

Crown Premises Fire Inspection Group



Date: 14th June 2016

<redacted>, Governor
HMP Hewell
Hewell Lane,
Redditch
B97 6QS

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

Our Ref:
3314/022

Your Ref:

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

Dear Governor,

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

Premises: HMP Hewell, Redditch

Following the fire safety inspection of the above premises on **2nd and 3rd June 2016** 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.

This letter should be read in conjunction with the previously sent RAG Risk Rating form which provides examples of the areas we have identified as specific failures and require your attention.

The RAG Risk Rating form provides a clear decision framework for assigning RAG outcomes, which will also include a score for each bespoke General Fire Precaution. This is intended to improve/demonstrate consistency of judgments, and also to provide better information to you about the success of the safety management arrangements at managing risk.

The RAG Risk Rating form contains a bar chart at the end to provide you with a visual summary of how well the establishment has been judged to be meeting the individual requirements of the Fire Safety Order. The RAG Risk Rating Form will be revised during any follow-up inspection, and this will result in a second bar on the chart, showing 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 me.

Yours faithfully

Crown Premises Fire Inspector
Crown Premises Fire Inspection Group
Office of the Chief Fire & Rescue Adviser

CC - <redacted>

CC - <redacted>

CC - <redacted>

CC - <redacted>

Schedule

Premises: HMP Hewell

File Number: 3314/022

Sheet: 1 of 5

This schedule should be read in conjunction with the CFRA letter dated 14th June 2016

The Fire Risk Assessment			
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
9	<p>1. The risk assessment had not identified all the measures which are required to achieve an acceptable level of risk for prisoners and staff: E.g. Limited duration of stored pressure water misting equipment.</p> <p>2. The action plan had not set an appropriate timescale to introduce the additional necessary fire safety measures to safeguard prisoners and staff: E.g. Date for fitted automatic fire detection system</p>	<p>1. The fire risk assessment should identify the necessary general fire precautions to ensure that persons are safe</p> <p>2. The fire risk assessment should set an appropriate timescale for the required measures to be introduced.</p>	Within 28 days of receipt of this Schedule
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	<p>1. The induction programme does not include sufficient information about the consequences of fire-setting to deter prisoners.</p> <p>Persons at Risk: Staff and Prisoners</p> <p>2. Prisoners with a history of fire-setting and those at known risk of self-harm through fire are NOT always located in cells where they are most appropriately safeguarded from fire:</p> <p>Persons at Risk: Staff and Prisoners</p>	<p>a) The prisoner induction should include all potentially useful messages for deterring fire setting.</p> <p>b) Insiders should be used to deliver potentially useful peer-peer messages for deterring fire setting.</p> <p>2. Where cells are protected with automatic fire detection, prisoners at known risk from fire must be located near to water misting equipment, and on the top landing of an atrium wing, in that order of preference.</p> <p>Locating prisoners at known risk from fire in corridor approach without automatic fire detection and mechanical smoke control must be avoided.</p>	Within 28 days of receipt of this Schedule

	<p>3. Remedial works identified from the periodic inspection and testing of the mains electrical installations has not been carried out.</p> <p>Persons at Risk: Staff and Prisoners</p>	<p>3. The mains electrical installations must be maintained in a safe condition.</p>	
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Measures to reduce the risk of the spread 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	<p>1. The existing smoke control arrangements for the area of corridor approach are inadequate to prevent smoke spread to other cells in the event of a cell fire.</p> <p>Persons at Risk: Prisoners</p>	<p>1. Robust staffing arrangements for the evacuation of affected cells, combined with automatic fire detection for cells and an effective system of mechanical smoke control are all required for enclosed landings and closed corridor approach, as benchmarked against BS9999.</p>	Within 28 days of receipt of this Schedule

Means to secure that cells can be evacuated safely			
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)(c), 7(6), 8 & 14	<p>1. The smoke control arrangements did not ensure that the conditions outside the cell door would remain tenable for prison staff to undertake the cell fire response plan: <redacted>.</p> <p>Fire hazard rooms were not suitably enclosed with fire-resistance: <redacted></p> <p>2. Evacuation routes were not sufficiently protected against the ingress of fire and smoke: E.g. fire-resisting door sets in residential wings.</p>	<p>1. An effective mechanical smoke control system, based on engineering calculations and commissioned by a competent contractor, is required for areas of corridor approach to ensure that they remain tenable.</p> <p>2. Fire hazard rooms – these are defined in BS9999 - giving onto common spaces in residential wings should be enclosed with fire-resistance.</p> <p>3. 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>	Within 28 days of receipt of this Schedule

Measures for fighting Fires

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 & 13	1. There was insufficient water misting equipment.	1. Sufficient water misting equipment should be provided to provide continuous water-mist inundation until a safe environment is restored.	Within 28 days of receipt of this Schedule

Cell fire response instructions

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)(f), 7(6), 8 & 15	<p>1. The cell fire response plan did not sufficiently safeguard prison staff or prisoners because it does not take into account the increasing potential for injury from fire and toxic smoke as time elapses.</p> <p>2. The cell fire response plan does not ensure that the actions of prison staff are sufficiently prioritised towards safeguarding those at greatest risk, in the fire cell.</p>	<p>1. The cell fire response plan must ensure that prisoners and staff are safeguarded through the continuous use of water-mist until the environment is safe.</p> <p>2. In the case of a cell fire, immediate priority should always be given to dealing with the fire and the occupant in the affected cell</p>	Within 28 days of receipt of this Schedule

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	The responsible person has not ensured that the premises and any facilities, equipment and devices are subject to a suitable system of maintenance: <redacted>	1. The responsible person must ensure that any facilities, equipment and devices are subject to a suitable maintenance programme and in an effective working order.	Within 28 days of receipt of this Schedule

Mitigation measures to protect prison staff members and prisoners during a 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)(d), 7(6), 8 & 13	1. No procedure was in place for monitoring that the response times to Cell Call activations are compatible with the timescales required by the cell fire response plan.	1. In the absence of a fitted automatic fire detections system, the cell call system should be monitored to ensure that the typical delay - at day or night - between cell call and staff response does not exceed six minutes minus the time required to implement inundation.	Within 28 days of receipt of this Schedule

Fire Safety Management			
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
22	1. The responsible person has NOT established suitable co-operation and co-ordination with other responsible persons.	1. Effective arrangements should be implemented to ensure that up-to-date information on the status of fire safety facilities, equipment and devices is communicated between responsible persons.	Within 28 days of receipt of this Schedule
11	4. The fire safety policy does NOT avoid conflict between fire safety requirements and other organisational policies and business needs: E.g Suitable fire-fighting equipment	5. The fire safety policy must provide the policy framework for safeguarding relevant persons adequately from fire.	Within 28 days of receipt of this Schedule

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.

