

# Protocol between Wiltshire Fire and Rescue Service and the Department for Children, Schools and Families regarding fire safety in independent schools.

## Standard Operating Procedure No. TFS - 043

**Document Overview:** - Under the Education Act 2002, the Department for Children Schools and Families are required to be satisfied that an Independent School is broadly compliant with the Regulatory Reform (Fire Safety) Order 2005 prior to registration. Registration cannot take place without this audit.

This protocol details the method for instigating necessary audits as such requests would fall outside of the normal risk-based audit programme currently employed by Wiltshire Fire and Rescue Service. This is in line with the Chief Fire Officers Association circular and revised Memorandum of Understanding reference 2009/1034.

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This document has been Equality Impact Assessed in accordance with Wiltshire FRS procedure. To view the assessment [click here](#) (to be completed via CRR).

## 1.0 Introduction

- 1.1 Under the Education Act 2002, the Department for Children Schools and Families (DCSF) are required to be satisfied that an Independent School is broadly compliant with the Regulatory Reform (Fire Safety) Order 2005 (The Order) prior to registration. Registration cannot take place without this audit.
- 1.2 This protocol details the method for instigating necessary audits as such requests would fall outside of the normal risk-based audit programme currently employed by Wiltshire Fire and Rescue Service (Wiltshire FRS) however the volume of such requests is not expected to be onerous and is in line with the Chief Fire Officers Association (CFOA) circular and revised Memorandum of Understanding (MoU) reference 2009/1034.
- 1.3 The MoU agrees that new Independent Schools should not open until a suitable response has been received from the FRS.
- 1.4 This protocol relates to all independent schools and includes Boarding and both Day and Residential Special Schools and any other premises affected by the specific requirement of the Education Act 2002.

## 2.0 General Arrangements

- 2.1 All correspondence, where possible, will be generated by email.
- 2.2 DCSF will ensure that a list of all relevant premises and updated contact information will be provided to Wiltshire FRS. This is expected to be in December each year. [See appendix A.](#)
- 2.3 Contact details of the Group Manager Protection and the Technical Fires Safety Procedures Manager will be provided to DCSF in response.
- 2.4 On receipt of any relevant application from a new school wishing to be registered within Swindon or Wiltshire, DCSF will ask the school to forward information (with a set of plans to indicate fire strategy) to Wiltshire FRS to enable the required response to be initiated.

## 3.0 Wiltshire FRS Response Arrangements

- 3.1 **New school applications:** On receipt of an application, DCSF will ask the school to contact Wiltshire FRS who will inspect within one month. The frequency of future inspections will then be determined in line with the current re-inspection policy and according to the resultant risk level.
- 3.2 **Audit reports;** A copy of the audit report will be sent to the school with a copy to DCSF to indicate that the findings were broadly compliant or whether remedial action will be necessary to ensure compliance with The Order. Section 165 of the Education Act 2002 also allows DCSF to de-register a school on the grounds of inadequate fire precautions in addition to any action deemed necessary by Wiltshire FRS.

- 3.3 **New build or alterations requiring Building Regulations approval;** if the application is subject to Building Regulations approval (i.e. new build or change of use) Wiltshire FRS will take part in a full consultation process with the local Building Control body. In addition and prior to the issue of a completion certificate, a joint “pre-completion” inspection may be undertaken. The school will be informed as part of the normal building regulations consultation process.
- 3.4 **Additional school premises;** where notified by the school of additional school premises at an independent school, Wiltshire FRS will decide through its normal risk analysis approach which category the premises fall within, i.e. very low to very high, in order to determine the level of response.
- 3.5 **Inspection protocol for established independent schools;**
- 3.5.1 Wiltshire FRS will carry out fire safety audits on premises in accordance with its risk management strategy.
- 3.5.2 Following any inspection, a report should be provided to the DCSF within 15 working days.
- 3.6 **Response to areas of concern;** Wiltshire FRS will provide an urgent response to concerns identified by other inspectorates through the Independent School inspection process as follows:
- 3.6.1 Where there is immediate risk to life, a suitable inspection will be arranged within 24 hours of the request.
- 3.6.2 In all other cases, a response to a query or concern will be within 28 working days.
- 3.6.3 General queries and day to day support and advice will be provided by the local fire safety office.

**DCSF Contacts**

<b>Area</b>	<b>Contact</b>	<b>Phone</b>	<b>Email</b>	<b>Last Updated</b>
Wiltshire	Carole Dixon	01325 392102	carole.dixon@dcsf.gsi.gov.uk	December 2009
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**Wiltshire FRS Contacts**

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