



# **Co-ordinated Primary Fire Authority Scheme**

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## **Member Handbook**

*Guidance on our Co-ordinated Primary Fire Authority Scheme.*



# The Scheme

## Background

The UK Government Primary Authority Scheme came into effect on 1st October 2008. It makes provision for more consistent and coordinated regulatory enforcement. Partnerships formed under the PAS apply to a wide range of regulatory services as well as to the regulation of fire safety. The scheme is part of the government's drive to reduce burdens on business by ensuring that necessary regulations are enforced more efficiently.

CHC staff and members have been exploring the possibility of establishing a Co-ordinated Primary Fire Authority Scheme (PFAS) for Welsh housing associations for some years. The Grenfell tragedy, and the subsequent focus on building safety, accelerated these plans. The Co-ordinated PFAS was launched in April 2019 as part of the new CHC Corporate Plan and Member Offer.

## CHC's Co-ordinated Scheme

This Primary Fire Authority Scheme is coordinated by Community Housing Cymru, and all CHC member housing associations are welcome to join. Our Primary Fire Authority is South Wales Fire & Rescue Service (SWFRS).

The PFAS will run for an initial three year period, free of charge to CHC's housing association members. The running and effectiveness of the PFAS will be reviewed annually, and the continuance and future funding of the PFAS will be reviewed during the third year. During the annual review, advice issued that year will be checked for relevance and accuracy. If required, the advice may be updated or rescinded.



# Assured Advice

The PFAS provides housing associations with consistent fire regulation across their stock, through the provision of assured advice provided by the Primary Fire Authority.

Primary Authority Advice (assured advice) is produced by the Primary Fire Authority (SWFRS) for use by PFAS Members to help their businesses comply with the law, with support from the Co-ordinator (CHC). If this advice is followed correctly then the local fire officer should respect this and not ask PFAS Members to comply with the law in a different way.

This assured advice would be available for other Fire & Rescue Services to refer to prior to any inspections. This provides consistency of enforcement across Wales, improving tenant safety and reducing the administrative burden on housing associations currently created through interactions with multiple fire authorities.

## Commissioning Advice

Assured advice will be requested from SWFRS by CHC once members have agreed to commission it.

The main vehicle for this discussion and decision-making will be meetings of the PFAS Working Group. There will be an elected Chair and Vice Chair, and all PFAS Members are welcome to attend. There may also be occasional additional meetings if the matter is of urgency, and Sub-Groups to explore certain topics in further detail. More strategic and proactive work will be undertaken through meetings of the Safety Strategic Delivery Group, of which there 3 per year.

If a PFAS member wishes to request a piece of advice, they should complete a Primary Authority Advice Request Form and send it to:

[PFAS@chcymru.org.uk](mailto:PFAS@chcymru.org.uk)

CHC will then issue a poll to PFAS members (2 per HA) via email, with the following options:

### Yes

If this receives the most votes, CHC will send the Request straight onto SWFRS (most likely if the Request is urgent)

### No

If this receives the most votes, the Request will not proceed. The PFAS Working Group will offer alternative routes or suggestions if possible

### Needs Further Discussion

If this receives the most votes, the PFAS Working Group will discuss the Request at their next meeting. If the Group decides to proceed, then CHC will review the Request, update it if necessary and then formally request the advice from SWFRS.



**PFAS Members accept that by picking the 'Needs Further Discussion' option:**

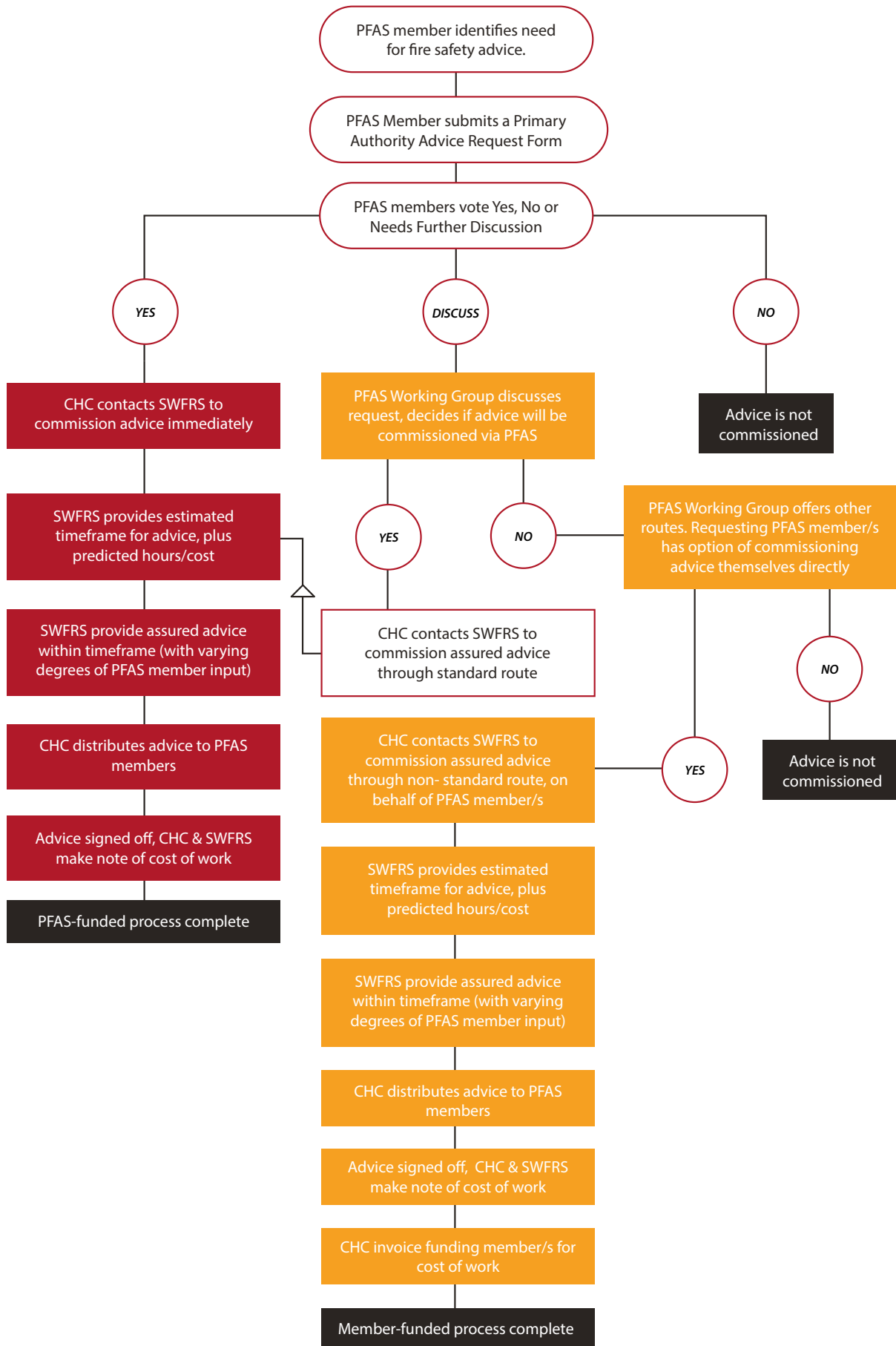
- *This may lead to a small delay in the process (i.e the Advice will not be commissioned immediately)*
- *The PFAS Members delegate authority of the decision-making to the Working Group (which all PFAS Members can attend if they wish)*

**Where advice is commissioned, it may take a number of forms. For example:**

- *The Working Group have developed draft advice, and would like it checked and assured by SWFRS*
- *The Working Group would like to work with SWFRS to produce assured advice*
- *The Working Group would like SWFRS to produce advice for them, with less input from the PFAS Members.*

Assured advice will be held on the PFAS Yammer page. CHC will inform PFAS members when assured advice is issued and added to the page.

*You can see a flowchart detailing the process on the next page >*





# Communication

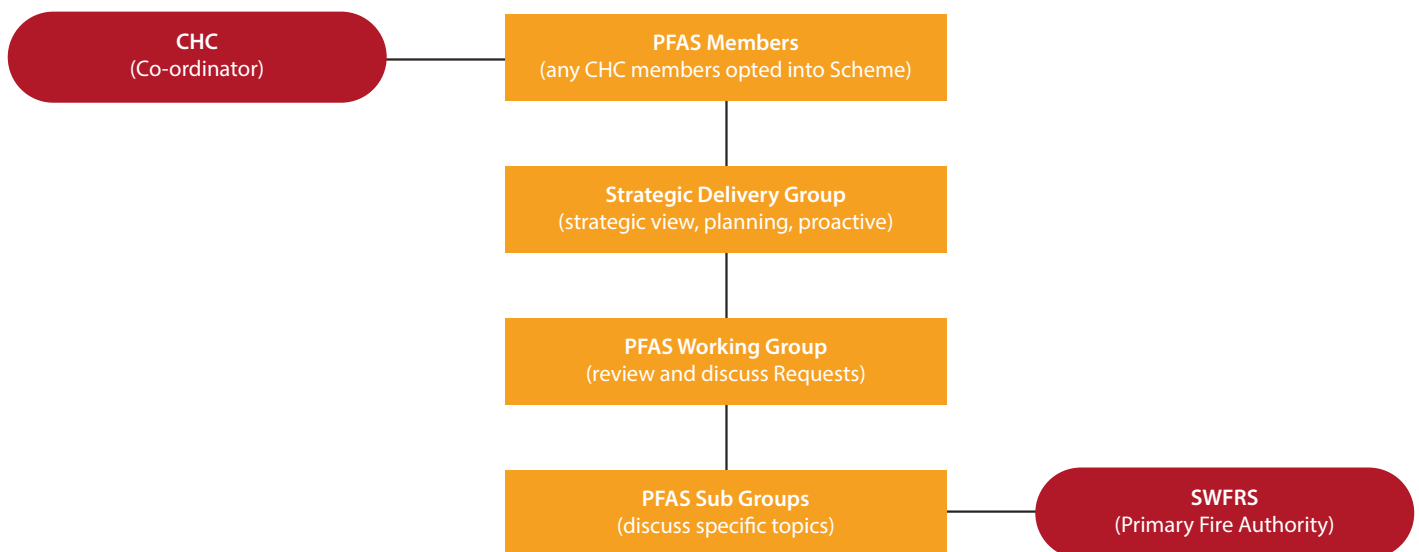
As well as meetings of the PFAS Operational Working Group, other channels of communication will be used to discuss and share views on assured advice:

- *Extraordinary meetings*
- *Sub Group meetings*
- *Email*
- *Yammer*
- *Safety Strategic Delivery Group*
- *Other related Strategic Delivery Groups*

There will be a single point of contact in CHC to co-ordinate the commissioning of assured advice on behalf of PFAS members. The dedicated email address will be monitored at all times.

[PFAS@chcymru.org.uk](mailto:PFAS@chcymru.org.uk)

You can see below a flowchart showing the parties involved in the process.





# Membership

## Joining the PFAS

Joining the PFAS is a very simple and straightforward process. We require the submission of a very short form, signed by the Chief Executive of the housing association, confirming that they would like to join, and a few basic details.

We will require the contact details of two representatives from each HA, who will be kept informed of advice requests and any new or updated advice issued. Chief Executives of member HAs may also have access to the PFAS Yammer group, if they wish, but will not be one of the two representatives or attend the Working Group meetings.

CHC will then issue a copy of the Agreement between CHC and SWFRS, and the housing association will be added to the Primary Authority Register held on the [UK Government's Primary Authority website](#). CHC will also hold a more detailed Membership List.

The PFAS launched in April 2019. There will be an initial joining period in April-June, during which members will be added to the Register promptly. Any members joining from July 2019 onwards will be registered every 2 months (i.e. any members joining in July and August will be registered from 1st September).

## Leaving the PFAS

If at any point a housing association wishes to leave the PFAS, they simply need to inform CHC in writing and they will be removed from the register. They will be able to retain Advice already issued and in use, but not any new or updated Advice.

Part of CHC's role as Co-ordinator of the PFAS is to keep SWFRS informed of the current membership, via the Membership List.



# FAQ

## What is a primary fire authority?

The UK Government Primary Authority Scheme came into effect on 1st October 2008. It makes provision for more consistent and coordinated regulatory enforcement. An organisation selects a primary authority, which issues assured advice to them. A number of different sectors and industries can operate under this Scheme, including fire safety.

## What is Primary Authority Advice and what are the benefits of receiving this advice from a Primary Fire Authority?

Primary Authority Advice is assured. This means that it will provide consistent regulatory advice that makes it simpler and easier to comply with fire safety legislation. Enforcing authorities should respect this advice when regulating your business.

### Primary Authority Advice can help you understand:

- *how legal requirements apply to your undertaking*
- *how you can achieve compliance*
- *whether the controls you have in place are acceptable*

Provided that you follow the Primary Authority Advice, your organisation should be protected against the risk of enforcement action from authorities that have different views on how you should be achieving compliance.

## How will this Primary Fire Authority Scheme work?

This PFAS has been set up by CHC on behalf of the sector. Our chosen Primary Fire Authority is South Wales Fire & Rescue service. The PFAS is open to all our members and is free of charge. A Working Group has been set up to support the PFAS. This Working Group will be responsible for commissioning advice on behalf of the sector.

## What is CHC's role?

CHC will act as the Co-ordinator for housing association members receiving advice from our chosen Primary Fire Authority (South Wales Fire & Rescue Service).

## Why SWFRS? How were they appointed?

We undertook a tender process to select a Fire & Rescue Service (FRS) as our Primary Fire Authority. All three FRSs in Wales were invited, and two submitted a tender – South Wales and Mid Wales. A working group of CHC staff and members held interviews with both FRSs. South Wales Fire & Rescue Service were appointed, as the Working Group felt their offer represented better value for money.

## How long will the PFAS run for?

The Scheme will run for at least an initial three year period (using Welsh Government-provided funding). It will be reviewed annually to make sure it is working effectively, and a full review will be undertaken at the end of the third year.

## Who can join?

Any CHC member can join. Only organisations who join the PFAS can access and are covered by the assured advice.

## How much does it cost?

Currently the Scheme does not cost its members anything, provided PFAS members are also members of CHC. It is funded for at least the initial three year period. The scheme – including how it is resourced – will be reviewed towards the end of the third year.

## Our organisation is interested - how do we sign up?

Joining is very easy and straightforward. Your CEO will need to fill in a short form. We will require the contact details of two representatives – your points of contact with the PFAS. They will be directly involved in discussing and deciding on what advice is commissioned from the PFAS and kept informed of advice requests and any new or updated advice issued.





# FAQ

## **If my organisation signs up, are we contracted or can we leave at any time?**

Members can join and leave the PFAS whenever they wish. The only thing to consider is the ongoing validity and accuracy of advice if your organisation does decide to leave the Scheme, as you will not receive updates should there be changes.

## **What about the other FRSs? Will seeking advice from the PFA affect my relationship with my local FRS?**

All three FRSs (SWFRS, MAWWFRS, NWFRS) meet regularly to discuss guidance and advice, and agree it on a pan-Wales basis. Your local FRS will therefore be aware of the issued assured advice. The advice is also held on the Primary Authority Register, which the FRSs have access to.

## **What is required of us as a member of the PFAS?**

As a member of the PFAS, we ask that you:

- *Follow any relevant Primary Authority Advice you are given, as this will help your business comply with the law*
- *Inform your Co-ordinator (CHC) of any change to your business, for example if you change from a sole trader to a limited company (email [PFAS@chcymru.org.uk](mailto:PFAS@chcymru.org.uk))*
- *Help your Co-ordinator understand the regulatory needs of your business, by engaging with the Safety SDG and Working Group*
- *Inform any local authority enforcement officer from the fire safety service who contacts your business that you have a Co-ordinated Primary Fire Authority*
- *Show the enforcement officer any relevant Primary Authority Advice you are following*

## **How will the advice be commissioned?**

Any PFAS member can request assured advice on a particular topic, or develop a document that they would then like assured. The PFAS membership will decide what is commissioned, via the PFAS Operational Working Group. You

can see the detailed process on page 5 of this Handbook. All assured advice, when issued, will be fully discussed and evidenced by SWFRS.

## **How can I raise an issue on which I feel advice assured is needed?**

There is a Primary Authority Advice Request Form. This will need to be submitted to CHC by emailing [PFAS@chcymru.org.uk](mailto:PFAS@chcymru.org.uk), and the Working Group will review the request. Please see the Process Flowchart for more information.

## **Do CHC produce the advice?**

No, we do not. CHC are the Co-ordinator of the Scheme, so we facilitate and support the production of advice (whether by the PFA or by the members), and distribute it to the members, but do not produce the assured advice itself.

## **Is there a limit on the amount of advice we can get as a sector?**

The PFAS have an annual budget for assured advice. It will be up to the PFAS members and the Working Group to decide what advice to collectively commission and when.

## **Once the advice has been issued, how can we access it?**

Assured advice will be circulated to members of the PFAS, and will also be accessible on the PFAS Yammer page.

## **Can we approach the PFA to commission our own specific advice? Will we be charged for this?**

You can obtain advice from the Fire Service, but you will have to reimburse CHC for this work and any resulting assured advice would be available to other PFAS members. Please see the Process Flowchart on page 5 for more information.



# FAQ

## **If I have a particular question about one of my properties, can I pay the PFA directly for this advice?**

You can obtain Advice from the Fire Service, but you will have to reimburse CHC for this work and any resulting assured advice would be available to other PFAS members. Please see the Process Flowchart for more information.

## **If we leave the PFAS, can we still access and refer to the assured advice?**

If you have applied the assured advice when you are a PFAS member and if you still follow it, then it will apply. However, please be aware that you will not have access to or be proactively notified of any update to the advice made after you leave, or have access to new advice issued.

## **If the PFAS ceases, what happens to the Advice that's already been issued? Can we still use it?**

In the event of this happening, Advice would no longer be held on the Primary Authority Register (PAR), although it would still be on our Yammer group. Advice may still be acceptable to Fire & Rescue Service, provided it is attached to individual premises' Fire Risk Assessments and not superseded by legislation or new guidance.

## **What sort of advice would be appropriate to request under this Scheme?**

Examples may include:

- *When is 'stay put' appropriate and when is it not?*
- *Advice on safe upward evacuation from retail space below ground level.*
- *Advice on a standard form for use in risk assessments at all premises.*
- *Advice on frequency of fire risk assessments.*
- *Advice on training products, such as a fire safety training DVD.*
- *Advice on number/ type of fire extinguishers.*

## **What happens when the government changes the legislation? Where do we then stand with assured advice?**

The Primary Fire Authority will then update any previously issued advice if necessary.

## **Will the PFAS generate an Inspection Plan?**

Whilst our PFA may be able to provide an inspection plan that will govern the way members' businesses are inspected by enforcement officers, it is unlikely that this will occur in the first few years of the Scheme.

## **I have had a fire letter and I disagree with the content. Can the Primary Fire Authority help me?**

The PFA will not get involved with individual organisations and the best advice would be for you contact the FRS who issued the letter directly. Your representative on the PFAS should also flag this to the PFAS Working Group so they can identify themes around enforcement. This could result in your letter forming part of a request to obtain assured advice from the PFA.

## **Can we block enforcement action if we have followed Primary Authority Advice?**

Provided that you follow the advice that's been issued, you should not need to worry about enforcement action for the issue that the advice relates to. It is important that you inform any relevant enforcement officer that contacts your business that you are part of a Co-ordinated Primary Fire Authority Scheme and are following Primary Authority Advice, as an enforcement officer may not know this.

Our PFA can block the enforcement action if it conflicts with Primary Authority Advice. There are some limited exemptions to this, which would need to be clarified with the PFA.



# FAQ

## **If I get advice from SWFRS outside of the PFAS, is this assured advice if I have it in writing via an email?**

No, advice is only assured if it is provided through the PFAS (by SWFRS, via CHC).

## **I need to find a competent person to undertake some Fire Risk Assessment work. Can you recommend anyone via the PFAS?**

No, the purpose of the PFAS is not to recommend or undertake consultancy work on an individual basis. You can put a request on the CHC Safety SDG Yammer network for any recommendations

## **Can SWFRS produce or consult us on policy documents?**

No, SWFRS is not performing the role of a 'consultant' regarding Fire Safety matters. The formation of a Co-ordinated Primary Authority Partnership between CHC and SWFRS means that SWFRS has formed a legal partnership with CHC. This partnership enables SWFRS to provide assured and tailored advice on complying with fire safety regulations to CHC that other local regulators must respect.

SWFRS will not produce policy documents and act in a consultancy role. However, SWFRS may, in certain circumstances, comment on policies that have been produced regarding whether these comply with fire safety regulations. Where a request is received from CHC and SWFRS feels this is a matter for a consultant not a fire safety regulator then SWFRS will inform CHC of this.

## **If I have any questions on the PFAS, who do I contact?**

We have a dedicated email account set up at CHC. Please email queries, Joining Forms and Primary Authority Advice Request Forms to:

[PFAS@chcymru.org.uk](mailto:PFAS@chcymru.org.uk)