



THE SCOTTISH OFFICE

Department of Health

NHS
MEL(1996)95

NHS Management Executive
St. Andrew's House
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11 December 1996
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**FOR
REFERENCE ONLY**

Dear Colleague

FIRE SAFETY POLICY: COMPLIANCE SURVEY

Summary

1. The purpose of this letter is firstly to remind colleagues that The Workplace (Fire Precautions) Regulations are expected to come into force in early 1997 thereby extending statutory cover to the whole hospital including patient access areas - see Annex A. In this connection it is emphasised, and colleagues will wish to note, that the proposed regulations do not impose new burdens on the NHS in Scotland.
2. Secondly, in accordance with existing obligations, to ask colleagues to provide details of compliance with statutory and mandatory requirements as at 31 March 1997, on Form FSM97 - see Annex B. This is a one-off exercise, the results of which will provide a necessary demonstration of effective compliance with Firecode in Scotland.

Action

3. Colleagues are asked to ensure that the completed Form FSM97 is returned to Ian Grieve, Directorate of Trusts, not later than 30 April 1997.

Further information

4. Information on various other fire safety related matters is included at Annex C.

Yours sincerely

PAUL WILSON
Director of Trusts

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Addressees

For action:

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For information:

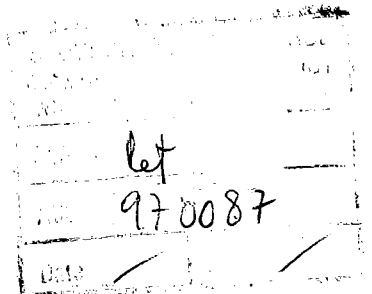
General Managers, Mainland Health
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WORKPLACE (FIRE PRECAUTIONS) REGULATIONS

1. As colleagues will know, the Home Departments have recently consulted widely about proposed Workplace (Fire Precautions) Regulations.
2. The proposed regulations are to implement the fire safety aspects of the European Directives 89/391/EEC (the Framework Directive) and 89/654/EEC (the Workplace Directive) and will apply to all parts of healthcare premises. The enforcement will be by local fire authorities through the supervision of fire risk assessments. In patient access areas, it is expected that compliance with Firecode in Scotland will satisfy the requirements of the regulations, in particular HTM 86 - 'Fire risk assessment in hospital premises'. Fire authorities will receive guidance on their new role.

Background

3. Fire safety in the NHS in Scotland has been controlled by various legislation (see Firecode in Scotland: Policy and Principles, Chapter 4). In patient access areas the standards for fire precautions are set by Firecode in Scotland. This approach was agreed between the Home Office and The Scottish Office Home and Health Department as an alternative to designation under The Fire Precautions Act.
4. Only parts of The Fire Precautions Act 1971 apply generally to hospital premises. The requirement for fire certificates, in particular, only applies to those parts subject to a relevant designation order. They are restricted to offices, shops and factories. Patient access areas are not designated and do not require a fire certificate. Advice from fire authorities on fire precautions in these areas is given on a goodwill basis.
5. The Home Office's consultative document states clearly that the requirements only apply to the extent that it is necessary to safeguard workers in the event of fire. The Department of Health wishes to confirm that the proposed regulations do not impose new burdens on the NHS in Scotland.

FIRECODE IN SCOTLAND COMPLIANCE MONITORING

1. As stated in Firecode in Scotland: Policy and Principles, the Management Executive is obliged to monitor the application of Firecode in Scotland in NHS premises. Accordingly Holding Bodies (ie NHS Trusts, Health Boards, CSA and the State Hospital Board) are asked to complete the attached Form FSM97 identifying the position at 31 March 1997 and return it to the Management Executive by 30 April 1997.
2. This is the first comprehensive and specific fire safety return for a number of years. It has been designed to provide the Management Executive with an assessment of the degree of risk being managed across the NHS in Scotland in respect of fire hazards to which patients, staff and others may be exposed and to be consistent with the information NHS Trusts and other Holding Bodies require for their own immediate purposes. The timing of the survey, coinciding as it approximately does with the probable date for the coming into force of The Workplace (Fire Precautions) Regulations is also useful.
3. To assist NHS Trusts and other Holding Bodies to complete form FSM97 in a consistent manner a comprehensive guidance note has been prepared and is enclosed with this letter. The guidance on the completion of the fire safety audit/assessment return is consistent with the proposed Regulations and is based on an audit question set specifically commissioned for this survey but which is 'drawn from the fire safety audit topic module likely to form part of a new risk management software package. The assessment is in this instance a 'stand alone' exercise although it is recognised that in the final analysis fire safety is not a 'separate issue' but one to be considered alongside others in a Holding Body's overall risk management strategy, taking account of the full range of managed risks covered by health and safety statutes. It is for this reason that information on the cost of compliance by specified dates does not form part of this return.
4. By way of background, fires involving death, serious injury or damage on a large scale and as notified to the Management Executive, are as might be expected, a very occasional occurrence. For example only one such report in 1995-96. Additionally, Fire Authorities reported 106 fire incidents across the NHS in Scotland during 1994-95. They were categorised as follows:

<i>Category</i>	<i>No.</i>
• dropped light	31
• wilful fire raising	30
• electrical fault	26
• radiated heat	8
• pan of fat/cooking oil	6
• fault in central heating	2
• use of blowlamp	2
• doubtful	1

**NHS IN SCOTLAND MANAGEMENT EXECUTIVE
FIRE SAFETY AUDIT/ASSESSMENT RETURN 1997
(Position as at 31 March 1997)**

Holding Body _____

Contact Name _____

Contact Address _____

Tel. No. _____

Fax No. _____

TABLE 5: ESSENTIAL BUILDING AREA

	HOSPITAL SITES						OTHER	
	PATIENT ACCESS AREAS (Area m ²)		NON-PATIENT ACCESS AREAS (Area m ²)		STAFF RESIDENCES (Area m ²)		NON-HOSPITAL SITES (Area m ²)	
	Score (%)	Time to reach 100% (months)	Score (%)	Time to reach 100% (months)	Score (%)	Time to reach 100% (months)	Score (%)	Time to reach 100% (months)
Element 1								
Element 2								
Element 3								
Element 4								

Overall Score (%)

TABLE 6: NON-ESSENTIAL BUILDING AREA

	HOSPITAL SITES						OTHER	
	PATIENT ACCESS AREAS (Area m ²)		NON-PATIENT ACCESS AREAS (Area m ²)		STAFF RESIDENCES (Area m ²)		NON-HOSPITAL SITES (Area m ²)	
	Score (%)	Time to reach 100% (months)	Score (%)	Time to reach 100% (months)	Score (%)	Time to reach 100% (months)	Score (%)	Time to reach 100% (months)
Element 1								
Element 2								
Element 3								
Element 4								

Overall Score (%)

[Completed Form to be returned to: Ian Grieve, Directorate of Trusts, Rm 352a, St Andrews House, Regent Road, Edinburgh EH1 3DG, not later than 30 April 1997]

FURTHER INFORMATION

Role of Department of Health and Estates Environment Forum

1. As colleagues know, arising from the change in the Directorate of Trusts estates responsibilities, the provision of operational guidance on estates and related matters now falls within the scope of the Estates Environment Forum. This includes Firecode in Scotland, with the exception of Policy and Principles which remains a Departmental responsibility.
2. Policy and Principles is currently under review and a revised edition will be issued in 1997. This revision is being executed in tandem with a review of its English equivalent.

Fire Practice Note 9: NHS healthcare fire statistics 1994/95

3. Also enclosed with this letter is a copy of Fire Practice Note (FPN) 9: NHS healthcare fire statistics 1994/95, which provides analysis and feedback on fires reported in NHS healthcare premises in England during that year. Although this FPN contains no Scottish statistics, the information may be of interest.

Fire Practice Note 2: Storage of flammable liquids 1987 and the Directory of Fire Documents

4. This letter advises colleagues of the withdrawal of 2 Firecode in Scotland documents, namely Fire Practice Note (FPN) 2: 'Storage of flammable liquids' and the Directory of Fire Documents. The guidance contained in FPN 2 has been superseded by HS(G)51 'The storage of flammable liquids in containers' issued by the Health and Safety Executive. The guidance contained in the Directory of Fire Documents is superseded by BS5588: Part O.