

## CHESHIRE FIRE AUTHORITY

**MEETING OF** : CHESHIRE FIRE AUTHORITY **ITEM: 2**  
**DATE** : 18<sup>th</sup> April 2012  
**REPORT OF** : HEAD OF COMMUNITY FIRE PROTECTION,  
KEITH BROOKS  
**AUTHOR** : SM DUNCAN PALIN

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**SUBJECT** : **Review of Unwanted Fire Signals Policy**

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### Summary

1. This paper presents proposals for a change to the existing Service policy in relation to Unwanted Fire Signals (UwFS). It is an issue that Members have already considered at Planning Days and Policy Committee. This report is intended to secure approval to implement the revised policy document (Appendix 3 attached). Changes include amending the pre-determined attendance sent to automatic fire alarms and the introduction of agreements with alarm receiving centres.
2. Members will recall that the issue of UwFSs was included in the draft Integrated Risk Management Plan for 2012-2013 and was the subject of consultation. The responses have assisted officers and influenced this paper.

### Recommended That Members:

- [1] Note the current position with respect to UwFS reduction in the area covered by the Service and nationally;
- [2] Accept that the Service should not include provisions relating to charging for UwFS at this time, but keep the issue under review;
- [3] Approve the Unwanted Fire Signal Policy (Appendix 3 attached); and
- [4] Authorise the Head of Community Fire Protection, to implement the revised Unwanted Fire Signals Policy.

### Background

3. Members have received a presentation about this matter at a Planning Day. It was reported to Policy Committee on 14<sup>th</sup> March 2012 and an extract from the minutes of that Committee appear below:  
*RESOLVED: That*

*[1] the current position with respect to UwFS reduction in the area covered by the Service and nationally be noted;*

*[2] the Head of Community Fire Protection be authorised to make the following revisions to the current Unwanted Fire Signals Policy:*

- (a) The introduction of a call challenge procedure when an Automatic Fire Alarm is received by the Control Room in the circumstances set out in the report (the procedure to be secured by entering into agreements with Alarm Receiving Centres),*
- (b) A change to the pre-determined attendance to Automatic Fire Alarms as set out in Paragraph 26 of the report,*
- (c) The enhancement of the advice given in response to single UwFS,*
- (d) The implementation of more robust ways of managing the Service's relationship with the parties responsible for premises with unacceptably high levels of UwFS;*

*[3] it was accepted that the Service should not include provisions relating to charging for UwFS at this time, but keep the issue under review; and*

*[4] the submission of a report (including the revised policy) for approval to the Fire Authority, along with an Equality Impact Assessment, be agreed.*

4. The objectives of the UwFS policy are:
  - a. To secure a reduction in the number of false alarms generated by automatic fire detection and alarm systems by encouraging improved maintenance of systems,
  - b. To reduce appliance movements, unnecessary costs and disruption to both the Service and business community, and
  - c. To reduce the risk to the public and Service personnel through unnecessary emergency responses
5. It is accepted that the installation of Automatic Fire Detection (AFD) systems provides the earliest possible warning of fire. They alert building occupants to an emergency and help reduce consequential losses by securing a rapid response from the buildings occupants. In premises where such systems are correctly installed, maintained and managed they are integral to achieving a safe building.
6. Under the Regulatory Reform (Fire Safety) Order 2005, the primary purpose of an AFD system is to alert occupants, giving them time to leave the building. Installing a monitored Automatic Fire Alarm (AFA) system is advantageous in terms of property protection and business continuity, **but is not a legal requirement.**
7. For the year 2010/11 the Service attended a total of 3304 UwFS's. Only 1.1% (36) were found to be confirmed fires on arrival, with only 0.4% (approx 16) requiring firefighting action. Analysis of this small number of incidents showed that none of these fires spread beyond the room of origin and only three

required the use of a hose reel to extinguish the fire. The remaining incidents were resolved by simple and limited actions e.g. removal from heat source or disconnection of power supplies.

8. Reducing UwFS positively benefits businesses by preventing the need to evacuate and disrupt their operations, but mobilising appliances to these calls causes a significant impact on the Service for the following reasons:
  - Fire appliances are not available to respond to genuine life threatening emergencies,
  - Responding to UwFS under blue light conditions poses a risk to staff and other road users,
  - Operational crews are diverted from other core tasks such as training and community safety activities
  - Financial costs are incurred for fuel along with the associated impact on the environment caused by appliance movements
  - On-call Firefighters require payment for being alerted and are unnecessarily disrupted during their primary employment.

## **National and regional overview**

9. The existing Chief Fire Officers Association (CFOA) UwFS policy provides guidance and suggestions for reducing UwFS attendances. However the majority of FRSs have adapted this guidance to more effectively meet their local needs. Due to the existing policies failure to secure national support, it is currently under review with consultation on a revised policy expected in April/ May 2012.
10. Regionally, significant progress has been made in developing strategies to modify attendance to AFA actuations. Greater Manchester Fire and Rescue Service apply a 'call challenge' policy to all AFA calls received from both Alarm Receiving Centre's (ARC) and through the 999 system. This requires the Fire Control Operator to ask the caller to confirm that there is a fire before they dispatch an appliance. If the caller states that there is a fire, the full attendance for the risk is mobilised. If they are not sure, they are asked to investigate the alarm and call back if they discover a fire. If they do not ring back the incident is presumed to be a false alarm and no attendance is mobilised.
11. Lancashire Fire and Rescue Service operate a policy whereby they immediately mobilise to "high risk" premises, but apply 'call challenging' to low and medium risk premises. There has also been similar developments within Merseyside Fire and Rescue Service whereby they only mobilise immediately to certain sleeping risks.
12. Nationally, the 'call challenge' process is being used by most Services within Family Group 4 (comparable FRSs within England), with positive effects. Some authorities have begun to use specialist vehicles, responding with a smaller crew to investigate alarms. Such schemes however, are primarily in

use within larger metropolitan areas and are not deemed suitable for the lower activity levels and topography of Cheshire. Greater Manchester employ a 'drive to arrive' policy where upon mobilisation to an AFA, the manager in charge of the appliance will make a risk based judgment as to whether the property requires a response under blue light conditions. This must be justified in a written post-incident return to the UwFS team.

13. The inquiry into a significant fatal care home fire, (Rosepark) in Hamilton, Scotland in 2004, stated that 'automatic transmission of a signal to the Fire Brigade in the event, of a fire alarm would be a "reasonable precaution". This conclusion was reached as in that case, the practice was to investigate the cause of the alarm before informing the FRS. This led to a gap of nine minutes between the alarm activating and the FRS being called, a delay which according to the report may have led to the deaths of four of the residents. Ten other residents died in this incident; however the inquiry found that an immediate response from the FRS would not have prevented their deaths.

### **Current CFRS overview**

14. Currently, the Service mobilises a single fire appliance to AFA's at most commercial premises, two fire appliances to domestic alarms and sleeping risks and in some cases an enhanced attendance of up to seven appliances to other sites. If a subsequent call is received stating that the alarm has been caused by an UwFS, Control will take details of the caller to check validity and cancel the attendance. During times of high demand the current policy gives the Duty Mobilising Officer discretion to mobilise to AFA calls only if a fire has been confirmed.
15. Under the current policy, the Service has achieved a significant reduction in AFA attendances since 2006 (Appendix 1). Comparing this performance with organisations employing 'call challenging' policies however, it is clear that there is further scope to reduce attendance at UwFSs.
16. When a property is identified as having frequent UwFS's, a process of monitoring and engagement commences, led by a Community Fire Protection (CFP) Officer. They contact and/or visit the site and agree a specific action plan to assist the premises reduce their UwFS. The CFP Officer promotes the use of management systems, such as taking the premises 'off watch' from the ARC when it is occupied, allowing for local investigation of the alarm before the ARC is made unnecessarily aware.

### **The way forward**

17. Having evaluated the national/local picture and consulted local stakeholders, amendments are now proposed to further improve the existing policy. The attached policy has been prepared with the following recommendations in mind.

## **Recommendation A: Developing agreements with Alarm Receiving Centres (ARCs) to implement call challenge**

18. ARCs are companies which pass alarm calls from customers' premises to the relevant emergency service. Key to reducing the number of UwFS will be the adoption of a 'call challenging' protocol with the ARCs which cover the Service area.
19. 'Call challenge' allows the ARC and CFRS' Control operators to effectively and efficiently challenge calls, mobilising an operational response only on confirmation of a fire. Training in the detail of the call challenge process will need to be provided, ensuring that optimum results are achieved without detriment to the Service or premises.
20. The Service would apply the call challenge requirement to alarms from all premises with the exception of sleeping risks (see Appendix 2 for details of premises included in this definition). This would be achieved through close collaboration with the ARCs, allowing them to undertake the process before informing the Service only in the event of a fire or inability to contact the premises.
21. Should calls be received directly by CFRS Control, it would apply the call challenge process (again excluding sleeping risks) and inform the caller that CFRS will not attend until confirmation of a fire is received.
22. The exclusion of all sleeping risks from the process is a result of feedback received during the consultation exercise and the external stakeholder focus group held in January 2012. Over the last two years, AFA's in sleeping risks accounted for around 50% of the total AFA's, therefore a significant reduction in UWFS can still be made. An evaluation of their ongoing exclusion would be conducted after 12 months and a recommendation to retain/amend that exclusion would be made to Policy Committee.

### **Developing ARC agreements**

23. The success of the 'call challenge' approach is dependent on the cooperation of the ARCs and their willingness to agree protocols for call challenge. Despite industry publicity to the contrary, it is known that where approached, ARCs have reached and now operate effective agreements with other FRSs.
24. The current CFOA policy for the reduction of UwFS details the responsibilities of ARCs to promote best practice in the management of fire safety systems which they monitor. The optional CFOA Code of Practice includes guidance on how ARC processes can assist in reducing UwFS, including the use of call challenge procedures. In order to deliver a call challenge strategy within ARCs, CFP will continue to work with the North West UwFS group, to collaboratively develop area wide agreements.

25. The time involved in the preparation and agreement of protocols with ARCs cannot be estimated and is dependent on their willingness to engage; it is however, anticipated that the time and involvement of CFP and legal officers will be more than offset by the reduced interventions of CFP Officers in premises with UWFS.

**Recommendation B: Change the pre-determined attendance (PDA) for automatic fire alarms**

26. Table 1 below, summarises the current pre-determined attendances for both AFA calls and confirmed building fires in different property types.

<b>Property Type</b>	<b>PDA – AFAs</b>	<b>PDA – Confirmed Fire</b>
Commercial Property	1 Appliances	2 Appliances
Domestic Property	2 Appliances	2 Appliances
Hospital	3 Appliances	3 Appliances, Aerial
High Rise Building	2 Appliances, Aerial	3 Appliances, Aerial
Heritage	4 Appliances	4 Appliances, Aerial, EPU + Support Pump
Heritage Sites (Chester City Centre)	4 Appliances, Aerial, HVP + Support Pump	4 Appliances, Aerial, HVP + Support Pump, EPU + Support Pump

Table 1 – current PDA’s for various property types.

27. It is proposed that the PDA for AFAs attended (where no fire has been confirmed) is changed to one fire appliance. This would apply to all premises, including sleeping risks and those that cannot be contacted to confirm whether or not there is a fire.
28. Whilst some concern may exist over the speed and weight of response compared with the current PDAs, the introduction of the call challenge process (with the back up of an attendance where no contact can be made) means this would be the most risk appropriate attendance. Even for premises in Chester City Centre, the proximity and weight of operational resources means that delays in attendance would be so insignificant that they would likely have little effect on resultant fire spread and damage, (with average attendance time of less than three minutes).
29. In exceptional circumstances, however, it may be prudent to increase the PDA for a premises on a temporary basis. Such premises are identified occasionally by operational crews and CFP Officers who would complete an ‘exemption request form’ to explain the reasons warranting an increased PDA. To ensure a consistent approach, all requests for PDA amendments (for AFAs) would be authorised by the Head of CFP.
30. Local CFP Officers would be responsible for taking the appropriate enforcement actions to improve the fire precautions at the premises, in order to revert to the standard PDA as soon as possible.

## **Recommendation C: Continue to encourage the use of local arrangements to reduce UwFS calls**

### **Business liaison and education**

31. A large proportion of our UwFS attendances originate from premises with only occasional activations. Whilst such premises do not individually have an unreasonable impact on Service resources, steps are taken to try and eliminate further UwFS. The Service uses a standard letter and leaflet to inform businesses about the benefits and operation of local procedures in the event of an AFA.

### **Off-Line Arrangements**

32. This arrangement is commonly used in premises and involves remotely monitored fire detection systems being taken off-line to prevent UwFS being automatically sent to Fire Control when the premises are in use e.g. offices during the day. Suitable arrangements are put in place by the premises management to allow a trained person to investigate the cause of the alarm and make a 999 call if there is a fire. The fire alarm still sounds in the building and occupants evacuate as normal.

### **Time Delay Systems**

33. In other premises it may be more appropriate to consider time delay systems, whereby when an alarm activates there is a delay of between three to five minutes, before a signal is sent to the ARC. This allows time for an investigation to be completed by trained personnel in order to identify the cause of an AFA and to cancel the alarm before it leaves the site. This system has the benefit of eliminating the need to even commence the call challenge process.

## **Recommendation D: Increase the use of enforcement in premises with an unacceptably high level of UwFS**

34. Whilst the proactive approach to engagement, combined with the elements of this revised policy should provide reductions in UwFS attendances, some premises may still fail to engage with the Service.
35. The Service will continue to use the GEN7 process (a tear-off pad data reporting form) to identify problem premises by recording the number and cause of UwFS. In the future, the GEN7 process will be integrated into the post-fire Incident Recording System to reduce admin workload and streamline recording processes.
36. Currently, the Service classifies repeat UWFS premises using the following bandings:

Frequent

- 3 calls and over in the past 2 months
- 2 calls and over in the past month

Intermittent

- 2 calls and under in the past 2 months

37. It is proposed that the existing staged intervention policy is retained but the time permitted between activations is reduced and that under Stage 2, attendance to AFAs is stopped as follows:

**Stage 1**

38. If the Service responds to 3 or more UwFS in a rolling 48 day period, or 2 in a rolling 28 day period, the premises are placed on Stage 1, triggering the following actions:
- A CFP Officer visits the premises to investigate the cause of the alarms and considers providing an action plan to help rectify the system or management arrangements,
  - A full Fire Safety Audit is completed (if one has not been completed in the previous 12 months)
  - The Service will continue to apply the same call challenging policies to the property and respond as appropriate

**Stage 2**

39. If the actions taken under Stage 1 prove ineffective, and the Service again responds to 3 or more UwFS in a rolling 48 day period or 2 UwFS in a rolling 28 day period the premises will move to Stage 2.
40. At this point the premises would no longer receive any response from the Service to AFA calls until such time that they can demonstrate their ability to maintain an acceptable standard of automatic fire detection system. This approach is used to good effect by Lancashire FRS whereby attendance is withdrawn and action taken to enforce system repair/maintenance using regulatory powers.
41. All sleeping risk premises would be excluded from Stage 2 requirements. Therefore all sleeping risks would continue to receive an emergency response from the Service for all AFAs. A CFP Officer will continue to work with the premises to reduce UwFS as detailed under Stage 1 (which might include enforcement action if appropriate).

**Consultation Outcomes**

42. Due to the nature of the proposed policy changes and the potential impact on local businesses general fire precaution arrangements, consultation has been

undertaken with local stakeholders from both the public and private sectors and the Fire Brigades Union.

43. The Fire Brigades Union provided the following comment in response to the proposals:

“The FBU supported the initiative and the original policy to reduce UwFS, but in 2007 we noted that the emphasis had decreased, due to a greater emphasis directed to the auditing of premises following the implementation of the Regulatory Reform Order. Although these audits have been necessary it has been at the expense of reducing unwanted fire signals whilst utilizing finite resources and a decreased establishment in the Community Fire Protection Department. We believed this negated earlier success with this policy. We continue to support the existing policy, but can not support any further reduction to response times and attendance following receipt of an Automatic Fire Alarm (AFA)”.

44. Table 2 below, sets out the responses from the different groups to the question ‘Would you support proposals for the Service to reduce its attendance to false alarms caused by automatic fire alarms?’:

<b>Stakeholder group</b>	<b>Support</b>	<b>Not sure</b>	<b>Oppose</b>
<b>Public</b>	60 %	30%	10%
<b>Partners</b>	60%	36%	4%
<b>Staff</b>	43%	12%	45%

Table 2 – IRMP 9 responses

45. As the majority of AFA systems are installed in regulated public, business and commercial premises, a focus group session was held in early January to obtain their feedback.
46. Over 20 people attended the focus group, representing more than a dozen organisations. After a presentation highlighting the issues and setting out the proposals, attendees were split into two groups to debate and feedback.
47. One group of representatives from the National Health Service opposed any changes which would prevent a response being made to their premises. The other group with representatives from business and other premises were generally supportive and backed options to charge ‘repeat offenders’. As a result of this feedback the original proposal to include sleeping risks (a consideration in some healthcare premises) was amended to exclude them from call challenge but to reduce the PDA to one appliance.

## Financial Implications

### Charging & cost recovery

48. The Localism Act 2011 enables, Fire and Rescue Authorities, in certain circumstances, to recover the costs of attending UwFS.
49. Section 18 of the Localism Act limits the scope of charging to UWFS only to where:
  - (a) the building is non domestic,
  - (b) the report of fire is false,
  - (c) the UwFS is a result of warning equipment having malfunctioned or being mis-installed, and
  - (d) there is a persistent problem with UwFS at the premises as a result of warning equipment having malfunctioned or been mis-installed.
50. A position statement by the Fire Industry Association has warned that charging will lead to “serious repercussions”, stating that many premises would turn off their fire detection systems to avoid such risks. This is obviously not an approach the Service would endorse and the introduction of a charging system would need to be supported by extensive business liaison and engagement to reduce the chance of premises taking such actions. If public sector premises (e.g. schools and hospitals) were also charged, consideration should be given as to how this might affect the Services reputation and ongoing ability to engage with key partners.
51. Whilst charging would probably secure some reduction in UwFS attendances, the cost associated with the collection of these charges and the limited circumstances where cost recovery is permitted, means that this is not currently considered a feasible option, although case law and CFOA guidance will be monitored to see if that situation changes.
52. If the Service wishes to introduce charges for attendance at UwFS, it is required to consult any person it considers appropriate. This would be an additional requirement to consult, over and above the IRMP consultation that has already taken place.
53. There are no known additional costs arising as a result of adopting this revised UwFS policy.

## Legal Implications

54. The Fire and Rescue Services Act (2004) Section 7 states:

- (1) A fire and rescue authority must make provision for the purpose of:
    - (a) extinguishing fires in its area, and
    - (b) protecting life and property in the event of fires in its area.
  - (2) In making provision under subsection(1) a fire and rescue authority must in particular:
    - (c) make arrangements for dealing with calls for help and for summoning personnel
    - (e) make arrangements for ensuring that reasonable steps are taken to prevent or limit damage to property resulting from action taken for the purposes mentioned in subsection (1)
55. There is little case law relating to the activities of FRSs and so it is difficult to be certain about precisely what these provisions mean. For example, in this context, does a call made following an AFA fit the definition of a 'call for help' in relation to the duties in subsection (2)(c) because there is no clear link to the requirements in subsection (1). In other words, an AFA is not strictly, a call for help, nor is there necessarily a fire (as the statistics show). That said, the way that we react to an AFA still needs to be 'reasonable' per the requirement in subsection (2)(e). Accordingly, whilst it is arguable that a change to our approach to AFAs would not be actionable as a breach of statutory duty, it is not certain.
56. In the leading case (related to FRAs) of *Capital and Counties plc and others v Hampshire County Council and others* 1997 (at a time when earlier but broadly similar statutory duties existed), the Court decided that an FRS was under no common law duty to answer a call for help.
57. The Authority will only be operating in a similar way to a number of other Authorities. The approach is not novel and has essentially been 'tried and tested' in other FRSs. However, this does not guarantee that there will be no challenge, nor will it provide protection against possible legal liability. There are, of course, also reputational issues that might arise.

## **Equality & Diversity Implications**

58. An Equality Impact Assessment has been completed and is attached as Appendix 4 to this report.

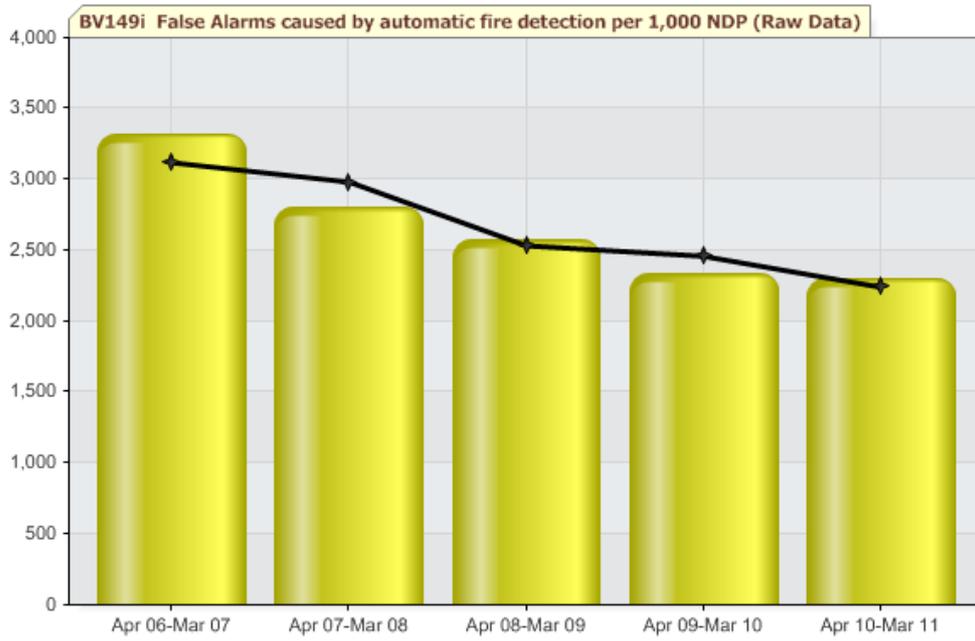
## **Environmental Implications**

59. Decreasing the number of unnecessary appliance movements will have a positive impact on the environment, with a decrease in emissions and fuel costs, contributing to an overall reduction in the Service's carbon footprint.

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**BACKGROUND PAPERS:**

15/8/2011 – Review of Unwanted Fire Signals Policy, Leadership Board

## APPENDIX 1



**AFD False Alarms per 1000 NDP in Cheshire 2006-2011**

## APPENDIX 2

Boarding House/B&B for homeless/asylum seekers
Boarding House/B&B other
Boarding School accommodation
Children's Home
Domestic Premises
Hospital
Hostel (e.g. for homeless people)
Hotel/motel
Nurses'/Doctors' accommodation
Nursing/Care Residential Home
Other holiday residence (cottage, flat, chalet)
Other Residential Home
Prison
Retirement
Student Hall of Residence
Young offenders unit
Youth hostel

### **List of sleeping risk premises types**