



## Strategic Intentions COVID-19 - Protection

20<sup>th</sup> July 2020 – Issue 4

### Introduction

This guidance is intended to support and safely apply the intentions set out in the [Government 3 step recovery strategy](#).

The strategy sets out three clear phases to recovery:

- Phase 1 – Lockdown
- Phase 2 – Smarter Controls
- Phase 3 – Reliable Treatment

This guidance is intended to directly support Phase 2 – Smarter Controls which includes measures to reduce the restrictions but with strict conditions on their implementation. As the Government amends this guidance, these strategic intentions and supporting documentation will also be revised.

### Getting back to work

This document provides a strategic framework setting out considerations for fire and rescue services (FRS) to safely resume Prevention and Protection activities which may have been temporarily disrupted due to COVID-19<sup>1</sup>. Its purpose is to ensure that the resumption of activities protects the safety of both staff and the public and does so in accordance with current government guidance and by way of common sector specific risk assessment. It compliments existing FRS activities and their associated risk assessments; it does not supersede them.

### Protection

We will adopt a risk-based approach to undertaking audit and other Protection activities, balancing the need to regulate the Regulatory Reform (Fire Safety) Order 2005 and protect staff and the public from exposure to COVID-19.

This document replaces the following NFCC guidance note:

- Strategic Intention Covid-19 – Protection (20<sup>th</sup> May 2020 – Issue 3)

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<sup>1</sup> *The purpose of this non-statutory guidance is to provide fire and rescue services with general advice to assist with a consistent, standardised approach across all services. The guidance does not constitute legal advice. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005, during the COVID-19 pandemic, but if any fire and rescue services consider that difficulties arise in relation to compliance with those duties, they should take legal advice.*

It is also accompanied by:

- Scenario Based Guidance – Protection (20th July 2020 – Issue 2) which provides additional practical advice on implementing the measures in this strategy.
- Protection Model Risk Assessment (20th July 2020 – Issue 2).

## **Application in Devolved Administrations**

FRS should be aware of the current COVID management measures relevant to their devolved administration, where appropriate. Specifically, while all areas of the UK are moving towards the same goal, they are doing so at different speeds and using different measures. Refer to the end of this document for links to coronavirus advice within the devolved administrations/dependant territories.

## **COVID-19 versus Fire Safety**

As the restrictions in place due to COVID are lifted, the risk to communities from fire increases as businesses and other premises open. It is important that FRS continue their regulation of the Fire Safety Order as well as provide advice on moving to a new normal. Where possible, FRS should be engaging in their normal regulatory activities. This document, along with the accompanying Scenario Based Guidance document are provided to give FRS a practical decision-making framework enabling the safe continuation or resumption of protection activities.

FRS will endeavour to undertake their full range of activities but continue to adopt a risk based approach to ensure the benefits of such activities will be balanced against the risk to your staff and the public of transmission of the COVID virus.

The risk assessment of returning to protection activities is based upon:

- Restricting the spread of COVID 19
- Minimise staff and public risk to COVID 19
- Demonstrate that the protection risk outweighs the COVID 19 risk

A model risk assessment has been created and accompanies this document. It is designed to give FRS a starting point on which they may wish to base their own risk assessments.

There has been, and will continue to be, a degree of disruption where the use of buildings may differ from that originally intended or that works are required to return them to their previous state. General advice to business in these situations can be found in the [NFCC Advice to Businesses](#) document. FRS need to continue to have a balanced approach to fire safety, taken on a case by case basis.

## **Prohibition or Restriction Notices (Article 31)**

Where dangerous conditions exist and/or a serious risk to life in event of fire is identified, or information is received indicating this is the case, the FRS should respond commensurate with the risk. While this will most likely involve attending a premises, giving suitable protection to staff, a range of alternative methods of contact may be used to establish the level of risk and prior to attending.

## **Fire Safety Complaints or information about risks to relevant persons from fire**

Any information received should be robustly challenged and filtered by a suitably competent Protection Officer to determine the level of response required. Reference should be made to the FRS policy on the matter and 'Reducing Contact' section of this document as well as the Model Risk Assessment and the Scenario Based Guidance document.

### **Reducing Contact**

Reducing contact either between members of the FRS or FRS and the public has the effect of reducing the opportunity for COVID to spread. There are measures that FRS can take to reduce contact, regardless of the situation:

- Use of telephone or email to make the initial contact, depending on urgency;
- Desktop assessments;
- Sending still images or video electronically;
- Use of video conferencing or similar live streaming;
- Electronic documents to replace letters;
- Enhanced website information;
- Serving of notices electronically;
- Reduction in staff numbers to carry out visits or other inspection activities (for operational crews);
- Reduction in time spent in high risk areas;
- Selection of audit times where there are fewer people in attendance.

### **Buildings with a temporary change to simultaneous evacuation strategy**

These will generally include purpose-built blocks of flats but may include other premises where a similar temporary measure has been implemented. These buildings pose a specific temporary risk and should, by using this suite of documents as a reference, continue to be regularly contacted/visited to ensure the fire risk is mitigated in accordance with the temporary measures.

### **Moving Landscape of Risk**

The government has produced a roadmap as part of its COVID-19 recovery strategy<sup>2</sup> which outlines three steps which will be taken in order to facilitate the reopening of businesses and other premises which had been closed during the lockdown. As the government has moved to Step 3 of this strategy, many businesses and premises are now open and represent an increased level of fire safety risk across these premises types<sup>3</sup>. The level to which this risk has increased will depend on the business/premises type, the extent to which they are operating and the control measures being implemented.

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<sup>2</sup> The UK Government COVID-19 Recovery Strategy can be found on the Government website [HERE](#)

<sup>3</sup> The current list of premises and opening dates are available at the Government website [HERE](#)

It should be noted that any premises that is legally open should be COVID Secure and have appropriate measures in place to protect people working there and visiting. This should result in a safer workplace with the RP taking responsibility for a lower COVID risk making control measures more consistent from premises to premises and, therefore, easier to put in place.

The government has provided detailed guidance for different kinds of premises. Moving forward, there will be further relaxation of measures resulting in more premises open and, subsequently, a higher level of fire safety risk.

Although the rate of COVID infection has greatly reduced, it is reasonably foreseeable that there will be local outbreaks of infection that will result in lockdown restrictions being put in place. Indeed, there is currently a desire from government to avoid national lockdowns in the future where possible.

FRS need to ensure that they review their previous measures taken at Steps 1 and 2 of the government roadmap and ensure that they are able to reinstate them should it be necessary to do so due to local, regional or national reinstatement of lockdown. It is expected that FRS will be engaged with other partners at local or regional levels to form outbreak plans which will allow a coordinated approach permitting a rapid response should the need arise.

There may continue to be buildings which are being used outside the normal expectations of their fire safety provision, especially those housing homeless or those in immigration quarantine. General advice to business in these situations can be found in the [NFCC Advice to Businesses](#) document.

FRS still need to engage with these buildings/RPs and be aware of any changes in their risk profile. This can be achieved by maintaining communication links with partner agencies through national, regional and local forums. The information gained will allow risk-based decisions to be made about the extent of regulation required.

## **Risk Based Inspection Programme**

The effects of the pandemic should be assessed against the service's ability to deliver against their RBIP requirements. FRS may need to make adjustments to their RBIP in order to reflect any changes in their risk profiles that have occurred or their abilities to undertake audits.

The need to manage compliance through an RBIP still remains and FRS should carry out inspection activities taking into consideration the advice offered in this document.

## **Statutory Consultations**

These should continue but be subject to services' advice to staff on remote working and maintaining appropriate distancing in the workplace. Examples of alternative ways of working/engaging/communicating are given in the 'Reducing Contact' section of this document. Inspecting officers should engage with their statutory partners to discuss any measures that may affect the ability to conduct such consultations. Further control measures can be found in the Model Risk Assessment. Services may also find the Equality Impact Assessment and guidance from the Workforce Committee to be useful when considering appropriate measures (these will be available from the NFCC website).

## **Other enforcement activities**

Prosecution investigations and statutory notice follow ups should continue following FRS procedures and the general advice in this suite of documents. The justice system has been

affected and the court's capacity to function has been reduced. This may have the effect of postponing cases.

## **Recording Audits**

FRS are recommended to consider the measures presented in this suite of documents and the [NFCC Risk-Based Desktop Approach to Considering Fire Risk in Premises](#) guidance. Doing so, should allow audits to be carried out in a safe and controlled manner in all cases.

Some FRS may wish to allocate the audit activity an 'requires confirmation' status and not formally complete the audit until this has been completed. Home Office have indicated that audits carried out by way of a desktop approach can be considered as completed audits for the purposes of Home Office statistical returns so it may be the case that lower risk premises audit work can be signed off without further work.

## **Additional Guidance**

- [NFCC Protection COVID-19 Guidance](#)
- [HM Government Coronavirus Main Hub Page](#)

## **Devolved Administrations Guidance**

- [Coronavirus advice for Scotland](#)
- [COVID-19 Support for Wales](#)
- [COVID-19 in Northern Ireland](#)
- [Coronavirus guidance for Jersey](#)
- [COVID-19 support for Guernsey](#)
- [COVID-19 Updates in the Isle of Man](#)