



Office of the
Deputy Prime Minister

Creating sustainable communities

Fire Safety in Adult Placements: A Code of Practice



Office of the
Deputy Prime Minister

Creating sustainable communities

Fire Safety in Adult Placements: A Code of Practice

September 2005

Office of the Deputy Prime Minister: London

Office of the Deputy Prime Minister
Eland House
Bressenden Place
London SW1E 5DU
Tel: 020 7944 4400
Website: www.odpm.gov.uk

© *Crown copyright 2005*

Copyright in the typographical arrangement rests with the Crown.

This publication, excluding logos, may be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to it being reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the publication specified.

For any other use of this material, please write to HMSO Licensing, St Clements House, 2-16 Colegate, Norwich NR3 1BQ Fax: 01603 723000 or e-mail: licensing@hmso.gov.uk

Further copies of this publication are available from:

ODPM Publications
PO Box 236
Wetherby
West Yorkshire
LS23 7NB
Tel: 0870 1226 236
Fax: 0870 1226 237
Textphone: 0870 1207 405
E-mail: odpm@twoten.press.net
or online via www.odpm.gov.uk

Printed in Great Britain on material comprising 75% post-consumer waste and 25% ECF pulp.

September 2005

Product code 05 BR 03076

CONTENTS

Ministerial Forewords	5
Background	8
Introduction	10
Adult Placement procedures	13
Recommendations on the minimum level of fire precautions	15

Foreword

by Jim Fitzpatrick, ODPM



Adult Placement occurs in a private domestic home. If such a home has a level of fire precautions adequate to safeguard the family who live in it, there should be no reason why a greater level of fire precautions is required merely because an adult (or up to three adults) is taken into the home to be treated as a member of the family and to share the love and support that a family environment provides.

This Code of Practice sets out the minimum level of necessary fire precautions in domestic homes used for Adult Placement. I hope that it will assure fire safety officers and building control bodies that no greater level of fire precautions should normally be necessary in private domestic homes used for Adult Placement than would be sufficient for any other private family home.

I commend the Code of Practice as providing a very valuable contribution to community fire safety.

A handwritten signature in black ink, appearing to read 'Jim Fitzpatrick', with a stylized flourish at the end.

Jim Fitzpatrick
Office of the Deputy Prime Minister

Foreword

by Liam Byrne, DOH



Adult Placements offer people with social care needs an alternative and highly flexible form of accommodation and support, which approved individuals or families provide in local communities. This alternative is highly valued by people using services and councils alike.

The recent Green Paper, which sets out our vision for adult social care, highlights adult placements as an innovative model of social care that fits well with our vision of personalised services, offering real choice to individuals. The Government wishes adult placements to continue to expand as an option available to people who need support to live independent lives in the community. That is why we are committed to ensuring the safety of people in adult placements and have put in place a regulatory regime that is both rigorous yet appropriate, recognising the ordinary domestic nature of adult placements.

The Fire Safety Code of Practice provides guidance on fire safety in adult placements that ensures high precautionary standards but takes account of the fact that adult placements are provided in ordinary family homes. It supports the broader government approach to adult placements and is a valuable contribution to the promotion of safety and good practice in adult placements.

A handwritten signature in black ink, appearing to read 'Liam Byrne', with a long horizontal flourish extending to the right.

Liam Byrne

Department of Health

Background

This code of practice has been developed in consultation with the:

- Office of the Deputy Prime Minister
- Department of Health
- Fire Brigades Union
- Chief and Assistant Chief Fire Officers Association (now Chief Fire Officers Association)
- Local Government Employers Association
- National Care Standards Commission (now Commission for Social Care Inspection)
- National Association of Adult Placement Services.

It is intended to give guidance to fire authorities, local government bodies and those responsible for the regulation and inspection of social care provision, who are asked to advise on fire safety in adult placements and Adult Placement Scheme workers involved in approving, monitoring and reviewing the adult placement.

An Adult Placement (AP) Carer is someone who offers accommodation and/or support in their own home to a vulnerable person. An Adult Placement Carer must be approved by, matched with a person by, and supported by an Adult Placement Scheme. No AP Carer provides care for more than three service users and most AP Carers occupy 'traditional' dwellings.

This code of practice, therefore, deals only with domestic dwellings of up to three storeys (i.e. ground, first and second floors), which are occupied by no more than three service users in addition to the Carer and their own family. Where dwellings used for adult placement exceed three storeys, or include a basement storey, fire authorities and building control bodies will give consideration to the premises being used as a dwelling, but AP Carers occupying such dwellings should be aware that a level of fire precautions might be required which is above that recommended in this code.

This code of practice is intended to promote good fire safety and ensure compliance with all relevant regulatory and legislative requirements.

BUILDING REGULATIONS AND THE FIRE PRECAUTIONS ACT

Where building work is proposed in England and Wales in order to facilitate the use of the dwelling for Adult Placement, then this work may be subject to the Building Regulations 2000 (as amended). Where no building work is proposed, the use of a dwelling for Adult Placement should not in normal cases be “material change of use” (under Regulation 5 of the Building Regulations 2000), in particular because the dwelling should continue to retain its character as a family home and not become an “institution”.

Guidance on the application of the fire safety aspects of the Regulations is given in Approved Document B (2000 Edition)¹. It is important to note that this guidance suggests by way of an example (see paragraph 2.3) that it may be acceptable to treat group homes with up to six residents as an ordinary dwelling house subject to the safety requirements of the registration authority being met. Put quite simply, if a premises looks and feels like a dwelling house then it should be treated, for the purposes of fire safety, like a dwelling house. There might, however, be special circumstances, as where, for example, an individual service user has mobility problems, which might necessitate additional fire precautions. Cases of this nature are specifically referred to under the heading ‘Special Circumstances’ in the section of this Code on the minimum level of fire precautions.

As such, where no building work is proposed, the guidance in this code of practice should be sufficient to satisfy the Building Regulations in terms of where a “material change of use” has taken place. Whether building work is proposed or not, the relevant building control body should always be consulted.

Because those being cared for by Adult Placement are not paying guests, in normal cases the dwelling house would not come within the terms of the Fire Precautions (Hotels and Boarding Houses) Order 1972 such that certification would be required under the Fire Precautions Act 1971

In cases where a dwelling house used for Adult Placement could be construed, by virtue of the relevant legislative provisions described above, as either an institution or a boarding house, those legislative provisions will apply, but the level of fire precautions thereby required should be determined by what is reasonable in the circumstances. If it is reasonable to consider that the fire precautions in the dwelling house are adequate for the protection of the family, then it would also be reasonable to conclude that such precautions are equally adequate when the dwelling house is used for Adult Placement. The minimum level of fire precautions recommended in this Code are generally considered to be adequate for this purpose.

¹ This is the document approved and issued by the Secretary of State for the purpose of providing practical guidance on meeting the fire safety requirements of the Building Regulations.

Introduction

The Care Standards Act 2000 and the Care Homes Regulations 2001, which came into force on 1st April 2002, changed the regulatory requirements relating to Adult Placement Carers providing accommodation and personal care for up to three adults. These had been treated as ‘small homes’ under the previous legislation and had been subject to a ‘lighter touch’ in the application of regulations.

The new legislation created a specific category of ‘care home providing Adult Placement’. The national minimum standards for Adult Placements were intended to reflect their special circumstances and to be appropriate to care provided in a normal domestic setting. Over the following two years the Department of Health received strong representations from within and outside the sector that Adult Placement (AP) Schemes rather than Adult Placement (AP) Carers should be registered. It was argued that the regulatory approach introduced in 2002 was resulting in a significant loss of AP Carers and an increasingly unregulated sector, and that inconsistent standards of performance among AP Schemes were leaving some service users unprotected.

The Government decided therefore in 2004 to move the focus of regulation from individual AP Carers to the AP Schemes. The Secretary of State for Health in accordance with section 23 of the Care Standards Act 2000 (CSA) published Regulations and National Minimum Standards for Adult Placement Schemes, which applied from 31 August 2004. They replaced the National Minimum Standards for Adult Placement Carers.

The objectives of the new regulatory approach were to:

- lift the burden of regulation from individual AP Carers, allowing them to focus on their role in providing family-based placements;
- place legal accountability on Adult Placement Schemes to meet regulatory requirements; and
- ensure that all adult placement activity is covered by regulation to provide protection for all service users and equity within the sector and across regions.

The changes were in keeping with the main purpose of the Care Standards Act 2000 to reform the regulatory system of care services. The proposed regulation of Adult Placement Schemes brought the regulatory framework for adult placements in line with the regulation of fostering and domiciliary care agencies. It ensured that the Regulatory burden is appropriately placed with the scheme rather than with the carer.

The National Minimum Standards for AP Schemes define **adult placement** as follows:

Short- or long-term accommodation and/or care or support provided to a maximum, at any one time, of three adults, placed through and supported by an Adult Placement Scheme, by an Adult Placement Carer approved by the Scheme. Adult Placements may include:

- accommodation with care, or intermediate care, in the family home (habitual residence) of an AP Carer;

- accommodation with support, including support funded through Supporting People, in the family home (habitual residence) of an AP Carer;
- day services based in or outside the home of the AP Carer;
- respite care, with or without personal care, inside or outside the AP Carer's home; and
- support in the community by an AP Carer acting as extended family ('kinship') support or 'outreach' support in the community.

An **AP Scheme** is a scheme regulated under the Care Standards Act 2000 – managed by a local council with social services responsibilities, hereafter referred to as “councils”, or independent (profit-making or non profit-making) body – responsible for recruiting, assessing, training and supporting Adult Placement Carers; for taking referrals, matching and placing people with AP Carers; and for supporting and monitoring the Adult Placement.

An **AP Carer** is defined as a person who, under the terms of a Carer Agreement entered into with an Adult Placement Scheme, provides, or intends to provide, care or support (which may include accommodation in the AP Carer's home) for no more than three service users at any one time.

AP Carers do not directly employ staff to provide care or support to the people placed with them.

The National Minimum Standards and Regulations give AP Schemes the responsibility for ensuring the safety of the person in the Placement.

Standard 10 requires the AP Scheme to ensure that 'key policies and procedures to protect the person in the placement are in place, implemented and regularly updated'. These policies and procedures are listed in Annex 7 of the National Minimum Standards and include the requirement for a fire safety policy.

Standard 10.2 further clarifies the AP Schemes responsibility for the health and safety of the person in the placement: 'The health, safety and welfare of the person are promoted and protected, in accordance with the Scheme's health and safety policy and procedures and with current legislation.'

Annex 5 of the National Minimum Standards sets out the skills and knowledge that the AP Carer must have to carry out their work. The AP Carer, as part of their duties must 'provide a healthy and safe place for the person to stay'.

Some Adult Placements are funded through Supporting People. The contract however is between the Adult Placement Scheme and the Administering Authority, and it is the Scheme that is required to meet Supporting People Accreditation and Review criteria. Fire safety is not specifically mentioned in the service objectives.

The Scheme is however required to ensure that:

- The security, health and safety of all individual service users, Adult Placement Carers and staff are protected (Core service objective C1.2); and

- The living environment is suitable for its stated purpose, accessible, safe and well maintained (Supplementary service objective S3.3).

The purpose of this document therefore is:

- a) To define the precautions required, in the light of Building Regulations 2000, against the risk of fire in Adult Placements.

And

- b) To describe the procedural requirements considered necessary, including the links with the procedures of relevant regulatory and administering authorities.

Adult Placement Procedures

NOTE: These procedures, which are laid down by the Adult Placement Schemes (England) Regulations 2004 and the National Minimum Standards for Adult Placement Schemes, apply to all Adult Placement Carers, regardless of the type of service that they offer or their accommodation.

Pre approval training

- The Adult Placement Scheme will make sure that prospective Adult Placement Carers, before they have their first placement, receive training to ensure that they understand relevant legislation and its practice implications including health and safety and fire safety.
- Training will be delivered by a suitably qualified and/or experienced person.
- Carers will, as part of this training, be taught how to carry out fire safety and Health and Safety risk assessments in their homes.

The Adult Placement Carer Assessment

- The prospective Adult Placement Carer will carry out, as part of the assessment process, a health and safety and fire safety risk assessment of their home. This will be reviewed by the Adult Placement worker and will be included in the papers presented to the Independent Panel, which decides whether the prospective Carer can be approved.

Ongoing training and development

- The Adult Placement Scheme will ensure that the continuing health and safety and fire safety training needs of the Adult Placement Carers are identified and met, as part of the annual review of the work of the Carer.
- The Adult Placement Scheme and the Adult Placement Carer, as part of the annual review of the work of the Carer, will review the health and safety and fire safety risk assessment of the Carer's home.

Placement procedures

- The Adult Placement Scheme will have a system for referral of prospective service users, which includes a requirement for a prior assessment of the service users' needs and aspirations and a risk assessment. The Care Manager/Care Coordinator usually undertakes these assessments.
- The Adult Placement Scheme, with the Adult Placement Carer and the service user and/or their representative will develop a Service User Plan, generated from the Care Management Assessment, which describes the services and facilities to be provided by the Adult Placement Carer, and how these services will meet the service user's changing needs and aspirations. The Plan will also set out assessed

risks and risk management strategies including a record of agreed action to manage identified risks and hazards, and any training necessary for service users about their personal safety. This will include any identified fire safety risks specific to the individual service user (eg: where the service user has limited mobility; is a heavy smoker etc).

Recommendations on the minimum level of fire precautions

INTRODUCTION

This code of practice has been prepared by the bodies mentioned in the Background with the objective of establishing common and agreed guidance upon fire precautions for domestic dwellings used for Adult Placements.

It is important that AP Carers know what to do in the event of a fire and that they make a fire plan. This should include:

- Knowing the location, operation and safe method of use of any fire fighting equipment;
- Ensuring that all escape routes are known, unobstructed and free from trip hazards;
- Knowing the means of raising the alarm in the event of fire;
- An evacuation plan with an external assembly point; and
- Knowing how to call the fire brigade in the event of fire.

ESCAPE ROUTES

Private dwellings that are used for Adult Placements should not present an additional risk to life from fire when compared to a single family dwelling. It is also important that a homely and non-institutional environment is maintained. In providing fire protection, in any kind of dwelling, it should be recognised that measures that significantly interfere with everyday convenience for the occupants may prove unreliable in the long term.

Escape from one or two storey dwellings is generally simple. Therefore, it is unlikely that additional provisions will be necessary beyond ensuring that each habitable room either opens directly onto a hallway or stairway leading to the exit of the dwelling, or that it has a window or door opening directly to open air through which escape could be made.

All exits required for means of escape purposes should be easily openable from the inside, preferably without the use of a key. AP Carers are not, however, expected to compromise the security of their homes. Everyone in the household can be safe as well as secure provided that they make sure that should they need to get out in an emergency they can easily open doors and windows. Keys for this purpose should be easily accessible and kept close to the exits. The evacuation plan should ensure that everyone in the household knows where such keys are kept.

Habitable rooms used by service users (*e.g.*, living rooms and bedrooms) which are more than 4.5m above ground level will need to be served by a fire protected

stairway (that is to say one which is enclosed throughout its height in 30-minute fire-resisting construction and protected by self-closing fire doors with a minimum fire resistance of 20 minutes), or provided with an alternative escape route.

Where the service user's bedroom is in the basement of the house, there must be a direct escape route out of the house from the basement.

Newly constructed dwellings should automatically comply since they will have been subjected to the requirements for means of escape in case of fire and structural fire precautions via the Building Regulations.

FIRE WARNING SYSTEMS

It is considered sufficient for smoke alarms to be installed in circulation areas² only. It is recommended that they be installed in accordance with the following recommendations:

- In a dwelling that has service user accommodation on more than one storey, there should be at least one self-contained smoke alarm at each available storey level.
- There should be a self-contained smoke alarm within 7m of the doors to rooms where a fire is likely to start (i.e., the kitchen or living room) and within 3m of the bedroom.
- If more than one self-contained smoke alarm is required in the premises, consideration should be given to connecting them together so that they all operate their warning signal if any one detector operates. This should only be necessary if the building is of such a size or design that the operation of one detector may not give sufficient warning audibility throughout the premises. The manufacturer's instructions about the maximum number of alarms that can be interconnected should be followed.
- Each self-contained smoke alarm should be installed in accordance with the manufacturer's instructions.
- Self-contained smoke alarms must be accessible to carry out routine maintenance, such as testing and cleaning, easily and safely. For this reason a self-contained smoke alarm should not be fixed directly over a stair shaft or any other opening between floors.
- All smoke alarms need to be checked regularly at the following intervals to ensure they are in good working order:

Weekly – press test button to ensure the circuit is operating;

Yearly – replace the battery (unless otherwise recommended by the manufacturer's guarantee) and test by pressing the test button.

² A space (including a protected stairway) mainly used as a means of access between a room and an exit from the building or compartment.

Mains powered alarms are obviously to be preferred and will automatically be installed in newly constructed dwellings under the Building Regulations. Where mains powered smoke alarms are fitted, they should be permanently wired to a regularly used lighting circuit (when the alarm has a standby power supply) or a separate fused circuit at the distribution board (when the alarm has no standby power supply).

Cable for the power supply to, and interconnection of, self-contained smoke alarms need have no special fire survival properties. The wiring installation should conform to the Institution of Electrical Engineering Wiring Regulations.

REDUCING THE RISK FROM FIRE

Fire Fighting Equipment

AP Carers should keep a fire blanket manufactured to BSEN safety standards in the kitchen. Other fire fighting equipment is not normally necessary and AP Carers should be reminded that, should a fire occur, their first priority is the safe evacuation of the occupants of the house.

Heating

The use of portable heating devices having a naked flame should not be used except in emergency circumstances (e.g. power cuts, etc.). Where such devices are used in such circumstances then they should always conform to the appropriate British Standard. On such occasions, the heater should be securely anchored in a safe and suitable position and away from draughts.

Where a portable heating device is to be used, AP Carers should carry out an assessment of risk, involving all members of the household, in order to ensure the safety of everybody living in the home.

If considered necessary to safeguard the occupants of the dwelling, a substantial guard constructed to BS 6539 specification and securely fixed in position should enclose solid fuel fires and open flame heating appliances. No part of the guard should be closer than 200mm from the heat source; otherwise the guard may get dangerously hot.

Boilers and central heating systems should be serviced annually by a competent professional and in accordance with manufacturers or British Standards guidance. Gas installations should only be serviced by a member of the Council of Registered Gas Installers (CORGI).

Cooking

When cooking chips, a thermostatically controlled deep fat fryer or oven cooked chips should be used in preference to the traditional chip pan.

Furniture and Furnishings

When new furniture and mattresses are purchased, they should be fire retardant to the relevant British Standard. Fire retardancy means that the ease with which the furniture and mattresses catch light and the speed with which they burn will be reduced. **It does not mean that the furniture and bedding do not burn.**

AP Carers should be aware, however, that if their furniture and mattresses were made before 1988 (the date when the requirements for fire retardancy came into force), they should let their household know that it could be dangerous in a fire because it could catch light very easily and burn very quickly, and also give off very toxic smoke.

Household members should be asked to take extra care, especially if any of them are smokers, and care should be taken with matches and lighters. Any furniture with damaged covers should be repaired or even replaced.

Electrical Wiring

There should be no obvious defects in the electrical wiring system. Sockets and switches should be securely fixed to the wall. Flex to electrical appliances should not be run under carpets, or positioned to cause a trip hazard. The use of multiple adapters should be discouraged. Where their use is unavoidable, however, they should be of the fused type and care should be taken that they are not overloaded. Fuses should be correctly rated for the appliance in use

Fire Routines

A bedtime routine should be followed ensuring that gas and electrical appliances are turned off and that all smoking materials are safely extinguished. **All** room doors should be kept closed at night.

The AP Carer should have a clear fire evacuation plan, which is explained to the household and practised regularly to ensure that all members of the household know what they should do in case of a fire. The fire evacuation plan should be regularly reviewed to take account of the changing needs of members of the household.

Special Circumstances

The risk assessment carried out by an AP Carer with their AP Scheme for an individual service user might identify the need for additional fire precautions (*e.g.*, where the service user has mobility problems, which may seriously impede their safe evacuation from the house in the case of a fire or if they are inveterate smokers). In such cases, the AP Carer (with support from the AP Scheme) should take advice from the local Fire and Rescue Service.