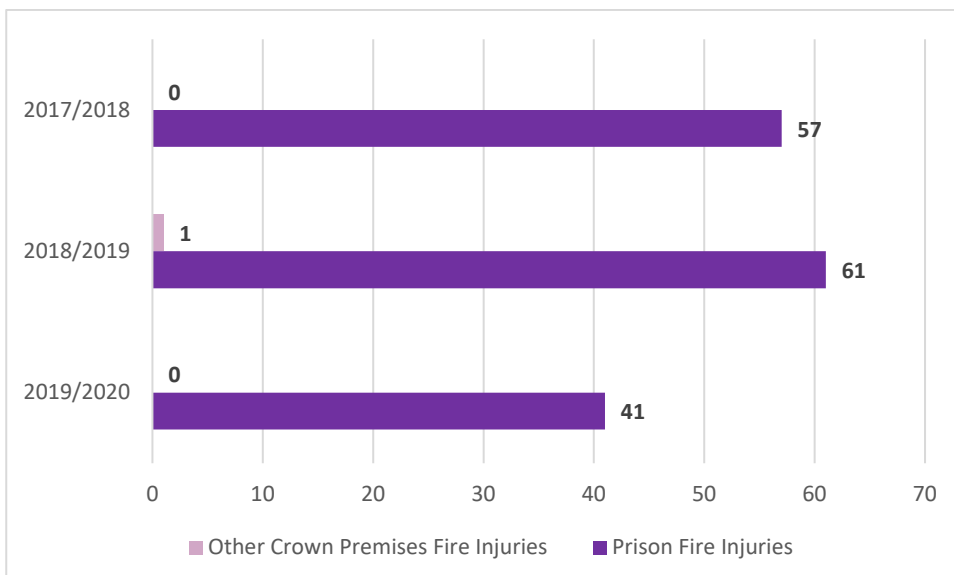


Figure 2: Fires injuries in all Crown Premises, England, 2017/18, 2018/19 and 2019/20



⁷ Source - Prison Fires - HMPPS Fire Incident Reporting System data – unpublished.

⁸ Source - Other Crown Premises fire injuries - [Fires in Crown Premises attended by fire and rescue services and non-fatal casualties and fire-related fatalities in those fires, England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/fires-in-crown-premises-attended-by-fire-and-rescue-services-and-non-fatal-casualties-and-fire-related-fatalities-in-those-fires-england)

3. Report on inspection activity during the year

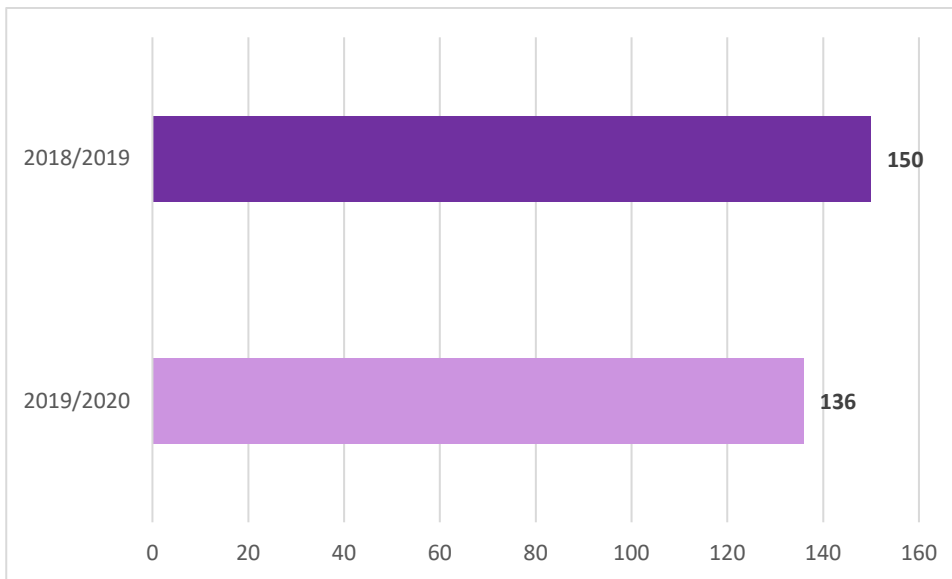
3.1 Between April 2019 and Jan 2020 there were seven Inspectors, a Team Leader and a Chief Inspector. From Feb the 5 new Inspectors joined the team and were undertaking their induction training on a steep learning curve. In addition, one Inspector vacancy was carried for most of the year and a further Inspector was seconded to the replacement Management Information System (MIS) project. The new MIS 'Themis' started to provide high quality data for improved risk-based inspection planning and provide valuable streamlining of work effort, so will enable the team to carry out more inspections with even better anticipation of the fire risk present in each premises. A useful addition will be the ability to record the performance of facilities management contractors on fire safety matters across England.

3.2 Despite running with a vacancy and supporting the MIS development, the team still carried out 136 inspection visits overall during the year. Information on these inspections is recorded by the inspectors using a manual spreadsheet and quality assured internally by the Team Leader and Chief Inspector. The visits involved a wide range of premises from normal risk to very high-risk buildings, royal palaces to office buildings, consisting of inspections, fire investigations, follow up checks and short audits. Short audits are an effective way of risk assessing whether a deeper dive through a full audit is necessary. More staff time was necessarily spent on prison inspections than on other premises as they are larger more complex sites and the incidence of fires and injuries so much higher than anywhere else in Crown Premises. Eighty-five per cent of these inspections were driven by the pre-scheduled risk-based inspection programme. Some planned inspections had to be delayed due to having to rapidly move inspectors onto post fire investigations to audit the effectiveness of fire safety measures following incidents. These were all located in prisons. Nb Post fire investigations are only carried out where it is considered there may possibly have been a serious breach of the FSO.

3.3 **COVID 19**

Due to the Pandemic inspections were temporarily suspended once the Lockdown period commenced on 23 March 2020 and only urgent inspections were undertaken eg post fire investigations. This had minimal impact as it was only for one week of the reporting period i.e. 2019/20.

Figure 3: Total number of inspections across Crown Premises, England 2018/19 and 2019/20



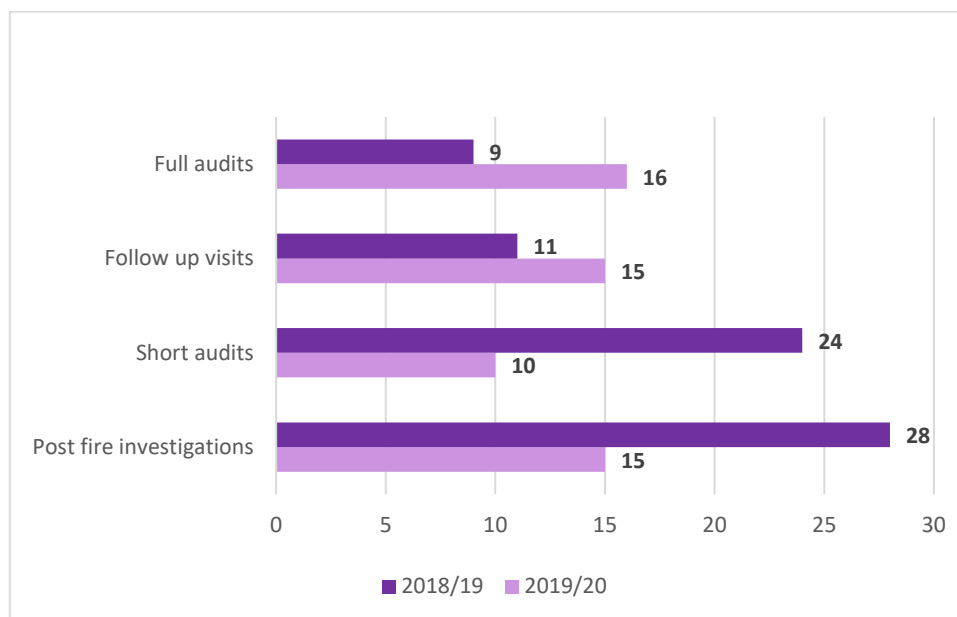
3.4 Out of 136 inspections a total of 56 were of prisons these included full audits, follow up visits and short audits to check progress on non-compliances and fire investigations.

The breakdown was as follows:

- 16 full audits,
- 15 follow up visits,
- 10 short audits and
- 15 post fire investigations.

3.5 The total number of prison inspections was lower in 2019/20 (56) compared with 2018/19 (72) due to an increase in full audits which required far more Inspector time i.e. 4 days with 4 Inspectors compared to short audits and post fire investigations which require far less time and resources.

Figure 4: Total number of inspections in prisons, England 2018/2019 and 2019/20



3.6 Fires started deliberately in cells were the largest single cause of fires in prison. Where injuries resulted from those fires, the main contributing factor beyond the ignition itself lay in the extent of delays in detecting these fires. This reflects the lack of suitable in-cell automatic fire detection which remains a problem in much of the prison estate. Following meetings with the CEO of HMPPS to try to resolve this problem, it was agreed in 2015 that an interim solution of installing domestic smoke detectors either in the cell or immediately outside and above the cell door would provide an acceptable short-term solution. However, it has proved to be a major managerial challenge for prison staff to prevent tampering and vandalism to the domestic smoke detectors. In the short term it remains imperative that appropriate automatic fire detection is installed in every cell to ensure that prison staff are rapidly alerted to fires. HMPPS have taken steps to address the problem by providing more capital to meet the full costs of installing automatic fire detection for all prisons which still need it. This work continued throughout the year.

3.7 The key elements of protection in the event of cell fires are early fire detection, fire-fighting equipment, Respiratory Protective Equipment, staff instructions & training and smoke control. After factoring in the shortfall in fire detection the next most serious risk in prisons related to the inadequacy of smoke control systems where these are needed to protect both staff and prisoners from the effects of smoke spread. However, this risk was primarily concentrated at a few prisons.

3.8 Finally, the inspection programme identified concerns around inadequate emergency lighting and fire-fighting equipment for staff when dealing with cell fires. In all cases of non-compliance either Action Plan notices or Enforcement Notices were served on the relevant Governors.

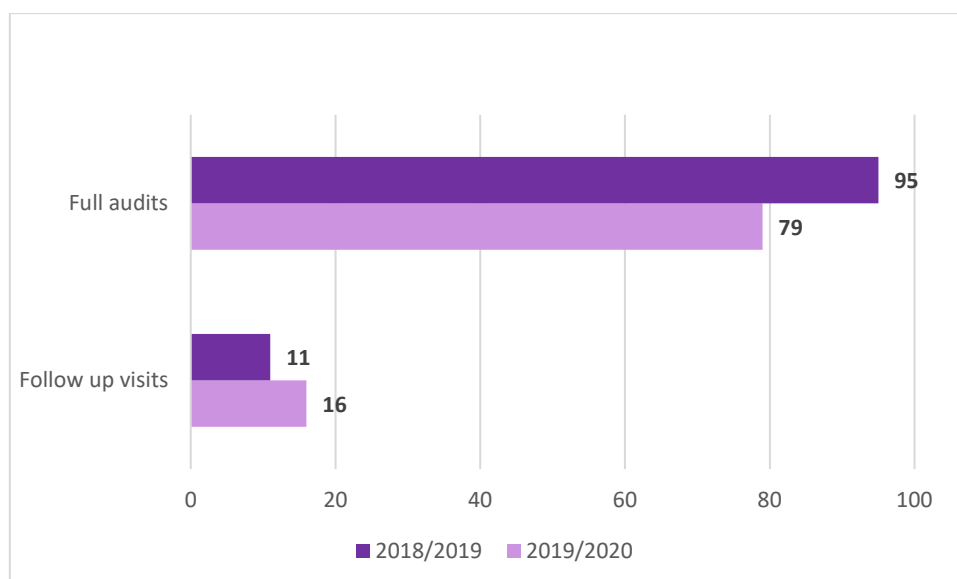
3.9 Across other types of Crown Premises, the most serious risks were visible as a general lack of preparedness to deal with fire situations. This was the result of inadequate staff training together with not using fire drills to test the emergency procedures and identify and address shortfalls. Disturbingly, some of our inspections also found evidence that people would not always be able to escape from a fire quickly and safely, often due to inappropriate security fastenings on doors and the poor state of fire-resisting structure and fittings, including fire doors. In all these cases of non-compliance the Responsible Persons received formal notification via Enforcement Notices advising them of what they needed to do to comply with the FSO.

3.91 Across the whole Crown sector, those risks had clear and repeating links with specific failures of fire safety management, principally poor day-to-day management of fire safety, poor fire risk assessments and fire risk assessment action plans which would not achieve the level of safety required for compliance even if implemented. Alongside this, we commonly discovered inadequate arrangements to act as an effective client when monitoring the performance of the facilities' management providers who maintain the fire safety measures.

3.92 There were 95 inspections of other Crown Premises in 2019/20 compared with 106 the previous year. These were either full audits or follow up visits to check progress on non-compliances. The breakdown was as follows:

- 79 full audits,
- 16 follow up visits.

Figure 5: Inspections of other Crown Premises, England 2018/19 and 2019/20



4. Compliance/non-compliance

Table 1: Details of Informal and Formal Notifications

Informal Notifications	
Minor non compliance	These are issued if minor deficiencies are identified in the fire safety measures or management and the Responsible Person can resolve the deficiencies without further intervention.
Action Plan	These are issued if significant deficiencies are identified in the fire safety measures or management and takes the view that the responsible person can resolve the deficiencies but oversight by the Enforcing Authority will be necessary.

Formal Notifications	
Enforcement Notices (Article 30 of FSO)	These are served if the enforcing authority is of the opinion that the responsible person has failed to comply with any provision of the FSO or of any regulations made under it.
Prohibition Notices (Article 31 of FSO)	These are served on the responsible person or any other person, if the enforcing authority is of the opinion that use of premises involves or will involve a risk to relevant persons so serious that use of the premises ought to be prohibited or restricted.

4.1 Results from the 16 full audits of prisons resulted in

- 2 being served with Enforcement Notices;
- 13 were required to produce an action plan within 28 days
- 1 was found to be satisfactory

4.2 Action plan notices are used to direct the responsible person to set out an acceptable plan for rectifying the issues which had been identified during the inspection. The inspection data shows that regardless of whether prison inspections were planned or unplanned, none of them met the required 'satisfactory' standard.

4.3 In other Crown Premises, of the 79 full audits carried out:

- 5 Enforcement Notices were served;
- 18 were required to produce action plans within 28 days;
- 35 had minor non-compliance issues to address; and
- 21 were found to be satisfactory.

Figure 6: Initial outcomes following inspection, England 2018/19 and 2019/20

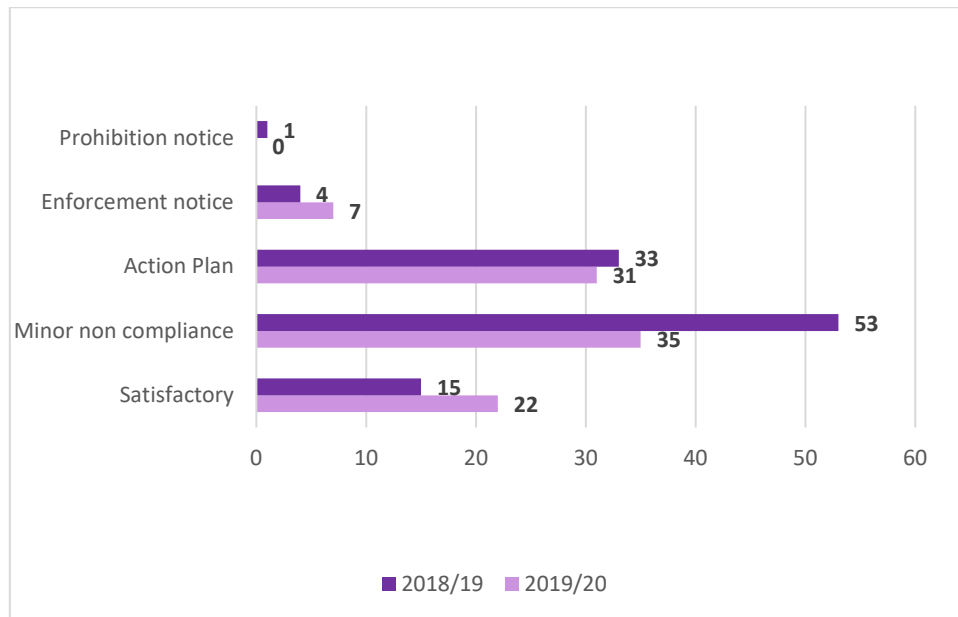
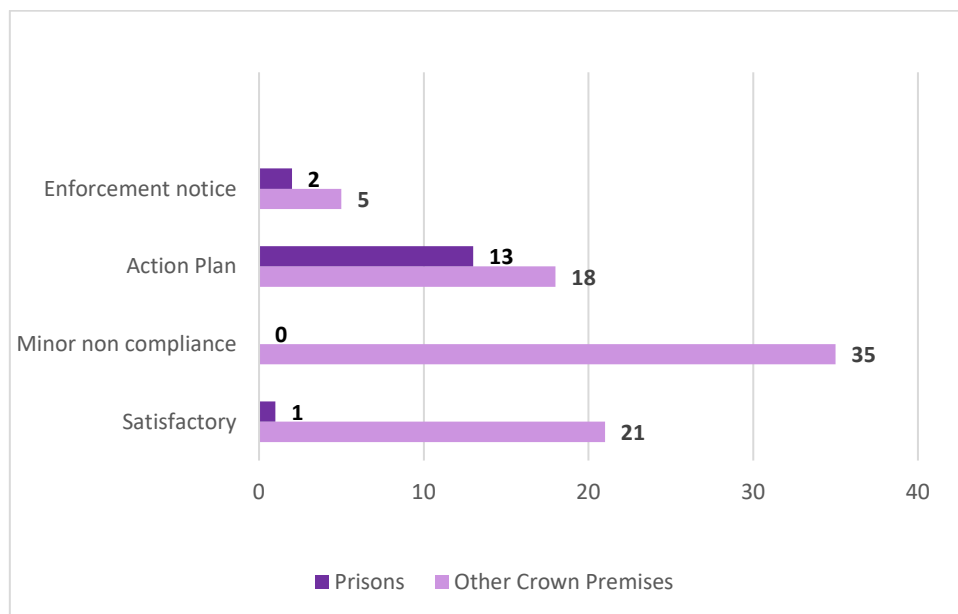


Figure 7: Initial outcomes following inspection comparing prison and other Crown Premises, England 2019/20



4.4 Follow-up inspections are carried out several weeks later (and in some cases months) on those premises which either been served with an Enforcement Notice or an Action Plan. In those prisons which had to respond to formal enforcement action:

- 0 achieved a satisfactory standard
- 9 had minor deficiencies
- 5 required to produce an effective action plan
- 1 Enforcement Notice remained in force.

4.5 In other Crown Premises only a small number of follow up visits (11) were undertaken due to the relatively low risk of fire found at most premises.

In those 11 instances:

- 3 had minor deficiencies
- 8 were deemed satisfactory.

Figure 8: Outcomes after follow-up inspections of all Crown Premises, England, 2018/19 and 2019/20

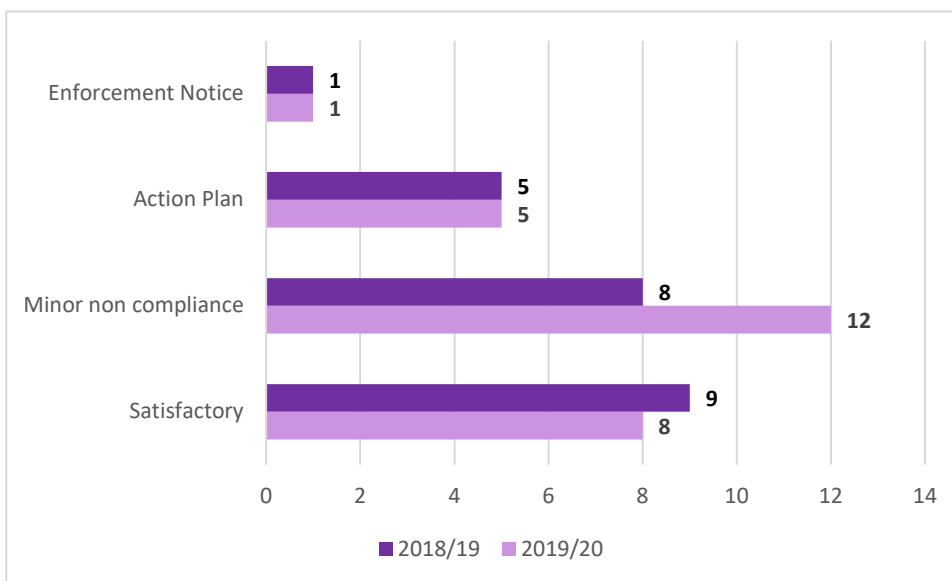
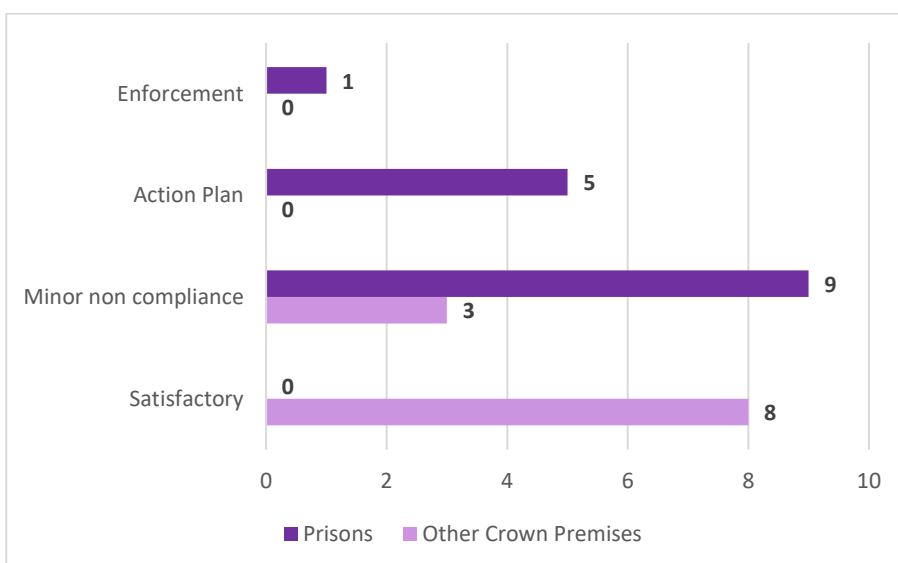


Figure 9: Outcomes after follow-up inspections comparing prisons to all other Crown Premises, England, 2019/20



4.6 HMPPS need to ensure that the officers making up the collective 'Responsible Person' under the FSO are appropriately accountable for meeting their statutory responsibilities. We have noted that the Governor in charge of a prison doesn't always have the full control required to be able to act as the sole Responsible Person under the FSO. They do not have the financial authority to take all necessary steps for compliance especially where major expenditure is required.

5. Summary of overall picture

5.1 Overall the risk from fire is generally low in the majority of non-residential Crown Premises even though in many government buildings there are large numbers of persons present. However, the highest risk is concentrated in the prison estate where most fires occur. The data masks some improvements in fire safety management in the custodial sector which creates a reasonable expectation that fire risk will be driven down if this continues to improve.

5.2 The smoking ban in prisons has, somewhat surprisingly, negatively altered the nature of fire risk. Whilst opportunistic fire-setting has reduced, we have seen an increase in serious non-deliberate fire injuries linked with substance abuse. The repeating nature of those incidents has raised a fresh challenge for prisons in their duty to safeguard those in custody.

5.3 There is a shortfall of suitable automatic fire detection in cells which when addressed will ensure a rapid alert to and response from prison staff. This will in turn create better outcomes i.e. reduced numbers of injuries to both staff and prisoners. HMPPS are aware of the problem and they are taking urgent steps to address this problem more quickly.¹⁰

5.4 In the remainder of the Crown sector, improvements are generally localised and linked to effective action by an individual or group, rather than to more general improvements by a department. All of them need make sure they manage fire safety effectively.

¹⁰ The foreword to this document makes additional references to the MoJ planned investment in prison fire safety measures including automatic fire detection

6. Plans going forward: 2020/21 and beyond

6.1 Introduction of new Management Information System (THEMIS):

The replacement Management Information System (MIS) named 'Themis' went live early in the year providing a dynamic risk assessment tool enabling Inspectors to be deployed to premises with the highest risk when a significant increase had been identified.

6.2 Professional accreditation:

All Inspectors will be applying to be registered by the Institution of Fire Engineers (IFE) as Fire Risk Auditors and to the Engineering Council via the IFE as Engineering Technicians.

6.3 Increase in inspections of high- risk premises:

Given the increase in team capacity, additional inspections of high-risk premises will take place. However, recruitment, subsequent induction and training time mean that this is only likely to be reflected in the number of inspections in 2020/21. A keen focus will continue to be made to ensure targeting of the highest risk premises. These are predominantly prisons, where inspections will be used to drive down risk by improving compliance with the FSO.

6.4 Covid-19 impact:

The Lockdown commenced at the end of the 2019/20 financial year and access to prisons became very difficult due to the very real health challenges faced by HMPPS and local Governors. Inspections were cancelled for the last 2 weeks of March 2020 thus only having a marginal impact on the numbers of inspections carried out during the year.

6.5 Clearer Governance and accountability:

During the year a working protocol was drawn up and signed between the Chief Inspector, the Home Office Crime, Policing and Fire Group Director General and the Director of Fire and Resilience to ensure that the Inspectorate's professional independence as a Regulator was made even more transparent.

