

Dear Ms Grant

Thank you for your letter of 23rd August with respect to the Guide to Fire Safety in Purpose-Built Blocks of Flats.

We have given careful consideration to the points you have made, including seeking clarification from the original drafting team as well as the project group responsible for managing the development and publication of the guide. We hope that the following response will provide you with the explanation behind the recommendations given in the guide and reassure you that the particular needs of disabled and vulnerable people have been taken into account.

The process involved in producing the guide involved extensive public consultation, which was widely publicised. In addition, we held several roadshows to canvas views on what should be included in the guide and on some of the proposed content.

While we did not receive your comments at this stage, there was considerable feedback on the issue of the safety of disabled and vulnerable people living in flats within a purpose-built block and the extent to which the guide should and can address this. This was one of a small number of contentious issues that was specifically highlighted to the wider reference group, who comprised the stakeholders listed on page 9 of the guide. I mention this to emphasise to you that this issue was given particular attention and that we therefore very much recognise the concerns you have expressed.

We would agree with your view that the FSO applies to purpose built blocks of flats and that there is an obligation on the Responsible Person to carry out a fire risk assessment. Indeed, one of the main purposes of the guide is to explain in detail the application of the FSO to purpose built blocks of flats and to guide readers on the process of carrying out a fire risk assessment. You will find this in Parts C and D of the guide. However, as I am sure you are aware the FSO only applies to the common parts of blocks of flats and not the individual flats which are domestic premises. Therefore, the safety of residents in their own flats is clearly outside the scope of the FSO.

We agree there is no exemption from the obligations of the FSO for disabled and vulnerable people. Indeed, throughout the document, there are extensive references to the particular needs of vulnerable and disabled people and the implications for managing blocks of flats where such people are resident. We make it very clear in Part B that the needs of disabled and vulnerable people must be taken into consideration and that fire safety should not be used per se as a reason for excluding such people from living in blocks of flats. We would refer you to paragraphs 16.11-16.13.

We therefore fail to understand the implication you have drawn that the needs of disabled and vulnerable people have not been adequately addressed and that such people have not been treated equally.

However, we will seek to address your primary concern which appears to be with the wording of paragraphs 79.9-79.11. These relate to preparing for emergencies in

purpose-built blocks of flats. They are contained in a section in which the situation in a 'general needs' block is contrasted with that of a sheltered housing block.

By implication, we can only conclude that you consider that PEEPs should be prepared for residents of all 'general needs' blocks of flats and that staff should be on hand in all blocks in case there are residents who require assistance to escape. We presume you also think that information should be held in all blocks of flats e.g. in a premises information box, on all residents who are disabled or vulnerable in any way. You also appear to object to the idea that the fire and rescue service might need to rescue people in the event that residents cannot escape by themselves.

The basic approach to the safety of disabled and vulnerable people in 'general needs' blocks of flats is the same as for all other people, namely that each flat is designed as a fire resisting compartment capable of containing a fire in a flat and allowing residents in other flats to 'stay put'. In this respect, purpose-built blocks of flats differ to all other buildings to which the FSO applies. This is explained in detail in Part B along with the rationale as to why, for example, communal fire alarm systems are not provided in purpose-built 'general needs' blocks of flats.

The current thinking on fire safety for the design of purpose built flats supports this 'stay put' principle. Residents of flats other than the flat of origin of the fire, whether disabled or not, are safe to stay in their own flats until the arrival of the fire and rescue service. At this time, the decision on whether to evacuate any or all other flats is at the discretion of the fire and rescue service, dependent on the location and severity of the fire. This is accepted practice and only applies to purpose built blocks because of the unique nature of the design and construction of flats. The lack of a fire detection and alarm system, which is not required in purpose built blocks of flats, would prevent any meaningful evacuation of any residents prior to the arrival of the fire and rescue service. It can also be argued that the safest place for residents who are unaffected by the fire would be to remain in their own flat. This is particularly the case if the fire is in the common parts, albeit that this is very unlikely.

A fire within a flat should, in the initial stages of the fire, stay within the confines of the flat, for anything up to a period of 60 minutes. This would allow the residents of that flat to exit into an area of temporary safety in the common parts and allow them to make their own way out of the building using the normal access and egress routes, including the stairs and lifts which would be unaffected by a fire in an individual flat.

Accordingly, the appropriate procedures and the need for safety drills differ from other buildings because of the above.

You will appreciate that, in the vast majority of blocks of flats, no-one is employed to be present to provide any form of assistance to residents in the normal use of the building, let alone in emergencies. We therefore can see little value in preparing PEEPs when no-one is available to implement them.

We are sympathetic to the suggestion, which you and others have made, about holding information on vulnerable and disabled people that can be accessed by the fire and rescue service. While we are aware of organisations that have put this in

place, we do not consider it reasonable and practical to recommend that this is adopted by way of default in all blocks of flats. It would place a significant burden on those managing blocks of flats to continuously update the information. Indeed, we have emphasised that inaccurate information might be more harmful than no information.

With regard to the role of the fire and rescue service in rescuing people from their flat in a blocks of flats, this is no different to the situation whereby vulnerable and disabled people living in other forms of housing such as houses and bungalows might need to rely on the fire and rescue service for rescue from their homes. We therefore cannot see that this implies we are suggesting that the Responsible Person is transferring their responsibility to the fire and rescue service.

Rather than being outdated, these paragraphs simply reflect the very different circumstances in a block of flats to those in other buildings to which the FSO applies.

While you refer to other guidance documents on this matter, there is no specific reference to the evacuation of disabled people from purpose built blocks of flats in any of the guides you mention. The LACoRS guide does not apply to blocks of flats constructed in accordance with guidance produced to support the Building Regulations 1991, the DCLG Sleeping risk guide provides no commentary on the evacuation strategy for purpose-built blocks and also accepts that a common fire alarm system is not required in flats built in accordance with guidance produced to support the Building Regulations. Current Building Regulations guidance also supports a 'stay put' policy without the need for a common fire detection and alarm system. These guides are generic in their comments and it is the very lack of specific advice relating to purpose-built blocks of flats that prompted the introduction of this sector led guide.

I trust that the above is of assistance in explaining the background to the guide's advice and recommendations.