



Fire Safety Policy

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1 Fire Safety Policy Statement

Shropshire Council will control the fire safety hazards and associated risks that we produce by our activities to achieve our commitment.

We are committed to:

- complying with all applicable legal requirements and with other requirements to which we subscribe which relate to our fire hazards and associated risks;
- fire safety should never be compromised for other objectives;
- prevention of injury, ill health resulting from fire in particular, we will manage:
 - ✓ building structural passive fire safety;
 - ✓ building active fire safety arrangements;
 - ✓ engineered fire safety arrangements;
 - ✓ continual improvement of our fire safety management and performance;
 - ✓ providing our employees with fire safety training & awareness;
 - ✓ consultation with our employees on fire safety matters.

To achieve our commitments, Shropshire Council:

- has appointed Senior Managers whose duties are to co-ordinate the activity of all parts of Shropshire Council in relation to fire safety matters. Competent fire safety and health & safety advisors, directorate management representatives, premises managers and champions, and property specialists are appointed to support the Shropshire Council senior managers;
- operates a fire safety management system operating to the requirements of ISO 45001:2018 supported by BS 9999 and BS 9991; in particular, we shall:
 - ✓ plan our activities taking into account relevant fire safety matters, including the setting of objectives & targets and developing fire safety management programmes;
 - ✓ implement and operate our plans;
 - ✓ check to ensure that we are fulfilling our fire safety commitments & carry out corrective actions;
 - ✓ carry out management reviews of our fire safety management system, taking into account relevant fire safety matters;
 - ✓ continually improve our fire safety management system.

Shropshire Council is committed to the success of this policy.

This fire policy statement should be displayed in all Shropshire Council workplaces and communicated on the intranet.

Signed

Date: 15 March 2022



Andy Begley
Shropshire Council Chief Executive Officer

2 Context of the organisation

Shropshire Council is a unitary Local Authority which operates across the county of Shropshire. It performs the functions of the former County Council and District Councils.

Individual Town and Parish Councils do not form part of Shropshire Council.

Individual schools with academy status do not form part of Shropshire Council.

Shropshire is a large, rural and sparsely populated county, covering a land area of 319,736 hectares, which is approximately ten times that of all the inner London Boroughs put together (31,929 hectares). With a population estimated at 317,500 (Source: ONS mid-year estimates, 2017), this gives a density of only 0.98 persons per hectare. Shropshire is the second largest inland county and one of the most rural places in the UK.

Shropshire Council owns a wide diverse property portfolio, the majority of which it occupies and operates for its' own purposes. Shropshire Council also partners with other organisations providing shared services, operating from Shropshire Council and/or partner organisation premises. In addition to its' own property, Shropshire Council leases properties from other organisations to supplement its' own portfolio and acts as a landlord leasing out properties to partner organisations and tenants. Furthermore, Shropshire Council also provides premises to external service providers from which the service providers provide the services to Shropshire residents.

Shropshire Council provides a wide range of services to the community via range of service directorates. Service structure charts can be found on the Council's website at:

<https://shropshire.gov.uk/open-data/datasets/information-requests/service-structure-charts/>

3 Scope

This Fire Safety Policy applies to all Service Areas within Shropshire Council and identifies the responsible individuals, working groups and mechanisms that ensure compliance with the Regulatory Reform (Fire Safety) Order 2005 and other relevant legislation.

The legislation and this policy are primarily concerned with the protection of people however effective arrangements will also benefit the protection of property and assets.

Although the diversity of the estate is reflected in a variety of relevant legislation, the dominant piece of legislation is the Regulatory Reform (Fire Safety) Order 2005 (RRFSO). This Fire Safety Policy is therefore concerned with identifying the responsible persons and mechanisms within the Authority to ensure compliance with the RRFSO. A guiding principle of the RRFSO is the development of a Fire Risk Assessment (FRA) for individual premises and through this process any further, specifically relevant legislative requirements will be identified to ensure full compliance.

4 Definitions

The Responsible Person

The “responsible person” means—

1. in relation to a workplace, the employer, if the workplace is to any extent under his control;
2. in relation to any premises not falling within 1 above —
 - a. the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by him of a trade, business or other undertaking (for profit or not); or
 - b. 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.

In most circumstances the owner, employer or occupier of the premises is responsible for ensuring and maintaining correct fire safety and procedures – known as the “responsible person”.

Under the Regulatory Reform (Fire Safety) Order 2005, the responsible person is required to, following a risk assessment, implement appropriate fire safety measures to minimize the risk to life from fire, and to keep the assessment up to date.

The principle Responsible Person is the Council as the employer and by extension, Shropshire Council’s Chief Executive. The Chief Executive is accountable to the Elected Members. In practice however, the duties of the Responsible Person will be delegated through the management hierarchy.

The situation surrounding schools, leased properties and other arrangements within the Authority are more complex (see section 5). The premises manager, head teacher or other may assume the role of the Responsible Person, depending upon the legal and contractual situation regarding a particular premises and therefore defined during the risk assessment process. The Authority will co-operate and co-ordinate with this individual to ensure any measures taken comply with the RRFSO and as such meet their legislative obligations as owner, landlord etc. as applicable.

The Competent Person

The competent person or fire risk assessor need not possess any specific academic qualifications but should:

- Understand the relevant fire safety legislation and the associated guidance documents;
- Have appropriate education, training, knowledge and experience in the principles of fire safety;
- Have an understanding of fire development and the behaviour of people in fire; understand the fire hazards, fire risks and relevant factors associated with occupants at special risk within buildings of the type in question; and
- Have appropriate training and/or experience in carrying out fire risk assessments.

There is no defined skillset or training designated for the “competent person”, however, they must show a competency in all areas equal to (or greater than) the complexity of problems to be tackled. The competent person must display an ability to identify a problem when seen and suitably assess its relative importance in relation to the safety systems in place.

Note. The Council no longer provides training or refresher training for in-house fire risk assessors. In-house fire risk assessors are no longer classified as competent persons for conducting fire risk assessments. A PSG approved fire risk assessor must therefore be used See Section 7 – Fire risk assessment.

The Relevant Person

The relevant person refers to any person, including responsible and competent persons, who are or may be on the premises and any person in the immediate vicinity of the premises who is at risk from a fire on the premises.

In the simplest terms, the relevant person is anyone that could possibly be affected by a fire (or related) problems at the premises.

Firefighters are not classified as relevant persons.

5 Organisation

From the Elected Members and Chief Executive downward it is the role of the line manager of an employee to ensure that the Council Policy relating to fire safety is complied with. All line managers are expected to manage in accordance with the policy as part of their day-to-day activities, fire safety is not an addition, it is a fundamental part of everything we do. All employees have a duty to support the application of the Council Fire Safety Policy and its' supporting procedural arrangements to ensure work is conducted in a safe manner at all times. The Council has also specified standards for agency labour, sub-contractors and suppliers who must be engaged and managed in accordance with this policy.

The Council invests in dedicated fire safety, health & safety and building specialist resources in order to facilitate the production of Council standards, to audit compliance to those standards and to provide support to line management. All levels of staff and management have access to the advice and assistance of the fire safety dedicated team irrespective of their job role.

Appropriate records and reports will be produced by every operating team to demonstrate compliance with the Council's fire safety Policy and provide learning arising from incidents that occur.

The Council takes compliance with fire safety Policy and procedures with the up most seriousness and the failure to comply with policy or procedures will normally result in action being taken against individuals under the Council's disciplinary procedures.

5.1 Top tier organisation (Councillors & decision making)

5.1.1.1 Council

The full Council comprises of 74 members who meet together on dates agreed at the Annual Council Meeting and most meetings are usually open to the public. Here Councillors decide Council's overall policies and set the budget framework each year. Meetings are chaired by the Speaker, who is also the Vice-Chairman of the Council. Both the Chairman and Vice-Chairman can come from any party, though in practice they usually belong to the same party as members of the Cabinet.

5.1.1.2 Cabinet

The Cabinet is responsible for most day-to-day decisions, which it has to make in line with the Council's overall policies and budget. The Cabinet, or the Executive, consists of the Leader and up to 9 other members, normally from the ruling party. Cabinet meets on dates agreed by the Leader to agree the policies of the Council. Individual Cabinet Members (Portfolio Holders) have also been given certain delegated powers by the Leader to take decisions. Executive decisions are also taken on behalf of the Cabinet by the Health and Well-Being Board, Marches Local Enterprise Partnership Joint Executive Committee and West Mercia Energy Joint Committee.

5.1.1.3 Scrutiny

Scrutiny (also known as Overview and Scrutiny) is vital to the work of the Council and its partners. It helps to develop policy, improve the performance of the Council, and holds the Cabinet and Portfolio Holders to account for their decisions. Scrutiny looks at Council services as well as services

provided by other local agencies and organisations. There are currently 5 formal scrutiny committees all with a membership of 10 councillors.

5.2 Senior management organisational structure

The senior management structure comprises of a Chief Executive Officer and eight directorates, each headed by an Executive Director. The eight directorates are:

- Chief Executives Office
- Finance, Governance & Assurance Directorate
- Legal & Democratic Services Directorate
- People Directorate
- Place Directorate
- Health and Wellbeing Directorate
- Workforce Transformation Directorate

In addition, schools have their own organisation and structure for which the Council is the employer at some and not at others. A summary is given below.

5.3 Schools

5.3.1 Employer responsibilities

Who the employer is will vary according to the type of school. This can be a local authority, a proprietor, an Academy Trust, a charity, company or partnership, or a Board of Governors. The HSE has produced a useful guide on the different employer types and responsibilities which can be found at: <https://www.hse.gov.uk/services/education/faqs.htm> A table from the webpage is shown below.

England and Wales

School type	Employer
Community schools	The local authority
Community special schools	
Voluntary controlled schools	
Maintained nursery schools	
Pupil referral units	
Foundation schools	The governing body
Foundation special schools	
Voluntary aided schools	
Independent schools	The governing body or proprietor

England

School type	Employer
Academies and free schools	The Academy Trust

It is the employer that is responsible for making sure that fire safety risks are managed.

The employer's fire safety functions are often delegated to members of staff in the school to fulfil on behalf of the employer. However overall legal accountability for the fire safety of employees and others cannot be delegated and remains the responsibility of the employer.

The HSE have a series of frequently asked questions (FAQs) at the same webpage (questions in black bold with answers below in normal type font as provided by the HSE). Health & safety should be read as fire safety for the purpose of understanding responsibilities in the guide below:

HSE FAQ - "Who has responsibility for health and safety where school budgets are delegated to individual schools by a local authority?"

In England and Wales school funding arrangements mean that local authorities provide a delegated budget to each of the maintained schools within the authority, so that the school can take control of day to day issues. This means the control of many school activities is delegated to individual schools. However in the case of community schools and voluntary controlled schools the local authority is still the employer and therefore retains legal responsibility as the employer under health and safety law – and retains overall responsibility for the way any work activities are carried out.

Confusion about responsibilities between the local authority and a school can lead to a failure to manage risks. Local authorities should make clear which health and safety related functions are delegated to governing bodies and therefore require funding through the schools delegated budget

and which functions are carried out centrally by the local authority, the funding arrangements for local authority schools normally make this clear:

- In England and Wales each local authority's education funding scheme will define the financial relationship between the authority and schools in its area and set out conditions which a school's governing body must meet in managing the funds delegated to them. The schemes should have due regard to the local authority's health and safety responsibilities.
- In Scotland, local authorities have responsibility for the management of budgets and determine to what extent budgets are further devolved to schools.
- Where the local authority is the employer they should ensure the arrangements for managing risks in their schools are sensibly implemented. In practice this will require the local authority to set authority wide health and safety policies and procedures. The local authority will often retain resources to provide strategic input on risk management including:
 - setting of consistent policies and standards,
 - providing competence on strategic and technical issues, and
 - monitoring schools to check policies and procedures are implemented and working.

The local authority also needs to ensure that each of their schools has access to competent health and safety advice. Some local authorities provide this as part of their central function – but where funding is delegated governing bodies may select sources of advice and guidance from other providers - or purchase this as a service from the local authority. Obtaining health and safety advice in this way does not mean that schools can ignore their employer's health and safety policies.”

Note on HSE guidance above: Re. Delegated budgets and identifying responsibilities - in terms of Shropshire Council, this responsibility sits with Children’s services within the People Directorate. In addition, Shropshire Council’s competent health and safety advice is provided by the Health & Safety Team.

HSE FAQ - “What is the local authority's involvement with Voluntary Controlled Schools?”

The employer in Voluntary Controlled schools is the LA who therefore has overall responsibility for health and safety compliance. Responsibility cannot be devolved. The LA must provide oversight and monitoring.

A Voluntary Controlled school is usually a religious or faith school, where the land and buildings are owned by a charity (often religious) but the local education authority funds the school, runs it, and employs the staff.”

HSE FAQ - “What is the local authority's involvement with Voluntary Aided Schools?”

In Voluntary Aided Schools the governing body is the employer and so is responsible for health and safety. There is no legal requirement for Voluntary Aided Schools to adopt the LA's policies and procedures. Some LAs may make their services and recommendations available to Voluntary Aided Schools for which they make a charge.

A Voluntary Aided school is usually a religious or faith school, where the land and buildings are owned by a charity (often religious) but the governing body runs the school and employs the staff, and the school is jointly funded by the local education authority, the governing body and the charity.”

5.3.2 Academies, aided and free schools

Numerous educational establishments have academy, aided, and free school status and are independent of the Shropshire Council organisation. Each academy, aided, and free school operates as an independent organisation.

Academies, aided, and free schools may however have a long leasehold interest in the premises, with Shropshire Council only having a reversionary interest as ultimate landlord.

Schools which do not have Academy, aided, and free school status are part of Shropshire Council's organisation.

5.3.3 Voluntary controlled schools

Shropshire Council is the employer at voluntary controlled schools and therefore has employer responsibilities.

5.3.4 Maintained schools

Shropshire Council is the employer at maintained schools, however Shropshire Council provides devolved funding budgets to maintained schools. The terms of the devolved budget agreements and/or service level agreement may transfer responsibility to maintained schools. The degree and level of funding and transfer of accountability and responsibility is set out in the funding agreement/Service Level Agreement.

5.4 Leased premises

Where the Council leases premises to external organisations, the organisation to whom the premises is leased is responsible for implementing their own fire safety arrangements, other than any arrangements imposed or retained by virtue of a contract.

Where the Council leases premises from other organisations, the Council is responsible for implementing this policy and the Council's fire safety arrangements, other than any arrangements imposed or retained by virtue of a contract.

5.5 Fire safety organisation

The Shropshire Council organisation is given in Appendix 1 of this document.

6 Responsibilities

Fire safety is the responsibility of all Council employees, along with its' contractors and service providers; in addition, the Council has specified role requirements for a number of key positions in relation to fire safety responsibilities.

This section sets out the key and general fire safety responsibilities. Specific fire safety responsibilities are set out within relevant procedures and arrangements in the intranet.

6.1 Principle Responsible Person

The Chief Executive is accountable to the Elected Members and retains overall responsibility for fire safety across Shropshire Council workplaces; the Chief Executive Officer is deemed to be the Responsible Person with regard to the Regulatory Reform (Fire Safety) Order 2005. The Chief Executive will:

- Delegate operations as required to ensure full compliance with this policy and the supporting arrangements.

Note: See 5.3 and 5.4 above, regarding special situations such as Academy schools and leased premises.

6.2 Premises Responsible Person

Supporting the Chief Executive Officer, the Premises Responsible Person is the most senior manager at a premises and is responsible for ensuring that this policy is implemented and the supporting arrangements are applied at the premises level. Where there are multiple departments and/or employers at a premises, the Premises Responsible Person should ensure cooperation and coordination with all other occupiers, ideally operating the Council's Building User Group (BUG) system.

With increased flexible and homeworking, and the use of book a desk hubs, the Premises Responsible Person may not necessarily be based at the premises but is the senior person with responsibility for/operating a service from the premises. In some cases, Facilities Management may be the Premises Responsible Person, having responsibility for coordinating fire safety of premises users where there is no clear senior person, however where there is a senior manager, the senior manager will be deemed the Premises Responsible Person.

6.3 Fire Risk Owner

The Head of Property and Development will:

- Keep this policy up to date
- Identify any resources required
- Monitor the implementation of this policy
- Report upon the progress of this policy to the Executive Board and relevant groups

6.4 Statutory Compliance Officer - Fire Safety

The Statutory Compliance Officer: Fire Safety, will:

- Monitor and record the completion of Fire Risk Assessments across the authority
- Monitor and support remedial actions resulting from Fire Risk Assessment as required
- Escalate areas of non-conformance as required
- Produce reporting documents as required
- Maintain an active list of all premises Responsible Persons, monitor and audit the Responsible Persons' periodically specifically in relation to their duties in line with this policy and report through to the Property Service Group Manager and/or the Fire Risk Owner any areas of concern or non-compliance.

6.5 Property Service Group Manager

- Ensure an ongoing programme of inspection, testing and maintenance of fire safety equipment (to the required level of detail) at "Corporate Landlord" properties and in accordance with Service level Agreements at managed properties.
- Manage and provide a competent external and/or internal Fire Safety Advisor service for provision of FRA's or other services as required.
- Oversee and be responsible for the Statutory Compliance Officer in undertaking their appropriate duties in accordance with this policy.
- Support the Fire Risk Owner in the undertaking of their duties in accordance with this policy.

6.6 Occupational Health and Safety Team

- Provide assistance to Responsible Persons as required to ensure compliant FRA's are completed across the estate
- Audit and monitor FRA's and other associated documentation as part of the Health and Safety Audit process on a scheduled basis
- Ensure all reported incidents or near miss situations involving fire are recorded, reported and investigated as required
- Advise and support assessment process within low-risk premises.
- Provide advice and assistance as appropriate to the Fire Risk Owner.

6.7 On site Responsible Persons – i.e. premises managers, head teachers etc.

- Implement fire safety arrangements to protect the safety of all employees and others relevant persons
- Ensure a suitable Fire Risk Assessment (FRA) is in place and maintain the site log book
- Plan, organise, control, monitor and review the preventative and protective measures
- Ensure that fire detection, alarms and where appropriate firefighting equipment is in working order
- Provide clear emergency exit routes from premises which lead to a place of safety
- Appoint fire wardens and marshals where necessary to assist in undertaking the preventative and protective measures
- Provide staff, visitors and others with comprehensive and relevant information
- Provide the relevant number of staff with fire safety training to ensure that a smooth evacuation can occur and is tested as required by legislation
- Co-operate with other responsible persons in shared and other relevant premises
- Manage any on site hot works in line with the Council's Hot Work Policy

6.8 Managers

- Induct staff in the local fire emergency procedures on their first day of employment including the location of fire exits and assembly points
- Identify staff and visitors who may need additional help in an evacuation and complete a Personal Emergency Evacuation Plan (assistance can be sought from H&S team)

6.9 Supervisors

- Any employee who supervises or manages the work of another is a "supervisor", line managers are automatically supervisors of all those who report to them
- All supervisors will implement the Council Fire Safety Policy, supervisors will be provided with training to enable them to carry out these duties.
- Supervisors will additionally ensure any other party whose fire safety may be affected by the Council's activities under the control of the supervisor is adequately protected
- Supervisors will be responsible for the fire safety of those reporting to them and will ensure compliance with safe systems of work

6.10 Fire Wardens and marshals

- Fire wardens and marshals assist the Responsible Person in executing their duties
- Assist in the evacuation of staff, visitors and others from premises in the event of fire alarm activations
- Use of firefighting equipment in accordance with training
- Report any deficiencies with fire safety arrangements to the relevant responsible person
- Maintain accurate records in the fire log book for fire safety planned maintenance which they carry out, and make the fire log book available to contractors carrying out fire safety maintenance
- Managers and supervisors may act as a fire warden or marshal, or may delegate these duties to assist them in performing their responsibilities

6.11 Employees

- Provide visitors with applicable fire safety information upon arrival
- Take reasonable care of own and others safety in relation to fire
- Cooperate with fire safety policies and procedures
- Not interfere with or abuse any equipment that is provided for the purposes of fire safety
- Maintain clear escape routes throughout premises and external areas for all pedestrians and vehicles
- Avoid accumulations of flammable and combustible materials and store them appropriately

6.12 Contractors and external service providers

- Contractors and service providers shall comply with the Council's fire safety policy and arrangements in addition to their own policies and arrangements
- Where service providers operate a service at a premises on behalf of the Council, the service provider acts as the "On site Responsible Persons" in addition to any other responsibilities set out in leases, contracts, and service level agreements etc.

- Contractors and service providers are responsible for carrying out their duties within the scope of leases, contracts and service level arrangements
- Contractors and service providers shall carry out their duties taking due regard to the risk profile of the premises and service users
- Certain contractors may provide specialist services outside of the technical scope of the Council management capability, in such circumstances the Council will only use approved contractors and will ensure policies and procedures required by that contractor are applied in relation to the specialist works. In approving specialist contractors, the Council will seek best practice, third party and trade accreditation as well as utilising independent consultant expertise as appropriate

7 Fire risk assessments

The Regulatory Reform (Fire Safety) Order 2005 requires that the Responsible Person ensures that a competent person conducts fire risk assessments for all relevant premises, prior to occupation when there has been a significant change and when it is believed that the fire risk assessment is no longer valid.

A Property Services Group (PSG) approved fire risk assessment contractor must complete fire risk assessments for all Council premises where Shropshire Council undertakes activities.

In tenanted premises, where there are multiple tenants and there are common areas including common access/egress routes and common facilities, where Shropshire Council is the landlord, Shropshire Council, as landlord, shall undertake fire risk assessments for the common areas. Assets and Estates shall notify PSG of all relevant premises and the relevant areas that require a fire risk assessment for the common parts.

PSG shall arrange for a competent person to undertake fire risk assessments of all Shropshire Council occupied premises and common parts of tenanted premises, using a PSG approved fire risk assessor.

N.B. In-house assessors no longer receive Council provided fire risk assessment training (CPD), it is no longer appropriate for in-house assessors to conduct fire risk assessments.

In a few cases, Shropshire Council shares premises with other employers and may occupy the majority or minority of the premises. In these cases, it may be appropriate for a joint fire risk assessment to be conducted by a competent person on behalf of both/all employers. PSG should be contacted for advice so that these premises can be considered on a case-by-case basis.

Premises responsible persons shall review their premises fire risk assessment at least annually and after an incident to ensure that the risk assessment is still valid, that no significant or creeping changes have occurred, and to ensure that action plans have been actioned. Premises responsible persons shall advise PSG when there has been a significant change and when it is believed that the fire risk assessment is no longer valid so that a new fire risk assessment can be arranged.

In shared premises, premises responsible persons must cooperate and coordinate and share information on fire safety risks with other employers.

In addition to the premises responsible person annual reviews of their premises fire risk assessments, fire risk assessments should periodically be reassessed. A fire risk assessment frequency matrix (taking into account both premises and occupant risk) can be found in the fire safety arrangements on the Council's intranet, which sets out the risk-based frequency for reassessments ranging from annually for the highest risk premises to 5-yearly for the lowest risk premises.

8 Fire safety procedures and arrangements

Supporting fire safety procedures and arrangements are set out within fire safety procedures and arrangements on the Council's intranet.

Appendix 1 Shropshire Council Fire Safety Organisation

