



**OFFICE OF THE  
DEPUTY PRIME MINISTER**

**Appendix 3**  
Ms Diana Kahn  
Fire Legislation Safety and Pensions Division  
Zone 17/A Portland House  
Stag Place  
London  
SW1E 5LP

Web site: [www.odpm.gov.uk](http://www.odpm.gov.uk)

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The Chief Executive to the County Council  
The Clerk to the Fire and Civil Defence Authority  
The Clerk to the London Fire & Emergency Planning Authority  
The Clerk to the Combined Fire Authority  
The Chief Fire Officer

Dear Sir or Madam

**FIRE PRECAUTIONS ACT 1971: CIRCULAR NO 29**

**FIRE AUTHORITY INTEGRATED RISK MANAGEMENT PLANNING (IRMP) - GUIDANCE  
NOTE 4**

**FIRE SERVICE CIRCULAR 1/2004**

**A RISK ASSESSMENT BASED APPROACH TO MANAGING A FIRE SAFETY INSPECTION  
PROGRAMME**

1. The circular provides, further to Paragraph 59 of Schedule 28/2 of Fire Precautions Act circular 28, advice for fire authorities on developing risk based fire safety inspection programmes.
2. It is for fire authorities to determine their own enforcement policies. In doing so fire authorities will wish to ensure statutory requirements for inspection of premises, such as under section 5(3) of the Fire Precautions Act 1971, together with implicit inspection requirements by arising from statutory duties to enforce fire safety legislation, are met.
3. The fire safety inspection programmes of fire authorities will form part of their Integrated Risk Management Plans (IRMPs). The IRMP will define the authority's strategy for improvements in fire prevention work, following evaluation of the effectiveness of current preventative and response arrangements. In addition to meeting statutory duties for enforcement of fire safety legislation, each fire authority will need to show how its fire safety inspection programme contributes to its IRMP. In particular, it will need to show how that inspection programme links to other activities such as community fire safety and fire fighting.
4. Risk based inspection programmes will form a key part of an overall community safety fire prevention strategy. Separate guidance has been issued to help fire authorities in the development of IRMPs. This circular builds on that information to support fire authorities in IRMP development.
5. The guidance at Annex A offers information, based on independent and validated research, about how different uses of building compare in terms of risk and how levels of risk in different buildings which are being put to the same use might be compared.

6. The guidance in this circular will remain in force and be applicable to fire safety inspection programmes once the Government's proposals for reform of fire safety legislation have been implemented.

Yours faithfully

DIANA KAHN  
Head of Fire Legislation Safety and Pensions

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Issued to: County Councils, Fire and Civil Defence Authorities, London Fire & Emergency Planning Authority and Combined Fire Authorities in England and Wales.

Copy sent for information to: The Local Government Association and the Welsh Local Government Association.

Contact Details:

Mark Coram            020 7944 6855            [mark.coram@odpm.gsi.gov.uk](mailto:mark.coram@odpm.gsi.gov.uk) (General enquiries and legislation)

HMI Dave Berry        020 7944 5497            [dave.berry@odpm.gsi.gov.uk](mailto:dave.berry@odpm.gsi.gov.uk)        (technical)

The IRMP Implementation Support Team is available to provide training, advice and assistance. They can be contacted via:-

Simon Longbottom    020 7944 5672            [simon.longbottom@odpm.gsi.gov.uk](mailto:simon.longbottom@odpm.gsi.gov.uk)

**A RISK ASSESSMENT BASED APPROACH TO MANAGING A FIRE SAFETY INSPECTION PROGRAMME**

**1. Introduction**

1.1 This guidance is intended to assist fire authorities to determine a fire safety inspection programme that is based on an assessment of risk, appropriate to the circumstances, posed by individual and generic types of building. Such a programme should enable a fire authority to show that it is meeting its responsibilities in respect of the full range of fire safety legislation applying to premises within its area. It is not intended that this guidance be used to support community programmes relating to fire safety in the home.

1.2 Information gathered from the development and ongoing management of a risk-assessed Fire Safety Inspection Programme will contribute to the overall evaluation of risk as part of the fire authority's responsibility for developing and maintaining the currency of its Integrated Risk Management Plan (IRMP). Before considering the detail it is necessary to understand the context in which the Fire Safety Inspection Programme needs to be developed.

1.3 The fire service has in the past used a risk based approach, in one form or other, from the basis set out in the Post War Building Studies up to and including the Fire Precautions Act. However, the impact of European directives and hence the introduction of the Fire Precautions (Workplace) Regulations 1997, made the risk assessment approach central to determining the necessary level of fire precautions in individual buildings and placed that responsibility firmly on the employer, in respect of workplaces.

1.4 The scope of the Regulations now means that the fire authority has a direct responsibility to enforce fire safety legislation in a wider range of premises than was previously the case. To achieve this the fire authority has to be able to demonstrate that it is meeting its responsibilities by both providing the resources, and level of service. This will inevitably include prioritising inspections and taking enforcement action according to the perceived level of risk within individual premises.

1.5 The management system used to determine the inspection workload and resources required is likely to differ from that used in the past under such legislation as the Fire Precautions Act. The outcomes from the Inspection Programme will contribute to the integrated risk management approach, and evidence will need to be available to enable brigades to justify their approach when subject to audit.

## 2. Background

2.1 For the purposes of initially prioritising an inspection programme, it is necessary to determine the level of risk characteristic of the types of building in question. Whilst the risk to individual occupants will be of concern to those involved in the inspection of buildings, it will be the overall potential for loss of life, or serious injury, that will have the major impact on the level of risk determined for the purposes of an inspection programme.

2.2 It must be borne in mind that an assessment of the risk in a building, and its subsequent inclusion in a fire safety inspection programme, can be made for a number of reasons other than the legal responsibilities of the fire authority. These could include, at a national or local level:

the strategic importance of a particular property or business,  
the potential loss of heritage,  
potential environmental damage, and  
the need to assess likely fire fighting operations.

2.3 The outcome of the risk assessment, and the subsequent prioritisation of any particular building within an inspection programme, may therefore be influenced not only by life safety considerations but also the potential loss or risk to the community, at a local or national level. In including such premises in an inspection programme fire authorities will need to balance these other considerations with their fire safety enforcement responsibilities.

2.4 In determining the level of risk presented by both an individual building and a generic type of building, it will be necessary to consider the:

- nature of the building structure,
- use of the building,
- nature of the occupants,
- furniture, fittings and surface finishes,
- processes undertaken,
- materials stored or used in the building,
- potential sources or causes of fire (both accidental or deliberate),
- potential of fire spread,
- fire precautions provided,
- standard of fire safety management,
- the geographical and topographical nature of the area, and
- access and facilities for the fire service.

2.5 In considering these factors it is also necessary to take into account information from current fire fighting practice, at both a national and local level. Also relevant before a final determination of the level of risk can be made will be a review of the historical experience of the individual building, or generic type of building, including number & types of fires within the building(s) and any management issues specific to the individual building.

### **3. Determining levels of risk**

3.1 The following guidance has been developed taking into account a detailed analysis of national data (including information from FDR 1 reports), and data from other sources. This focused on such issues as the performance of generic types of buildings in terms of the frequency of fires, the effectiveness of the active and passive fire precautions, the fire safety management and the societal risk presented by the type of occupancy.

3.2 This guidance has taken account of the results of this analysis, and will therefore provide a firm basis for the initial determination, and subsequent ongoing management of a fire safety inspection programme.

3.4 It is important to emphasise that fire authorities are not constrained to the data analysis system used to develop this guidance and are able to utilise any risk analysis system appropriate to their circumstances. However, whatever system is chosen, it is important that they can clearly demonstrate how the generic levels of risk were determined and justify the robustness of their methodology.

### **4. Developing a Fire Safety Inspection Programme**

#### **Initiating a Programme**

4.1 The inspection programme should be determined by the level of risk presented by those buildings regardless of the fire-related legislation applying to them. While an authority must clearly continue to meet its responsibilities under such legislation as the Fire Precautions Act 1971, the frequency of those inspections should be determined by their priority when set against other buildings and structures which might present a greater risk.

4.2 Figure 1 is a numerical representation of the spread of risk and sets out the generic levels of risk presented by different types of building. The figure could, therefore, be used as a starting point in determining generic priorities for inspection by reference to the “medium” level of risk for the type of occupancy concerned.

4.3 Figure 1 allows the level of risk represented by a building to be varied, either as part of the initial assessment or subsequently, by drawing on information such as local knowledge and information held on file. If fire authorities believe that their records for individual buildings are incomplete, consultation with other authorities or enforcing agencies could provide additional data.

**Figure 1: Relative Levels of Risk According to Occupancy Type**

	<b>Very high</b>	<b>High</b>	<b>Medium</b>	<b>Low</b>	<b>Very low</b>
Hospitals	8	7	6	5	4
HMOs	8	7	6	5	4
High rise flats	7	6	5	4	3
Houses converted to flats	7	6	5	4	3
Hostels	7	6	5	4	3
Hotels	7	6	5	4	3
Other sleeping accommodation	7	6	5	4	3
Care homes	7	6	5	4	3
Shops	7	6	5	4	3
Licensed premises	7	6	5	4	3
Further education	6	5	4	3	2
Public buildings	6	5	4	3	2
Schools	6	5	4	3	2
Other premises open to the public	6	5	4	3	2
Factories and warehouses	6	5	4	3	2
Other workplaces	6	5	4	3	2
Offices	6	5	4	3	2

Note: Guidance on risk levels in "other" buildings is based on the same detailed analysis as that for the specific occupancy types. However careful consideration will need to be given to the specific circumstances when placing any building falling into this category into an inspection programme.

### **Other Influences on a Programme**

4.4 The above table and appendices are intended to assist by providing general guidance. The decisions on the level of risk presented by an individual building can only be determined at a local level and can be varied according to local circumstances such as:

- Historical information on the building(s) concerned,
- Visits to buildings to gather operational intelligence (under section 1(1) (d) of the Fire Services Act 1947),
- Reports on fires attended,
- Particular local trends or socio-economic factors, and
- Fire risk assessments completed by, or on behalf of, employers, occupiers, other bodies such as HSE (COMAH sites), local authorities (HMOs) and the Environment Agency (IPC sites).

4.5 To assist brigades in making use of the information contained in Figure 1 a comparison between the occupancy types identified and those used in the current annual Fire Safety Returns is given in Appendix B. Direct correlation is not always possible and a professional judgement will need to be made.

4.6 When developing an inspection programme it is essential to bear in mind that Figure 1 gives generic levels of risk. It is important that professional judgement is taken into account as part of the overall process. Examples of where professional judgement might influence the outcome are:

- A low risk hospital will have the same risk rating as a high-risk office. In the case of the hospital, the inspecting officer will need to do little more than set a date for a further inspection which will be determined by its priority when set against other premises in the brigade’s area.

In the case of the office, on the other hand, the officer, when faced with circumstances that present a high risk may need to take immediate enforcement action.

- It may not be reasonable to equate the life risk presented by a typical hotel, guest house or similar, with that of a comparable building providing care accommodation or used as a hostel, HMO or similar. It is important that such factors as the management regime in place, and the nature of the occupants, are taken into account.

4.7 In addition an initial estimation of the generic levels of risk, for most occupancy types, can be undertaken according to variations in:

- the provision of active and/or passive fire safety systems,
- the level of fire safety management provided, or
- the size of the building.

4.8 Using the provision of active and/or passive fire safety systems that would normally be expected in any particular occupancy type as the “bench mark” then the generic level of risk could be varied as follows:

- |                              |                |
|------------------------------|----------------|
| • severe under provision     | Very High Risk |
| • under provision            | High Risk      |
| • normal provision           | Medium Risk    |
| • over provision             | Low Risk       |
| • significant over provision | Very Low Risk  |

The same approach would apply to the level of fire safety management provided or the size of the building.

4.11 It is important to emphasise that the numerical values provided in Figure 1 represent comparable levels of risk across all premises and should be used simply as a guide in determining overall priorities for inspection. They cannot be used to dictate the action to be taken by inspecting officers in respect of individual premises. Whatever the category of building, high or very high levels of risk will usually warrant some form of action or the provision of advice to the occupier in order to reduce the risk.

4.12 This guidance illustrates how an inspection programme based on consistently defined levels of risk will not only enable a fire authority to determine its inspection priorities, but also to demonstrate, in a measurable way, its contribution to the reduction of the fire risk in its area. It should also enable it to make better informed decisions on the allocation of its resources as part of the IRMP planning process.

4.13 This guidance does not suggest fixed frequencies for inspection, for the particular levels of risk rating. Some authorities may wish to allocate particular time periods according to the risk rating; others may wish to rank premises according to a number of factors which may include, as well as the risk rating, the time of the last inspection, changes in local circumstances, etc. An outcome of determining priorities and appropriate frequencies on a risk basis may be that some premises in the lower risk categories will not be subject to regular inspection, but could be monitored on a sampling basis.

4.14 In order to demonstrate that a fire authority is meeting its legislative responsibilities at every stage, the processes by which the levels of risk and the resulting inspection activity have been determined should be recorded, transparent and auditable.

## Appendix B

### Comparison of Occupancy Types

#### FSR Premises

#### Figure 1

#### **A-Certificated Premises**

1-Hotel/Boarding Houses	Hotels
2-Factory	Factory
3-Office	Office
4-Shop	Shop
5-Railway Premises	Other Workplaces
5A-Sub Surface Railway Premises	Other Workplaces

#### **B-Non Certificated Premises**

6- Factory	Factory
7- Office	Office
8- Shop	Shop

#### **C-Residential Premises**

9-Residential Care	Care Homes
10-Hospital	Hospital
11-Boarding School	Other Residential Sleeping Accommodation (Including Boarding Schools)
12-Penal Establishments	Other Sleeping Accommodation
13-Flats-section 72 Building Act	High Rise Flats
14-Houses in Multiple Occupation (Hostels)	Hostels
15-Houses in Multiple Occupation (Flatlets)	HMO
16-Other Residential accommodation	Other Sleeping Accommodation

#### **D-Non Residential Premises**

17-Theatres	Public Buildings
18-Cinemas	Public Buildings
19-Bingo hall/Casinos	Public Buildings
20-Sports Centres	Public Buildings
21-Licensed Premises	Licensed Premises
22-Public Entertainment	Public Buildings(Commercial)
23-Public entertainment	Public Buildings(Occasional)
24-Schools	Schools
25-Designated Sports grounds	Other Premises open to the public
26-Regulated Stands	Other Premises open to the public
27-Other Non Residential Accommodation	Further education & Other Workplaces