

Crown Premises Fire Inspection Group

Date: 21st March 2017

<redacted> - Governing Governor
HMP Wealstun
Thorp Arch
Wetherby
LS23 7AZ



Home Office

Crown Premises Fire Inspection Group
Policing and Fire Directorate
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2 Marsham Street
London
SW1P 4DF

Our Ref: 6227/800/01

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

Dear <redacted>,

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

Premises: HMP WEALSTUN, THORP ARCH, WETHERBY, LS23 7AZ

Following the fire safety inspection of the above premises on **7th and 8th March 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 Chief Fire & Rescue Adviser

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Schedule

Premises: HMP Wealstun, Thorp Arch, Wetherby, LS23 7AZ

File Number: 6227/800/01

Sheet: 1 of 3

This schedule should be read in conjunction with the CFRA letter dated 21st March 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	a. Prisoners are not presented with an appropriate range of purposeful information directed at deterring fire-setting and tampering with fire detectors.	a. Prisoners should be presented with an appropriate range of purposeful information directed at deterring fire setting and tampering with fire detectors.	Within 28 days
11	Immediate Cause of Failure: <i>The planned fire safety measure had not been implemented</i>	Safety Management Remedy: <i>Suitable arrangements must be introduced for monitoring the success of the fire safety arrangements.</i>	
11	Likely Underlying Safety Management Failure: <i>Inadequate monitoring is undertaken to establish whether the fire safety arrangements are successful.</i>		
	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:	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.	
9	Immediate Cause of Failure: <i>The fire risk assessor did not identify the significance of the risk</i>	Locating prisoners at known risk from fire in corridor approach without automatic fire detection and mechanical smoke control must be avoided.	
9	Likely Underlying Safety Management Failure: <i>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>	Safety Management Remedy: <i>The arrangements for carrying out fire risk assessments must ensure that there is a systematic process in place for identifying all relevant factors.</i>	

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
<p>Articles 4(1)(a) & 8</p> <p>11</p> <p>11</p> <p>11</p> <p>11</p> <p>11</p>	<p>d. Normal and emergency lighting doesn't provide sufficient illumination to safeguard prisoners and prison staff.</p> <p>Immediate Cause of Failure: <i>The planned fire safety measure had not been implemented</i></p> <p>Likely Underlying Safety Management Failure: <i>There are inadequate arrangements to ensure that the action points arising from the fire risk assessment are acted upon.</i></p> <p>e. Measures to reduce the spread of fire and smoke were inadequate</p> <p>Immediate Cause of Failure: <i>The planned fire safety measure had not been implemented</i></p> <p>Likely Underlying Safety Management Failure: <i>There are inadequate arrangements to ensure that fire precautions are implemented.</i></p> <p>f. The existing smoke control arrangements for enclosed landings / areas of corridor approach are inadequate to prevent smoke spread to other cells in the event of a cell fire</p> <p>Immediate Cause of Failure: <i>The planned fire safety measure had not been implemented</i></p> <p>Likely Underlying Safety Management Failure: <i>There are inadequate arrangements for the fire risk assessment findings to be taken into account when decisions are taken, which may affect fire safety matters.</i></p>	<p>d. Appropriate illumination (lux level) from normal and emergency lighting should be suitable for the task(s) undertaken at the premises during a fire emergency and should be in accordance with the relevant standards.</p> <p>Safety Management Remedy: <i>Arrangements must be put in place to ensure that the action points arising from the fire risk assessment are acted upon.</i></p> <p>e. The fire resistance protecting the escape routes must control the spread of smoke where this could cause potential harm to persons using escape routes.</p> <p>Safety Management Remedy: <i>Adequate arrangements for PPM maintenance to be carried out to an appropriate standard</i></p> <p>f. An effective mechanical smoke control system, based on engineering calculations and commissioned by a competent contractor, is required for areas of corridor approach and enclosed landings to ensure that they remain tenable.</p> <p>Safety Management Remedy: <i>Arrangements must be put in place for the fire risk assessment findings to be taken into account when decisions are taken over matters which affect fire safety.</i></p>	<p>Within 28 days</p>

4. EFFECTIVENESS OF STAFF ACTIONS TO TAKE IN THE EVENT OF FIRE.

FIRE TRAINING – EVACUATION

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
<p>Articles 4(1)(c), 7(6), 8 & 14</p> <p>9</p> <p>9</p> <p>9</p> <p>11</p>	<p>a. The training package delivered to staff does not provide sufficient practical instruction on the use of Inundation equipment.</p> <p>Immediate Cause of Failure: <i>The risk had not been correctly assessed</i></p> <p>Likely Underlying Safety Management Failure: <i>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></p> <p>b. An insufficient number of prison staff members working in residential wings are in date with their training in RPE wearing, using inundation equipment and carrying out the cell fire response plan.</p> <p>Immediate Cause of Failure: <i>The action plan did not set out a timescale for implementing corrective measures which was appropriate to the seriousness of the risk.</i></p> <p>Likely Underlying Safety Management Failure: <i>There are inadequate arrangements for the fire risk assessment findings to be taken into account when decisions are taken, which may affect fire safety matters.</i></p>	<p>a. The training package should ensure that new staff members are sufficiently trained to be able – under suitable supervision –to take an effective part in the cell fire response plan, including using all inundation equipment.</p> <p>Safety Management Remedy: <i>The arrangements for carrying out fire risk assessments must ensure that there is a systematic process in place for identifying all relevant factors.</i></p> <p>b. All prison staff members working in residential wings should have received initial training in RPE wearing, using inundation equipment and carrying out the cell fire response plan.</p> <p>i) An adequate number of prison staff members working in residential wings should be up-to-date with their training in RPE wearing, using inundation equipment and carrying out the cell fire response plan.</p> <p>ii) All prison staff members working in residential wings during night state should be up to date with their training in RPE wearing, using inundation equipment and carrying out the cell fire response plan.</p> <p>Safety Management Remedy: <i>Arrangements must be put in place for the fire risk assessment findings to be taken into account when decisions are taken over matters which affect fire safety.</i></p>	<p>Within 28 days</p>

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.