



National Offender Management Service

HEALTH AND SAFETY ARRANGEMENT FOR THE MANAGEMENT OF FIRE SAFETY IN PROBATION PREMISES

This instruction applies to:-		Reference:-
National Probation Service		PI 11/2016
Issue Date	Effective Date Implementation Date	Expiry Date
15 June 2016	15 June 2016	N/A
Issued on the authority of	NOMS Agency Board	
For action by	All staff responsible for the development and publication of policy and instructions ☐ NOMS HQ ☐ Public Sector Prisons ☐ Contracted Prisons* ☒ National Probation Service (NPS) ☐ Community Rehabilitation Companies (CRCs) ☐ Other Providers of Probation and Community Services ☐ Governors ☐ Heads of Groups ☐ NOMS Rehabilitation Contract Services Team <i>* If this box is marked, then in this document the term Governor also applies to Directors of Contracted Prisons</i>	
Instruction type	HR function/legal compliance	
For information	All NPS staff	
Provide a summary of the policy aim and the reason for its development / revision	This is a new procedure specifically for the NPS which sets out the legal responsibilities under the Regulatory Reform (Fire Safety) Order 2005 to provide a fire safety compliant environment in Probation premises.	
Contact	Paul Hughes, NOMS North East Divisional Health and Safety Lead (NPS) 07773 237740; paul.hughes2@noms.gsi.gov.uk	
Associated documents	PI 03/2015 Policy, Organisation And Summary Arrangements For The Management Of Health And Safety PI 13/2015 Health and Safety Arrangement for the Management of Accident Reporting, Recording and Investigation PI 32/2014 Approved Premises PI 32/2014 Annex A Approved Premises Manual PI 01/2014 Reviewing And Reporting Deaths Of Offenders Under Probation Supervision In The Community MoJ Corporate Fire Safety Policy	
Replaces the following documents which are hereby cancelled: None		

Audit/monitoring: Mandatory elements of instructions must be subject to management checks (and may be subject to self or peer audit by operational line management), as judged to be appropriate by the managers with responsibility for delivery. In addition, NOMS will have a corporate audit programme that will audit against mandatory requirements to an extent and at a frequency determined from time to time through the appropriate governance.

Introduces amendments to the following documents: None

Notes: *All Mandatory Actions throughout this instruction are in italics and must be strictly adhered to.*

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1. **Executive summary**

Background

- 1.1 This Instruction is one of a number of Probation Instructions (PIs) which forms part of NOMS' (NPS) Health and Safety Management Arrangements.
- 1.2 It outlines the requirements on the Responsible Person under the Regulatory Reform (Fire Safety) Order 2005 (RRO) with regards to providing a fire safety compliant environment in Probation premises.

Purpose

- 1.3 The purpose of this Instruction is to ensure that Deputy Directors of Probation, Heads of Clusters/Units and Senior Probation Officers (SPOs) have in place a system for effectively managing the risks from fire to which staff and others who may be affected by their undertakings are exposed.
- 1.4 Although the responsibility for the management of fire safety is implicit throughout all managerial levels of an organisation, for the purpose of clarity in this Instruction, and in relation to probation premises, the Responsible Person will primarily be defined as the person responsible for the day to day running/control of a probation premise– **i.e. the nominated SPO/Approved Premise Manager.**

Desired outcomes

- 1.5 Effective management of the fire risks in Probation premises.
- 1.6 A reduction in the number of fire related incidents across NPS.
- 1.7 Improvements in the health, safety and welfare of staff and others due to the effective management of fire risks

Application

- 1.8 This Instruction applies to all premises where NPS staff work, except Prisons, where [PSI 11/2015 "Fire Safety in Prison Establishments"](#) applies.

Legislation

- 1.9 The RRO places a legal duty on employers to nominate a 'Responsible Person' to implement general fire safety precautions that will ensure, so far as is possible, the safety of all relevant persons who may be affected by his/her undertakings and to take reasonable precautions to ensure that the premises are safe.
- 1.10 For the purpose of this Instruction the Responsible Person for individual probation offices/Approved Premises will be a Senior Probation Officer/Approved Premises Manager, with Deputy Directors of Probation and Heads of Clusters/Units having responsibility for ensuring that the requirements of the RRO are being discharged by the Responsible Person(s) in the locations under their control.

Mandatory Actions

1.11 *The Responsible Person must:*

- *Ensure that a suitable and sufficient Fire Risk Assessment is completed [See MoJ requirements 1.18] and regularly reviewed to assess the level of existing and required fire safety systems and provisions, and ensure that measures are implemented to eliminate or control all significant findings (2.2-2.11);*
- *Ensure that a local fire safety plan is written, which sets out how fire safety is planned, organised, implemented, monitored and reviewed within the office/Approved Premises (2.12-2.13), and brought to the attention of all staff and their trade union representatives;*
- *Ensure that an emergency evacuation procedure is written and implemented that will provide for the safety of all relevant persons in the event of a fire or other emergency. A relevant person is defined under the RRO as any person (including the responsible person) who is or may be lawfully on the premises and any person in the immediate vicinity of the premises who is at risk from a fire on the premises (2.14-2.16);*
- *Ensure that routine checks, tests and inspections of fire preventive and protective safety systems are undertaken at appropriate frequencies and suitable records maintained (2.42 & [Annex A](#))*
- *Ensure that arrangements identified to ensure the safety of any relevant person with disabilities in the event of a fire are implemented (1.13);*
- *Ensure the arrangements identified to manage the arson risks of offenders are implemented (1.12);*
- *Ensure that staff, and all other relevant persons are given fire safety information, instruction, induction and training (during the working day) on the identified fire risks, safe systems of work, control measures and evacuation procedures (2.36-2.41);*
- *Ensure that all fires and fire related events are reported and investigated (2.32-2.35);*
- *Ensure that there is effective co-operation and co-ordination with the other employers that have relevant persons on site;*
- *Ensure that if any substances that may cause a fire or explosion are stored or used, that sufficient precautions are in place to reduce any risks from such substances so far as is possible;*
- *Ensure that regular and effective liaison takes place between the premises and the local Fire and Rescue Service and other emergency services.*
- *Ensure co-operation and co-ordination with the other employers that have relevant persons on site*

1.12 *Operational SPOs must ensure that the potential for arson/fire setting is considered in all offender management risk management plans and where necessary appropriate preventive measures implemented.*

1.13 *Line managers must ensure that a personal emergency evacuation plan is developed for any staff in their charge or offenders under their supervision who have disabilities that may impact on their ability to evacuate safely in the event of a fire or similar emergency and the plan is reviewed on a regular basis.*

1.14 *Operational SPOs must ensure their Offender Managers develop a personal emergency evacuation plan for any offenders under the supervision of who have disabilities that may impact on their ability to evacuate safely in the event of a fire or similar emergency.*

1.15 *Line managers must ensure that all staff in their charge remain in compliance with local fire safety arrangements and annual training requirements.*

1.16 *Deputy Directors of Probation and Heads of cluster/units must have arrangements in place to regularly audit, monitor and review fire safety performance, in areas under their control.*

- 1.17 *Individual members of staff have a duty to know and understand the fire routine laid down for the particular location(s) in which they work and must ensure that they remain in compliance with these local arrangements and annual training requirements relevant to their position held.*
- 1.18 The Ministry of Justice [MoJ] roles is as follows:-
- MoJ will ensure, on behalf of the Responsible Person that a suitable and sufficient Fire Risk Assessment is completed and regularly reviewed by the FM contractor, no less than yearly for high risk premises and but for lower risk small probation offices this can be up to every three years.
 - MoJ Estates will ensure that all such facilities, safety systems, equipment and devices (i.e. existing fire detection and warning systems, smoke control systems, fire-fighting equipment, fire doors and closers, escape routes, emergency lighting and fire safety signs etc.) are appropriately inspected, serviced, tested and maintained and suitable records maintained.
 - MoJ Estates will ensure that necessary remedial repairs to fire safety preventive and protective systems are actioned in a timely manner relative to the risk
 - MoJ Estates will review requests submitted via the Notice of Maintenance or Change Requirement form (NMCR1) for new or upgrades to fire safety preventative and protective systems on a risk basis and where approved will ensure they are appropriately prioritised, resourced and competently installed.
 - MoJ Estates will take all reasonable steps to ensure that works undertaken by their FM Contractors do not detrimentally affect the integrity of fire compartmentalisation or the functioning of fire safety preventive/protective systems.

Resource Impact

- 1.19 The management of fire preventive and protective measures should already be part of NPS business arrangements. This policy serves to standardise the arrangements across NPS and to clarify who is responsible for carrying out the different aspects of this area of work and therefore should not have any significant impact on resources.

(Approved for Publication)

Martin Beecroft
Director of Human Resources, NOMS

2. Operational instructions

These operating instructions detail required local arrangements and responsibilities for fire safety. It should be noted that in some offices where NPS staff work, the premises maybe under the control of other organisation's (e.g. Courts) and some or all of these arrangements or responsibilities may be the responsibility of the host organisation. In such circumstances the local fire safety plan should clearly identify the arrangements that are the responsibility of the host organisations (see 2.12-2.13).

Planning, organising and Implementing

- 2.1 Planning and organising is essential for the effective implementation of fire safety policies. It is concerned with responsible persons taking necessary actions to ensure the prevention of all fires and associated losses, through the identification, elimination and control of hazards and risks. Planning, organising and implementing will include the following:
 - A local fire safety plan;
 - Nominating and training those persons with responsibility for fire safety actions;
 - Assessing all the significant fire risks to which relevant persons are exposed whilst in the particular establishment;
 - Implementing the operational plans to implement measures to eliminate or control the identified risks.
- 2.2 *It must be noted that in some offices where NPS staff work, the premises maybe under the control of other organisations (e.g. Courts) and some or all of these arrangements or responsibilities may be the responsibility of the host organisation. In such circumstances the local fire safety plan should clearly identify the arrangements that are the responsibility of the host organisations (see 2.12-2.13). Where there are jointly occupied buildings it is a joint responsibility to develop and agree fire safety plans.*
- 2.3 *Where the probation office is shared with a Community Rehabilitation Company (CRC), some of the fire safety arrangements detailed below will be the responsibility of the CRC management (subject to the contractual arrangements between the CRC and NPS). In such circumstances the NPS Responsible Person should ensure that the fire safety plan (see 2.14-2.15) is jointly written with the local CRC management and clearly identifies the responsibilities of each organisation.*

Fire Risk Assessment

- 2.4 *The Responsible Person must ensure that a suitable and sufficient assessment of the risks from fire to which relevant persons may be exposed is carried out.*
- 2.5 *Fire risk assessments must be carried out by a competent person.*
- 2.6 *The fire risk assessment must consider persons who may be especially at risk from fire such as young people, disabled persons, pregnant women etc.*
- 2.7 *The fire risk assessment must include the risks of arson.*
- 2.8 *The fire risk assessment must include risks from any dangerous substances which could cause a fire or explosion.*
- 2.9 *The fire risk assessment must identify the general fire precautions that need to be implemented to comply with the requirements of the legislation.*

- 2.10 *The fire risk assessment may sometimes indicate that the elimination or control of the risk requires a built or engineered solution that will be delivered via the MOJ Estates Investment Board. Where this is the case, the Responsible Person must ensure that, until the required work is completed, suitable and sufficient interim measures are implemented to reduce the risk to a tolerable level.*
- 2.11 *The significant findings of the fire risk assessment must be recorded and an action plan developed to enable all recommendations to be regularly reviewed and signed off when completed.*
- 2.12 *Fire Risk Assessments must be reviewed regularly dependant on the level of risk. For high risk premises (all Approved Premises and large Probation Offices) this will be at least annually but for lower risk small probation offices this can be up to every three years.*
- 2.13 *In addition they must be reviewed when there is reason to believe that they are no longer valid, for example following:*
- *An outbreak of fire.*
 - *The failure of existing fire precautions e.g. fire detection and alarm systems.*
 - *Substantial changes to furniture or fittings.*
 - *Significant alterations to the building, including internal layout.*
 - *A significant change of use of the building.*
 - *Change in work processes including introduction of new equipment which might have an impact on fire safety.*
 - *Significant change to personnel.*
 - *Significant change to the organisation of work.*

Fire Safety plan

- 2.14 *Each office/Approved Premises must have a fire plan that sets out how fire safety is planned, organised, implemented, monitored and reviewed.*
- 2.15 *Fire safety plans must include:-*
- *Name of the responsible person and their deputy;*
 - *Name of the fire marshal (s) and other staff with a fire task and their roles and responsibilities;*
 - *The fire evacuation procedure;*
 - *Fire safety induction arrangements for new staff, offenders and visitors;*

Contingency Planning and evacuation drills

- 2.16 *It is a requirement of the RRO that the Responsible Person must establish and, where necessary, give effect to appropriate procedures, including evacuation drills, to be followed in the event of serious and imminent danger to relevant persons. The Responsible Person must develop, record and implement the evacuation procedures to be followed in the event of fire or other emergency including the nomination of a sufficient number of competent persons to implement and regularly test the arrangements (fire wardens see 2.17-2.20).*
- 2.17 *All such procedures must take account of periods when staffing levels are reduced particularly at night or at weekends in Approved Premises.*
- 2.18 *The Responsible Person must ensure that fire evacuation drills are undertaken at least every six months in an office and every three month in an Approved Premises. The drill should be evaluated for effectiveness, significant issues addressed and a suitable record maintained. The installation of Evac Chairs should be discouraged, and removal of existing installations should be encouraged where reasonably practicable.*

Fire marshals

- 2.19 *Staff appointed as fire marshals to assist with the implementation of fire emergency evacuation procedures must be suitably trained including practical extinguisher training for Approved Premises staff refreshed every three years. Consult employees and their appointed trade union safety representatives about the process of nominating people to carry out particular role in connection with fire safety and proposals for improving the fire precautions.*
- 2.20 Best practice would be nomination of two fire marshals per floor in probation offices should ensure sufficient numbers will be available at all times.
- 2.21 In Approved Premises it is best practice for all staff to be trained fire marshals to ensure sufficient numbers at all times.
- 2.22 Fire marshals can also assist the responsible person with routine assurance checks (see 2.42 & [Annex A](#))

Emergency Routes and Exits

- 2.23 *All emergency evacuation routes must be kept clear of obstructions at all times and not used for the storage of combustible/flammable materials.*
- 2.24 *All final exit fire doors must not be obstructed or locked (except by approved single action opening devices) and remain easily open at all times.*
- 2.25 *All internal fire doors must not be wedged open or otherwise obstructed to restrict their closure.*

Fire Retardency ratings for furniture/upholstery etc

- 2.26 *Furnishings in bedrooms and association spaces, including mattresses, beds, upholstered furniture, seating, shall be rated, in accordance with BS7176:2007 and BS7177: 2008 as Medium Hazard, Crib 5. Fabrics for curtains, drapes and window blinds shall be to BS 5867-2: 2008 - Type B Medium Risk performance, Crib 5.*
- 2.27 *Designated bedrooms used for the purpose of accommodating arsonists shall have furnishings rated in accordance with BS7176:2007 and BS7177: 2008 as Very High Hazard- ignition source 7+ Crib 7. Fabrics for curtains, drapes and window blinds shall be to BS 5867-2: 2008 - Type C High Risk performance Crib 7.*
- 2.28 *Floor coverings shall be to BS 5287:1988 and performance tested to BS 4790– Low Radius of Char*

Fire Fighting Equipment

- 2.29 *All fire fighting equipment must not be obstructed and remain readily available for use at all times.*
- 2.30 *Any faults or damaged equipment must be immediately reported to the FM helpdesk.*
- 2.31 *Staff must not misuse or interfere with any fire fighting equipment.*

Fire Signs and Notices

- 2.32 *Fire signs and notices, as required by Health and Safety (Signs and Notices) Regulations 1996, and also in accordance with BS 5499, and BS EN ISO 7010, must be posted to ensure that staff and other relevant persons can identify escape routes, emergency procedures and locate first aid fire fighting equipment.*
- 2.33 *In practice the necessary signs and notices will already be in place and the Responsible Person must ensure that any damaged or missing signs brought to their attention (by staff or via a fire risk assessment) are replaced as soon as practicable via the FM Helpdesk.*

Maintenance of fire safety facilities, safety systems, equipment and devices

- 2.34 *As noted earlier (see 1.18), arrangements should be in place for the inspection, service and maintenance of fire safety facilities, safety systems, equipment and devices installed for fire safety purposes.*
- 2.35 *The Responsible Person must make reasonable efforts to monitor these arrangements by regularly inspecting service/maintenance records and reporting any deficiencies to MoJ Estates.*
- 2.36 *In addition the Responsible Person must ensure that local assurance checks/tests are undertaken (see [Annex A](#)).*

Fire Investigation and Reporting

- 2.37 *All confirmed fires must be reported and investigated in accordance with [PI 13/2015 \(health and safety arrangement for the management of accident reporting, recording and investigation\)](#) and the fire risk assessment for the premises reviewed.*
- 2.38 *Serious fires [resulting in harm/ loss of accommodation] must also be fast track reported via the NPS Serious Incident Report form to the Director of Probation.*
- 2.39 *All fire alarm activations (including false alarms) should also be reported in accordance with [PI 13/2015 \(health and safety arrangement for the management of accident reporting, recording and investigation\)](#).*
- 2.40 *The NOMS Divisional Health, Safety and Fire Lead, in accordance with [PI 13/2015 \(health and safety arrangement for the management of accident reporting, recording and investigation\)](#) must ensure any necessary external reports relating to fire events are made to external agencies (e.g. Health and Safety Executive). In addition, they must ensure that all serious fires are be reported to the Head of Fire Safety [NOMS].*

Provision of Information to Staff

- 2.41 *The Responsible Person must ensure that all staff working in the probation office/Approved Premise are provided with comprehensive and relevant information on the local fire risks including:-*
- *The significant findings from the fire risk assessment.*
 - *The preventative and protective measures in place to reduce the risk.*
 - *Procedures to be followed in the case of a fire.*
 - *The identity of persons nominated with responsibility for fire safety.*
 - *Where the workplace is shared, the risks from fire from the other employer's or occupier's undertakings.*
- 2.42 *The Responsible Person must ensure that, where employees from an outside organisation are working in the probation office/Approved Premise, the employer of those employees is also provided with comprehensive and relevant information on the fire risks to which their*

employees may be exposed and the preventative and protective measures which are in place to ensure their safety from the effects of fire.

- 2.43 *Where children under the age of 18 are employed (e.g. on work placements) the parent or guardian of the child must be provided with information on the fire risks to which the child will be exposed and the control measures in place to reduce the risk.*

Provision of Information to Offenders and visitors

- 2.44 *Offender Managers must ensure all offenders under their supervision are provided information on the relevant office/Approved Premise's emergency fire evacuation. This will normally be done during the offender's first appointment or Approved Premise induction process.*
- 2.45 *The Responsible Person must ensure all other visitors, including contractors are aware of emergency fire evacuation procedure. In practice this can be achieved by providing a posted notice or information sheet to be read on arrival or retained by the visitor/contractor.*

Fire Safety Awareness Training

- 2.46 *All staff, whether directly or indirectly employed, must undertake the general fire safety awareness training course provided via Civil Service Learning, within the first week of employment and annually thereafter. They will also undertake the training when they are exposed to a new fire safety risk.*

Monitoring Performance

- 2.47 *Responsible Person must ensure that necessary fire safety assurance checks are undertaken and recorded (see [Annex A](#))*
- 2.48 *Deputy Directors of Probation and Heads of Cluster/Units must have arrangements in place to regularly monitor and review the fire safety arrangements, in areas under their control.*
- 2.49 *NOMS Divisional Health Safety and Fire Leads will provide regular fire safety key performance indicators reports to Divisional Senior Leadership Teams and Divisional Health and Safety Committees.*

Audits & enforcement authority inspections

- 2.50 *The Responsible Person must ensure that any recommendations made as a result of internal audits or Crown Premises Fire Inspection Group / Welsh Government Fire Inspection Group inspections are dealt with in accordance with the action plans generated as a result of the audit/inspection.*

3. Policy and strategic context

- 3.1 This Instruction is one of a number of Probation Instructions (PIs) which forms part of NOMS' (NPS) Health and Safety Management Arrangements, to ensure compliance with the Health and Safety at Work Act and subsidiary legislation.
- 3.2 Specifically it outlines the requirements under the Regulatory Reform (Fire Safety) Order 2005 (RRO) with regards to providing a fire safety compliant environment in Probation premises.
- 3.3 It is a legal requirement for these arrangements to be brought to the attention of all employees.

Annex A

Routine fire safety assurance checks

The table below identifies routine fire safety assurance checks/tests that should be undertaken in each office/Approved Premises.

The tasks can be delegated to the fire marshal(s) or other nominated staff but the Responsible Person remains accountable for ensuring they are undertaken and appropriately recorded.

Fire alarm tests must be undertaken weekly.

It is best practice for all the other checks listed to also be undertaken weekly. However the Responsible Person may set different frequency subject to local circumstances.

Any issues identified during the test or check should be immediately rectified or reported to the FM helpdesk as a priority request.

Task	What should be done
Fire alarm testing	The fire alarm should be activated to enable its correct operation and audibility of the sounders to be checked. The test should be undertaken by activating a fire alarm call point. In most offices there will be more than one fire alarm call point and tests should be undertaken by activating a different fire call point on a rotational basis. <i>A record of these checks and call points used must be maintained locally.</i>
Fire escape routes	All the fire escape routes including corridors and staircases need to be walked to visually confirm there are no obstructions or unauthorised storage. This check should be completed daily.
Final exit fire doors	There should be no obstructions or storage by final exit fire doors that could prevent them being accessed and used at any time. A visual check should be undertaken from the inside and outside. This check should be completed daily. Fire doors can become seized or jammed preventing easy opening. Each door should also be opened at the same time as the visual inspection.
Internal fire doors	Internal fire doors (identified by a blue circle sign) should be kept closed or held open on automatic closure devices. All fire doors should be visually checked to ensure they are closed and not wedged open or otherwise prevented from closing effectively. This check should be completed daily. Automatic doors closures should release the fire door(s) when the fire alarm is activated and the correct function of the devices is best done at the same time as the fire alarm test. This check should be completed weekly.
Fire extinguishers	Fire extinguishers should be retained in their appropriate location, kept clear of obstructions and in operable condition at all times. This check should be completed daily. Each fire extinguisher location should be visited to confirm all

	extinguishers are in place, correctly stored on the wall fixing or storage tray and unobstructed. Each extinguisher should be visually checked to ensure it is undamaged and pressure gauges (where fitted) checked to ensure the indicator needle is in the green zone.
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Glossary and Definitions

FM Contractor – Contractors, their employees and subcontractors who are engaged by NOMS to provide facilities management services to NOMS premises.

Responsible Person - In relation to any premises;

The person who has control of the premises (as occupier or otherwise) in connection with the carrying on by him/her of a trade, business or other undertaking (for profit or not); or.

The owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.

Relevant Person – Any person (including responsible person) who is or may be lawfully on the premises and any person in the immediate vicinity of the premises who is at risk from fire on the premises.

Fire Risk Assessment - The responsible person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he/she needs to take to comply with the requirements and prohibitions imposed on him/her by or under the Regulatory Reform (Fire Safety) Order 2005.