

Circular number	4/2010	Date issued	4 March 2010
This circular is	For guidance	No response required	
This circular is	Relevant to the National Framework		
Status	This circular gives an update on the organisational structure and contact details for the Crown Premises fire safety inspectors and outlines their role in enforcing the Regulatory Reform (Fire Safety Order) 2005 in Crown Premises.		

Office of the Chief Fire and Rescue Adviser

Crown Premises Fire Safety

Issued by:

John Sparke

**Team Manager - Crown Premises Inspectors
Office of the Chief Fire & Rescue Adviser**

Addressed to:

**The Chair of the Fire and Rescue Authority
The Chief Executive of the County Council
The Clerk to the Fire and Rescue Authority
The Clerk to the Combined Fire and Rescue Authority
The Commissioner of the London Fire and Emergency Planning Authority
The Chief Fire Officer**

Please forward to:

**Head of Fire Safety
Head of Operations**

Summary

This circular informs Fire and Rescue Authorities of the role and position within the Office of the Chief Fire and Rescue Adviser in relation to the Crown Premises Inspectors and their role in the enforcement of the Regulatory Reform (Fire Safety) Order 2005 within Crown premises.

For further information, contact:

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1.0 Introduction

Enforcement of Fire Safety in Crown Premises

- 1.1 The Chief Fire and rescue Adviser, is responsible for the management of the enforcement of the Regulatory Reform (Fire Safety) Order 2005 in Crown premises in England. This is carried out by Crown Premises Fire Inspectors work as part of the Office of the Chief Fire and rescue Adviser.
- 1.2 The Regulatory Reform (Fire Safety) Order 2005, (FSO) binds the Crown, except for the enforcement and prosecution provisions. To safeguard Crown employees from a Crown failure to comply with fire safety legislation, all Crown departments and agencies are required to provide compliance with the provisions of the FSO. Where the Crown is subject to any of the general fire safety duties contained in the FSO, Crown Inspectors, as enforcing authorities appointed by the Secretary of State under Article 25 (e) (i) of the Order, will follow a similar process to that used by Fire and Rescue Authorities for non-crown premises. This means that, where appropriate, a notification will be served on the employer and any other person who may be deemed to be responsible, in the same way as if the legal enforcement provisions apply where a failure to comply with the regulations is found. The notice is intended to inform the responsible person that, in the opinion of the Crown Fire Inspector, they have failed to comply with the requirements of the FSO. The notice cannot be legally enforced

Crown Premises

- 1.3 Article 49 of the FSO explains the application of the FSO to Crown bodies. Crown bodies, in this context, include the main central Government Departments, their Executive Agencies, Non-ministerial Departments and a small number of other non-departmental public bodies. The Office of Public Sector Information (OPSI) maintains a list of UK Crown Bodies for the purposes of Crown copyright. A useful general guide of the status of differing bodies can be found on their web site, noted below.

<http://www.opsi.gov.uk/advice/crown-copyright/uk-crown-bodies.htm>

- 1.4 If there are any queries about any particular issues you can contact the Office of the Chief Fire and Rescue Adviser for more detailed information about particular premises.
- 1.5 Crown enforcement officers do not have responsibility for enforcement in:
 - Premises occupied solely for the purposes of the armed forces of the Crown (and other premises wholly situated within such premises), or premises occupied solely by visiting forces - these are the responsibility of the Defence Fire and Rescue Service.
 - Crown Premises with special process hazards - for example, nuclear installations and some construction sites - these are the responsibility of the Health and Safety Executive.
- 1.6 If you have any queries regarding enforcement of the FSO in these premises, the appropriate points of contact are:

The Defence Fire and Rescue Services:

- DFRMO-HQFSGroupMailbox@mod.uk

The Health and Safety Executive:

- 0845 345 0055
- Out of Hours Duty Officer – 0151 522 9235 or 0151 922 1221

1.7 To support this approach, all Fire and Rescue Services are reminded of the need to complete the Fires of Special Interest (FOSI) return in accordance with FRS Circular 22/2006 following attendance at a fire in a Crown premises.

1.8 The e-mail address for return for is fosi@communities.gsi.gov.uk. If FRS's have any concerns in relation to fire safety in Crown premises they should contact the team by using the following details.

2.0 Contact Details

2.1 The Crown Premises Inspection Group can be contacted through:

General Admin: cpig@communities.gsi.gov.uk **0303 444 3163**

Senior Fire Adviser: **Peter Wise** **0303 444 3159**

Team Manager: **John Sparke** **0303 444 3164**

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2.2 From the date of this circular, all audit and 'enforcement' of the provisions of the FSO within Crown premises will be as defined within Article 25 (e) of the Order, and will be carried out by Inspectors from the Office of the Chief Fire and Rescue Adviser. Any previous agreements with FRS's to carry out this function will cease to have effect.

3.0 Operational Intelligence

3.1 When completing inspections under the FSO, Crown Inspectors will acquire information that will be of use to operational staff in the relevant FRS. Crown inspectors will pass this on to the relevant FRS using the appropriate section of the FSO Audit form.

3.2 If an FRS has concerns over any aspect of the fire safety standards in a Crown premises, particularly relating to those aspects covered by the FSO, or any concerns over operational liaison with Crown bodies, please contact the team who will provide assistance. Further details will also shortly be made available on the Office of the Chief Fire and Rescue Advisers' website.

John Sparke

Team Manager

Crown Premises Inspectors