

# CLC Chartered Engineers

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## **Nursing Homes Ireland Submission**

### **Fire Precautions in Designated Centres, Draft Guidance for Registered Providers and Persons In Charge of Designated Centres for Older People**

**December 2015**

## Contents

<b>1 Introduction</b> .....	<b>3</b>
1.1 About the Author .....	5
<b>2 General Comments</b> .....	<b>6</b>
2.1.1 Introduction: .....	6
2.1.2 General House Keeping.....	6
2.1.3 Regular Checks .....	7
2.1.4 Use of Oxygen .....	7
2.1.5 Building Services.....	7
2.1.6 Means of Escape .....	8
2.1.7 Emergency Lighting .....	9
2.1.8 Maintenance .....	10
2.1.9 Training.....	10
2.1.10 Fire Drills.....	10
2.1.11 Fire Doors .....	11
2.1.12 Evacuation of a Centre .....	12
<b>3 Summary</b> .....	<b>13</b>

## **1 Introduction**

This submission is compiled on behalf of Nursing Homes Ireland following a review of the HIQA Draft Guidance on Fire Precautions within Designated Centres.

Serious concerns are noted following a review of the draft guidance as a number of requirements outlined as part of the guidance would be considered to be contradictory of the building regulations and general guidance as issued by the Department of Environment and Local Authorities. The details of these concerns are included within this document.

The requirements as outlined within the draft guidance will require Registered Providers and Persons In Charge of Designated Centres in addition to HIQA Inspectors to have knowledge of building regulations and have the ability to interpret fire safety scenarios that are referenced within the document. This requirement is considered as too onerous a requirement of Registered Providers and Persons In Charge of Designated Centres.

It would be considered more appropriate to reference the requirement of fire safety management issues to the Fire Safety Register as published by the Fire Department of Local Authorities in which each centre is located. This would assist in the formatting and standardisation of overall Fire Safety Records in compliance with the specific requirement of each centre. Contained within each Fire Safety Register should be details of specific conditions or requirements related to each specific centre.

It would be considered that an important addition to the Draft Guidance would be additional guidance to Registered Providers and Persons In Charge of Designated Centres of the requirements to ensure compliance of Building Regulations and Building Control Regulations and implications of any alterations and changes to existing centres. The inclusion of this guidance would set out necessary control measures that can be co-ordinated within the management structure of each centre.

The provision of professional and technical services of competent persons has not been referenced within the proposed guidance to a satisfactory level. Fire Safety is a complex element to manage within a Designated Centre and assistance from suitably qualified and competent persons is required to ensure compliance with fire safety regulations.

Overall building certification should be provided by a suitably qualified and competent person as defined under the Health Act 2007 (Registration of Designated Centres for Older People) Regulations 2009 and Multi-Unit Development Act 2011 (Section 3).

This is defined as persons with experience in fire safety design and management who is a member of a class or classes of persons prescribed by the Minister of Environment. These professions would include:

- Chartered Engineers
- Registered Building Surveyors
- Registered Architects

It would be considered appropriate that Registered Providers and Persons In Charge of Designated Centres are encouraged to request details of the experience of the competent persons prior to engagement of services.

Throughout this document reference is made to a Fire Safety Strategy. The fire safety strategy is considered as the proposal submitted as part of a Fire Safety Certificate application which outlines the proposed method of compliance with Building Regulations. This proposal is subsequently approved by the Fire Department of the Local Authority and once the building is construction in this manner, the building can be considered as compliant with Building Regulation from a fire safety view point. The fire safety procedures as set out by management of each centre should be based on the fire safety strategy as approved as part of a Fire Safety Certificate.

The documentation as included as part of the fire safety certificate should be included as part of a fire safety register, highlighting the location of critical items such as compartment walls, fire rated construction, fire alarm requirements, emergency lighting requirements and any additional requirements proposed to or requested by the Fire Department of the Local Authority.

## **1.1 About the Author**

This submission is prepared on behalf of Nursing Homes Ireland by Colm Cashman, Chartered Engineer. Colm Cashman BEng CEng MIEI has extensive experience with the Fire Safety Engineering profession including working within private practice as a Fire Safety Engineer and within a Local Authority as a Fire Prevention Officer. Colm is a Chartered Engineer with Engineers Ireland and works extensively within the care centre industry as a Fire Safety Engineer.

## **2 General Comments**

Following a review of the document, consideration has been given to a number of requirements within the Draft Guidance. This submission will now provide comment on sections of the draft guidance that have been identified as concerns.

### **2.1.1 Introduction:**

The reference of international best practice on fire safety can be unclear and contradictory, and as a result it may introduce requirements that would in many situations be too onerous on existing centres. Where Designated Centres are in compliance with assessments by competent persons in conjunction with Fire Departments of the Local Authority, this would have to be considered as an acceptable level of compliance with fire safety requirements. The introduction of International Best Practice would result in unnecessary specifications for existing Designated Centres where the documents are interpreted by a person who is not considered as competent in the area of Fire Safety Engineering.

### **2.1.2 General House Keeping**

The requirement as proposed for the storage of bins requires the knowledge of the reaction of fire by Registered Providers and Persons In Charge of Designated Centres. The external location of storage should be in compliance with original requirements as set out in the original fire safety strategy.

### **2.1.3 Regular Checks**

The requirements for regular checking of fire safety elements within a centre should be carried out in accordance with obligations of the Fire Safety Register as published by the Fire Department of the Local Authority in which the centre is located. Checks that are subsequently carried out will be recorded as part of the Fire Safety Register.

### **2.1.4 Use of Oxygen**

A more detailed specification should be provided as to the exact levels of Oxygen that is considered as acceptable in different areas of Designated Centres. Additional guidance would be required on this matter to prevent confusion on appropriate levels of oxygen within centres.

### **2.1.5 Building Services**

The inclusion of a requirement for Providers to have Building Services inspected, tested and serviced by suitably competent persons would be suggested as an addition in this section of the Draft Guidance. Details of competence should be sought by Registered Providers and Persons In Charge of Designated Centres. The inclusion of additional guidance on what type and level of competence that management of centres should be requesting from competent persons is essential. The appropriate assessment of competence of professionals providing specialist services would be a critical item for management of fire safety of Designated Centres.

### **2.1.6 Means of Escape**

The introduction of obligation on providers of ensuring that exits are of the required width is in the opinion of the author considered to be too onerous on the Registered Providers and Persons In Charge of Designated Centres. The designated width and suitability of the width of escape routes should be outlined as part of an overall fire safety strategy as issued by a competent person in conjunction with the Fire Department of the Local Authority. If the centre is operating within the guidelines as set out within a fire safety strategy as approved by the Fire Department of the Local Authority, compliance with fire safety requirements would have to be considered as achieved.

The reference of a 'small centre' is used within this section of the Draft Guidance, a very precise definition of a 'small centre' from a fire safety view point should be included within the document or the reference removed from this section. The basis of this opinion is that the use a term 'small premises' would allow for possible misinterpretation of the term resulting in subsequent non-compliance.

The required number of exits from each storey should only be determined by the Fire Department of the Local Authority and it would be considered inappropriate for inclusion in Guidance of this nature as it may result in misinterpretation of guidance.

Guidance on the use of external escape stairways as a means of escape would also be considered as an element of fire safety that can only be approved by the Fire Department of the Local Authority. Should the centre have suitable certification from a competent person and the Fire Department of the Local Authority, management should be aware that changes cannot and must not be carried out without further approval.



The method of securing doors within accommodation for people with dementia or cognitive impairment is a very complex matter. To ensure suitable compliance with Fire Safety requirements, the proposed security measures would require final approval by the Fire Department of the Local Authority in conjunction with a competent person in addition to risk assessments carried out by the Person in Charge and Registered Provider. The recommendation of the use of key locks on means of escape is non-compliant with fire safety regulations and should not be recommended as part of general guidance.

### **2.1.7 Emergency Lighting**

IS 3217, sets out parameters for emergency lighting. All installations designed, installed and serviced in accordance with IS 3217 would ensure suitable coverage is provided. If a competent person has provided certification for the centre, there would not be a requirement for Registered Providers and Persons In Charge of Designated Centres to be reviewing the provision of emergency lighting unless a change of circumstance has taken place. In the event of a change of circumstance, a competent person should be consulted.

It is agreeable that general guidance is included as to the requirements of emergency lighting but detailed design of the level of coverage required should be provided by competent persons. The definition of a 'Larger Centre' would require clarification and specific definition within the Draft Guidance. IS 3217: 2013 requires the installation of emergency lighting in all bedrooms for new and upgraded installations.

### **2.1.8 Maintenance**

As previously noted, all fire safety checks and maintenance should be carried out in accordance with Fire Safety Register for the centre.

The consideration of wall finishes should be carried out at design and construction stages of a project. Any further changes to wall lining should only be carried out on the advice of a competent person. The inclusion as part of this guidance would not be considered as necessary.

### **2.1.9 Training**

Further details and requirements should be provided as part of proposed guidance on the qualification of persons to carry out fire safety training. Training of staff by persons working as part of the centre would be considered as a very functional method of training as the knowledge of an individual nursing home building cannot be overstated during training.

### **2.1.10 Fire Drills**

The involvement of residents where feasible in fire drills is considered as acceptable, however residents of reduced mobility would not be considered as an acceptable requirement.

The proposal to include a time line of two minutes and thirty seconds to evacuate a compartment within a larger centre or a building within a smaller centre is considered a near impossible timeline to achieve. A proposed timeline for completion of evacuation, including a benchmark time, would in principle be an accepted requirement. However, as part of

general guidelines it would not be possible to set exact parameters as each centre will have varying design, layout and requirements.

The term 'normal conditions' would be very much open to interpretation and would not be possible to determine when considering a fire drill.

As noted previously the definition of a 'small centre' and 'larger centre' should be included within the document in a fire safety context.

#### **2.1.11 Fire Doors**

The proposed examples of methods of hold open/release devices are in contradiction with some Fire Departments of Local Authority's interpretation of the regulations for such devices.

It would be considered more appropriate that all hold open/release devices are installed in accordance with the original fire safety strategy for the building and should any alterations be undertaken, consultation should be carried out with a competent person.

In situations where a fire safety strategy is not in place, the use of hold open/release devices should only be installed when approved by a competent person in conjunction with a Local Authority.

### **2.1.12 Evacuation of a Centre**

The proposed requirement of approval of the content of a Personal Emergency Evacuation Plan with a resident or representative would not be considered as always practical. Personal Evacuation Plans should be prepared under the guidance of the Registered Providers and Persons In Charge of Designated Centres.

### 3 Summary

Following review of the Draft Guidance it can be concluded that the content of the document could result in misinterpretation of elements of the Draft Guidance as a result of insufficient information being provided to Registered Providers and Persons In Charge of Designated Centres.

As outlined within this submission, a number of sections of the guidance are considered to be in contradiction of general Fire Safety Regulations. While accepting that some of the items as noted as contradictory are included in various international documents on fire safety, from a general fire safety strategy view point for nursing homes designed in accordance with Irish Regulations, some guidance included as part of the draft HIQA document would result in non-compliance.

The importance of understanding of the Fire Safety Strategy for a Designated Centre has not been emphasised within the Draft Guidance. This strategy should be provided by a competent person in conjunction with the Fire Department of a Local Authority. The demonstration of a Fire Safety Strategy to the Registered Provider, Person in Charge and management within a Designated Centre is considered to be of utmost importance.

Due to the complex nature of building services within Designated Centres, it is again of the utmost importance to ensure that competent professionals are carrying out the repairs, servicing and certification of installations within the centres. Further guidance on protocols to ensure competent professionals are being employed should be incorporated into Draft Guidance.