



COVID-19: Strategic Intention – Protection

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Introduction

In adopting this strategic intention and the associated guidance, FRS should be aware of the current COVID management measures in place relevant to their respective government and local government's areas.

The lifting of national lockdown restrictions and the introduction of local measures based on transmission rates has understandably resulted in different approaches being adopted to prevent the spread of the COVID-19 virus.

These measures have direct implications for each FRS and whilst the measures adopted in areas may be somewhat similar it will be for each FRS to determine the extent to which the transmission rates and local restrictions in their area impacts on their Protection work.

Delivering Protection Services

This document provides a strategic framework setting out considerations for fire and rescue services (FRS) to safely carry out Protection activities which may have been temporarily disrupted due to COVID-19¹. Its purpose is to ensure that the management of activities protects the safety of both staff and the public and does so in accordance with current government and local guidance and by way of common sector specific risk assessment. It compliments existing FRS activities and their associated risk assessments and decision-making processes; it does not supersede them.

Protection

Services should 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 risk of fire with the need to protect staff and the public from exposure to COVID-19.

This document replaces the following NFCC guidance note:

- Strategic Intention COVID-19 – Protection (20th July 2020 – Issue 4)

¹ The purpose of this non-statutory guidance is to provide FRSs with general advice to assist with a consistent, standardised approach across all services. The guidance does not constitute legal advice. FRSs legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005, during the C19 pandemic, if any FRS considers 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).
- Various sector and risk specific guidance documents as published on the NFCC website C19 Protection pages

Striking the balance – a risk-based approach

As the restrictions in place due to COVID change at a local level, as businesses and other premises open and/or change their working environments, the risk to the public from fire can increase. It is important that FRSs continue their regulation of the Fire Safety Order as well as provide advice on fire safety aspects of COVID-secure premises.

Where possible, FRSs 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.

FRSs 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 delivering 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 some 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.

Whilst working in and travelling to prevention settings all staff should adhere to the updated guidance for first responders, such as effective use of PPE and Infection Prevention Control Measures to reduce the transmission of the virus.

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 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. Please refer to the Covid19 – [Simultaneous Evacuation Addendum](#) on the NFCC website.

Moving landscape of risk

Government have produced roadmaps and strategies as part of its COVID-19 recovery plans. Fundamentally, the level to which this risk has changed will depend on the business/premises type, the extent to which they are operating, the control measures being implemented and any local lockdown measures that may apply.

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 Responsible Person (RP) taking responsibility for a lower COVID risk making control measures more consistent from premises to premises and, therefore, easier to put in place.

Governments have provided detailed guidance for different kinds of premises. Moving forward, where the levels of COVID-19 permit, there will be further relaxation of measures resulting in more premises open and, subsequently, a higher level of fire safety risk.

As the rate of COVID infection is increasing, there are now many examples of local outbreaks of infection that are leading to local lockdown restrictions being put in place. There is a desire from governments to avoid national lockdowns in the future, where possible.

FRSs need to ensure they review their previous measures taken against governments roadmap and recovery strategy and ensure that they can reinstate them should it be necessary to do so due to local, regional or national reinstatement of lockdown.

It is expected that FRSs will be engaged with other partners at local or regional levels to enact local 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.

FRSs 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

FRSs 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, may allow audits to be carried out in a safe and controlled manner in all cases. Some FRSs may wish to allocate the audit activity an 'requires confirmation' status and not formally complete the audit until further activity has been completed. Audits carried out by way of a desktop approach are considered as completed audits for the purposes of government statistical returns so it may be the case that lower risk premises audit work can be regarded as complete without further work.

Additional Guidance

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