

Date: 31st May 2017

<redacted>
HMP Risley
Warrington Road
Risley
WARRINGTON
Cheshire
WA3 6BP



Home Office

**Crown Premises Fire Inspection Group
Policing and Fire Directorate
2nd Floor NW Fry Building
2 Marsham Street
London
SW1P 4DF**

Our Ref: 0615/800/01

Please reply to: <redacted> [@homeoffice.gsi.gov.uk](mailto:homeoffice.gsi.gov.uk)

Dear <redacted>,

The Regulatory Reform (Fire Safety) Order 2005 (the Order)

Premises: HMP Risley, Cheshire

Following the fire safety inspection of the above premises on **17th & 18th May 2017**, I am writing to confirm my opinion that the identified individuals or groups of people would be at risk in case of fire. You will need to take action to ensure their safety.

In the event that a long-term solution cannot be implemented immediately, you will need to introduce interim measures to reduce the level of risk whilst longer-term measures are being prepared.

Fire safety measures are largely interactive, and fire risks can be controlled in many ways. Therefore, whilst the schedule refers to solutions you could adopt, I am not directing you to choose any one of them. It will be acceptable for you to implement any measures which achieve an appropriate standard of safety from fire.

Successful approaches to assessing and managing risk can be provided by accepted guidance, BS9999: 2008 or fire engineering calculations. Each of these requires the involvement of a person with comprehensive training or experience.

I have included additional information to assist you with planning what action to take:

1. The schedule identifies in each case the 'immediate' (i.e. what has its roots at the establishment) and the likely 'underlying' (i.e. corporate) causes of the failures identified during the inspection.
2. I attach the RAG Risk Rating form for the inspection. The form provides a clear risk-based decision framework and a risk score for individual RAG outcomes.
3. Final risk ratings for the fire safety measures and for key areas of fire safety management are also set out in bar charts at the end of the RAG rating form.

The RAG Risk Rating Form and the risk ratings will be revised during any follow-up inspection. This will be shown as a second bar on the chart, demonstrating the improvement made.

I informed you at our meeting that my initial enforcement decision was to allow you the opportunity to comply in a timely manner. The next steps are, therefore, for you to develop your planned action plan, and to confirm the plan and date of completion to me within 28 days of receiving this letter.

Please note that, given the level of risk involved, I can only maintain an informal enforcement approach where you are able to evidence your commitment and ongoing progress towards compliance.

If you do not undertake the necessary improvements, then you may be served with a Crown enforcement notice.

There is no formal right to appeal against this letter but if you would like clarification of its contents or to comment on your experience of the visit, please contact either me or the CPFIG Team Leader on cpfig@homeoffice.gsi.gov.uk .

Yours faithfully

<redacted>

Crown Premises Fire Inspector

Crown Premises Fire Inspection Group

Office of the Senior Fire & Rescue Adviser

CC – <redacted>

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Schedule

Premises: HMP Risley, Cheshire

File Number: 0615/800/01

Sheet: 1 of 3

This schedule should be read in conjunction with the CFRA letter dated 31st May 2017.

1. MEASURES TO REDUCE THE RISK OF FIRE.			
Relevant article of the Order	Specific Failure to Comply with the Order	Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure	Action Plan Required
Articles 4(1)(a) & 8 9 9	c. Prisoners with a history of fire-setting and those at known risk of self-harm through fire are NOT located in cells where they are most appropriately safeguarded from fire: <i>Immediate Cause of Failure: The fire risk assessor did not identify the hazard</i> <i>Likely Underlying Safety Management Failure: The arrangements for carrying out fire risk assessments do not ensure that there is a systematic process in place for identifying all relevant factors.</i>	c. Prisoners at known risk from fire should be located wherever possible in cells fitted with automatic fire detection, near to water misting equipment, and on the top landing of an atrium wing, in that order of preference. <i>Safety Management Remedy: The arrangements for carrying out fire risk assessments must ensure that there is a systematic process in place for identifying all relevant factors.</i>	Within 28 days

2. PROTECTION OF STAFF AND PRISONERS.			
WARNING OF FIRE – MEASURES FOR FIRE-FIGHTING – RISK OF FIRE SPREAD – SECURING THE MEANS OF ESCAPE			
Relevant article of the Order	Specific Failure to Comply with the Order	Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure	Action Plan Required
Articles 4(1)(a) & 8 11 9	a. The coverage of cells by automatic fire detection was insufficient to provide effective early warning of fire and control the risk to an acceptable level. <i>Immediate Cause of Failure: The planned fire safety measure had not been implemented</i> c. There was insufficient fire-fighting to effectively carry out the cell fire response plan. <i>Immediate Cause of Failure: No appropriate corrective measure was identified for action.</i> f. The existing smoke control	a. The automatic fire protection for cells must ensure that prison staff members are alerted to cell fires sufficiently early to enable them to implement the cell fire response plan before foreseeable injury can be caused to prisoners and prison staff. c. Sufficient water misting equipment should be provided so that, allowing for the predicted time for fire detection, water-mist inundation is commenced within six minutes from ignition. f. An effective mechanical smoke control	Within 28 days

11	arrangements for areas of corridor approach are inadequate to prevent smoke spread to other cells in the event of a cell fire Immediate Cause of Failure: No appropriate interim measure was implemented Likely Underlying Safety Management Failure: Inadequate monitoring is undertaken to establish whether the fire safety arrangements are successful.	system, based on engineering calculations and commissioned by a competent contractor, is required for areas of corridor approach to ensure that they remain tenable. Safety Management Remedy: Suitable arrangements must be introduced for monitoring the success of the fire safety arrangements.	
Relevant article of the Order	Insufficient information was available to evidence compliance in respect of the following matters:	Information required:	Date Required
Articles 4(1)(a) & 8	g. There was insufficient evidence available to demonstrate that: i. the capital bid for fire safety measures throughout the residential accommodation areas in the prison will provide the level of fire safety required. ii. the fire safety improvement programme for <redacted> wings includes all the elements necessary to bring the risk from fire down to acceptable levels iii. the level of emergency light has not been assessed to demonstrate that it would be sufficient to implement the cell fire response SSoW, including if necessary, C&R and evacuation of prisoners and staff from of all or part of the wing affected by a fire.	g. Evidence should be provided which demonstrates that: i. Confirmation is required regarding the content of the capital bid that has been submitted for the installation of full in-cell detection. ii. Relevant details of the fire safety improvement programme for <redacted> wings including all the elements necessary to bring the risk from fire down to acceptable levels. <redacted> iii. The level of emergency lighting provided in the residential accommodation areas emits adequate lux levels for safe use of the escape routes, wing offices, control rooms, etc.	Within 28 days

3. STAFF INSTRUCTIONS FOR ACTIONS IN THE EVENT OF FIRE.

CELL FIRE RESPONSE.

Relevant article of the Order	Specific Failure to Comply with the Order	Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure	Action Plan Required
Articles 4(1)(b), 7(6), 8 & 14	a. The time based cell fire response plan is not validated and cannot be achieved where a sustained water misting attack is not possible. b. There is no plan to use water mist equipment as soon as possible in every case, and always within 5 minutes.	a. The cell fire response plan must be time-based. Allowing for the predicted time for fire detection, the fire-fighting plan must ensure that water-mist inundation has been commenced by six minutes from ignition. b. The fire-fighting plan should be time-based, starting from when the fire is started, and taking into account the predicted time for fire detection. By six minutes from ignition – including the time for detection -	Within 28 days

		the fire-fighting plan must ensure that water-mist inundation has been commenced. Initial inundation should be carried out where necessary in order to reduce the level of hazard created by the fire, but instructions should be given for this to be supplemented as soon as possible with the application of water mist equipment, and in every case if the prisoner might not be released from the cell within six minutes of the fire starting, allowing for the predicted time for fire detection.	
9	Immediate Cause of Failure: <i>The fire risk assessor did not identify the significance of the risk</i>		
9	Likely Underlying Safety Management Failure: <i>The arrangements in place for carrying out fire risk assessments do not ensure that the level of risk is judged through comparison with relevant and accredited benchmarks of safety.</i>	Safety Management Remedy: <i>The arrangements in place for carrying out fire risk assessments must ensure that the level of risk is judged through comparison with relevant and accredited benchmarks of safety.</i>	

General Maintenance.			
Relevant article of the Order	Specific Failure to Comply with the Order	Steps considered necessary to remedy the failure to comply, including an illustrative example of a compliant measure	Action Plan Required
Articles 4(1)(d), 7(6), 8 & 17	a. There was insufficient evidence available to demonstrate that the fire safety measures being tested and maintained were in good condition and effective working order	a. Evidence should be provided which demonstrates that the fire safety measures being tested and maintained were in good condition and effective working order	Within 28 days
11	Immediate Cause of Failure: <i>The planned fire safety measure had not been implemented</i>		
11	Likely Underlying Safety Management Failure: <i>Inadequate arrangements for assessing contractor performance on the ground</i>	Safety Management Remedy: <i>Suitable arrangements for assessing contractor performance on the ground</i>	

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the Crown Premises Fire Inspection Group, need to be taken in order to meet the requirements of the Order.

Note: Notwithstanding any consultation with other enforcing authorities undertaken by the Crown Premises Fire Inspection Group, before you make any alterations to the workplace which constitutes building works you must apply to your local building control body (the local authority or an approved inspector) for any necessary approvals and to any other body which has a statutory interest in the workplace if their permission is required for those alterations to be made.