



**NFCC**  
National Fire  
Chiefs Council

The professional voice of the  
UK Fire & Rescue Service

National Fire Chiefs Council  
West Midlands Fire Service  
99 Vauxhall Road  
Birmingham  
B7 4HW

Mr G Irvine  
Acting Senior Coroner  
Walthamstow Coroner's Court  
Queens Road  
Walthamstow  
E17 8QP

Sent by email only to: [REDACTED]

15 June 2022

Dear Sir,

**Coroners and Justice Act 2009**  
**Coroners (Investigations) Regulations 2013**  
**Regulation 28: Report to Prevent future deaths (Ref: 108578)**  
**Re: Ashlie Claire Liana Timms, deceased**

As requested, I write in response to the above-mentioned report (Report) and particularly the concerns (Concerns) you have raised therein.

By way of background, the National Fire Chiefs Council (NFCC) is the professional voice of the UK fire and rescue services (FRS) and is comprised of a council of UK chief fire officers. The NFCC is a membership organisation of FRS senior and strategic managers. Its main aims are to support FRS to meet the changing demands on resources and to maximise effectiveness by promoting consistency by highlighting best practice in the sector.<sup>1</sup>

For the sake of clarity, the NFCC is not an enforcing authority under the principal fire regulations relevant to the premises in issue; it does not have regulatory functions.

The principal fire regulations applicable to the premises can be found in the Regulatory Reform (Fire Safety) Order 2005 (the Order).<sup>2</sup> Article 25 of the Order provides—for the purposes of the Order—the meaning of an 'enforcing authority'. One of the enforcing authorities within Article 25, is the fire and rescue authority, which is the corporate entity of the FRS pursuant to Section 1 of the Fire and Rescue Services Act 2004 (as amended),<sup>3</sup> in which the premises are located.

<sup>1</sup> Further information can be found here: [National Fire Chiefs Council \(NFCC\)](#)

<sup>2</sup> See: [The Regulatory Reform \(Fire Safety\) Order 2005 \(legislation.gov.uk\)](#)

<sup>3</sup> See: [The Regulatory Reform \(Fire Safety\) Order 2005 \(legislation.gov.uk\)](#)

Enforcing authorities are required to enforce the provisions of the Order and any regulations made under Article 24 in relation to premises for which they are the applicable enforcing authority.<sup>4</sup> In doing so, they must *have regard* [emphasis added] to guidance issued by the Secretary of State.<sup>5</sup> Further reference to this statutory guidance is amplified hereunder.

The NFCC, whilst not an enforcing authority under the Order, is able to contribute, encourage and steer, within reason, the strategic and operational functions, and activities of FRS, as they relate, among other things, to fire safety and protection, and the relevant statutory duties to enforce the Order.

The following is provided to take account of each Concern. This regrettably requires, for the avoidance of doubt, repetition. The NFCC considers this favourable to assist with, among other things, future integrity of this response, should this document be later fragmented by design, or otherwise, and reproduced elsewhere.

For ease of reference, the following uses the same numbering for Concerns as set out in the Report.

***1. The operator of the premises failed to ensure that staff on duty were competent to carry out a fire evacuation. Despite reflection and remediation in policies, processes and training, multiple staff members who gave evidence to the inquest, remained unable to describe the proper action to take in the event of a fire alarm.***

The NFCC replaced the Chief Fire Officers Association (CFOA) which were a participant in the production of HM Government Fire Safety Risk Assessment in Residential Care Premises 2007<sup>6</sup>. This document recognises, among other things, that relevant practical staff training, in evacuation procedures in the event of a fire, is vital in environments where residents of care homes have complex physical, sensory, and cognitive needs.

In 2017 the NFCC, along with many stakeholders, co-operated to produce the Fire Safety in Specialised Housing Guide<sup>7</sup>. This document provides guidance on evacuation in supported living and other specialised housing.

The NFCC represent FRS on various British Standards Institute (BSI) committees and other groups such as National Social Housing Fire Safety Group.

Further, and perhaps more importantly in this case, the NFCC meet with the Care Quality Commission and other interested parties, regarding fire safety standards in higher risk accommodation.

## **Action**

1. The NFCC undertakes, at the earliest opportunity, to seek to ensure that this Concern is reported into these committees to encourage debate and petition for such positive outcomes necessary, and as far as is achievable under this action by the NFCC, to, it is hoped, assuage your apprehension to this Concern.

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<sup>4</sup> Article 26 Regulatory Reform (Fire Safety) Order 2005

<sup>5</sup> Article 26(2) Regulatory Reform (Fire Safety) Order 2005

<sup>6</sup> See: [Fire safety risk assessment: residential care premises - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/141242/fire-safety-risk-assessment-residential-care-premises-2007.pdf)

<sup>7</sup> See: [NFCC Specialised Housing Guidance - Copy.pdf \(nationalfirechiefs.org.uk\)](https://www.nationalfirechiefs.org.uk/wp-content/uploads/2017/07/NFCC-Specialised-Housing-Guidance-Copy.pdf)

2. The NFCC will send a copy of your Report annexed to a copy of this response, to all FRS in England to bring your Concerns to their respective attention, and to inform the FRS of the NFCC's proposed actions. This should provide an excellent opportunity to direct information regarding the Concerns and the NFCC's response, into the corporate mind and strategic management forums of the FRS.

**2. Fire alarms in three units operated by Sequence Care Group remain non-compliant with the 2013 British Standard Guidance, which recommends that they should have a link to an Alarm Receiving Centre ("ARC") which automatically contacts the emergency services when an alarm is activated.**

The NFCC represent FRS on BSI committees including the overarching committees for fire detection and alarm systems (FSH12) and fire precautions in buildings (FSH14).

### **Action**

1. The NFCC undertakes, at the soonest opportunity, to seek to ensure that this Concern is reported into these committees to encourage debate and petition for such positive outcomes necessary, and as far as is achievable under this action by the NFCC, to, it is hoped, assuage your apprehension to this Concern.

**3. The London Fire Brigade conducted fire safety audits at the premises which assessed the unit as displaying the highest standard of fire safety compliance. These findings were found to be entirely incongruent with procedures, equipment and staff training in place before and at the time of the fire. The London Fire Brigade have reviewed and changed processes since 2018 but they remain incomplete.**

The former CFOA provided the audit framework that FRS adapt to their own local working practices. This is reviewed regularly and is now due for a full review and improvement following the recent introduction of new fire related legislation which will affect the FRS audit process.<sup>8</sup>

The NFCC is heavily involved with the, relatively new, Fire Standards Board (FSB). The FSB was founded to oversee the identification, organisation, development, and maintenance of professional standards for fire and rescue services in England.

The FSB is responsible for approving standards and the approach to their development. It sets the priorities for standards development work. And commissions work based on proposals from third parties, monitors progress with ongoing work and approves completed work.

Further, it seeks to ensure that any standards presented for approval have been developed in line with the agreed development process, undergone appropriate consultation with subject matter experts and relevant stakeholders and undergone an independent quality assurance process.

The FSB meets at least four times per year; all papers are published on its website.<sup>9</sup>

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<sup>8</sup> See: [Fire Safety Act 2021 \(legislation.gov.uk\)](#) and [Building Safety Act 2022 \(legislation.gov.uk\)](#)

<sup>9</sup> See: [Fire Standards Board](#)

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)<sup>10</sup> independently assesses and reports on the effectiveness and efficiency of FRS.

The HMICFRS draws upon its inherent expertise to interpret the evidence derived from the assessments of FRS to make recommendations for improvement.

## Action

1. The NFCC will redouble its efforts in progressing such work mentioned above and that it is responsible for. This extends to influencing the content of new or amended fire protection and safety standards. The NFCC is also currently leading the review of the competency framework for Fire Safety Regulators (which includes FRS inspecting and enforcement officers) and enforcement toolkit for high rise buildings and have in the past year launched a third-party professional accreditation scheme for Fire Safety Regulators and a national learning platform to underwrite the continual professional development of such officers.
2. The fire sector, in the wake of the Grenfell fire tragedy, is receiving the closest of scrutiny, review and reform—much of which is being driven by HM Government—and the NFCC is subject to the dynamic and varying demands and challenges flowing from these activities. The NFCC respectfully submits, therefore, that there is some difficulty in offering a timetable to complete this action, other than to say that it is receiving dedicated and continual attention by the NFCC, with an expectation of delivery within the upcoming months.
3. The NFCC will continue to support the FSB with its undertakings.
4. The NFCC will continue to support the HMICFRS with its undertakings.

### ***4. No clear and practical guidance exists on how specialist housing operators should manage the use of high-risk electrical devices such as portable electric fan heaters.***

Pursuant to Article 50 of the Order,<sup>11</sup> the Secretary of State must ensure that guidance (Guidance) is issued to assist those responsible for fire protection and fire safety within premises to which the Order applies. A full review and improvement of the Guidance is in progress and is being superintended by the Home Office.

Notwithstanding this, it is the view of the NFCC that the Guidance, regarding care homes and the NFCC Specialised Housing Guide, whilst not being statutory in nature, does satisfactorily address this Concern.<sup>12</sup>

## Action

1. The NFCC is in the process of carrying out a significant programme of work, much of which is closely aligned and in collaboration with, the Home Office and the Department for Levelling Up, Housing and Communities. It is also working closely with the Care Quality Commission<sup>13</sup> to formalise the use of 'Person Centred Fire Risk Assessments' (PCFRA) by care provider companies as part of care planning processes. Similarly,

<sup>10</sup> See: [HMICFRS - Home \(justiceinspectors.gov.uk\)](https://www.justiceinspectors.gov.uk/)

<sup>11</sup> See: [The Regulatory Reform \(Fire Safety\) Order 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk/)

<sup>12</sup> See: [NFCC Specialised Housing Guidance - Copy.pdf \(nationalfirechiefs.org.uk\)](https://www.nationalfirechiefs.org.uk/)

<sup>13</sup> See: [Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/)

local authorities, housing providers and their fire risk assessors are being encouraged to apply PCFRA to new residents upon the granting of leases or periodic tenancies. The NFCC believe these innovative interventions will increase the likelihood of such risks being identified and addressed in future.

2. This work includes the Guidance review and improvement, and the NFCC will continue to work with the Home Office to make sure that the matter of Concern is suitably addressed in any Guidance revision. It should be noted that any revision is subject to drafting and consultation, with an expectation of being issued in early 2023.

#### ***5. No clear guidance exists regarding the fitting of digital key-pad locks on doors in specialist housing.***

Pursuant to Article 50 of the Order,<sup>14</sup> the Secretary of State must ensure that guidance (Guidance) is issued to assist those responsible for fire protection and fire safety within premises to which the Order applies. A full review and revision of the Guidance is in progress and is being superintended by the Home Office.

Notwithstanding this, it is the view of the NFCC that its own guidance, contained in the NFCC Specialised Housing Guide, whilst not being statutory in nature, does satisfactorily address this Concern.

#### **Action**

1. The NFCC is in the process of carrying out a significant programme of work, much of which is closely aligned and in collaboration with the Home Office and the Department for Levelling Up, Housing and Communities.
2. This work includes the Guidance review and improvement, and the NFCC will continue to work with the Home Office to make sure, as far as is reasonably practicable, that the matter of Concern is suitably addressed in any Guidance revision. It should be noted that any revision is subject to drafting and consultation, with an expectation of being issued in early 2023.

#### ***6. Insufficient emphasis is placed upon recommendations contained within British Standards regarding automatic connections to ARCs in fire alarms fitted in specialist accommodation.***

The NFCC represent FRS on BSI committees including the overarching committees for fire detection and alarm systems (FSH12) and fire precautions in buildings (FSH14).

#### **Action**

1. The NFCC undertakes, at the soonest opportunity, to seek to ensure that this Concern is reported into these committees to encourage debate and petition for such positive outcomes necessary, and as far as is achievable under this action by the NFCC, to assuage your apprehension to this Concern.

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<sup>14</sup> See: [The Regulatory Reform \(Fire Safety\) Order 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

## Conclusion

In closing I wish to provide you with my assurance that the NFCC will attend to, and expedite the actions set out above, with due diligence, care, and close attention.

I trust that you find all in order with this response and that you consider the NFCC proposed actions contained herein—as far as they can be addressed by the NFCC—suitable in addressing the Concerns. And, further, that you are satisfied that the relevant duty for the NFCC to respond to your Report has been properly discharged. If this is not the case or, if you require anything further from the NFCC, please do not hesitate to contact my colleague Roy Carter within the NFCC Protection Policy and Reform Unit

[REDACTED]

Yours faithfully,

[REDACTED]

[REDACTED]

**Chair**

**National Fire Chiefs Council**