

Memorandum of Understanding

XXXXXX FIRE & RESCUE SERVICE

AND

DEPARTMENT FOR CHILDREN SCHOOLS AND FAMILIES

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Memorandum of Understanding

XXXXX FIRE AND RESCUE SERVICE AND DEPARTMENT FOR CHILDREN, SCHOOLS AND FAMILIES

1. INTRODUCTION

- 1.1 The aim of the Service Level Agreement is to provide a negotiated expectation for both the Fire and Rescue Service (FRS) and the Department for Children, Schools and Families (DCSF) ("the partners").
- 1.2 This agreement is provided on the principle of a risk based approach to Fire Safety issues with Independent School premises located within the county/district served by the FRS.
- 1.3 The FRS will aim to provide an agreed level of partnership, support and advice on matters of Fire Safety to the DCSF, thereby assisting them with ensuring and maintaining a safe school building environment.

2. SCOPE OF AGREEMENT

- 2.1 This agreement relates to all Independent Schools and will include Boarding and both Day and Residential Special Schools, and other such premises as agreed between the two parties.

3. DATE OF COMMENCEMENT

- 3.1 To be agreed

4. ENFORCEMENT OF THE WRITTEN RISK ASSESSMENT AND DUTY TO TAKE FIRE PRECAUTIONS (Regulatory Reform (Fire Safety) Order 2005)

- 4.1 Both partners recognise the importance of the significant role that the **responsible person (the proprietor in the case of independent schools)** holds in providing a **written risk assessment**, and in fulfilling the **duty to take general fire precautions**. Both partners also recognise the importance of the requirement for the **enforcement** of these actions.
- 4.2 Following any inspection carried out by the FRS, the FRS will keep DCSF informed of the results of any inspection they carry out.

5. **JOINT COMMITMENT**

- 5.1 An annual review will be carried out by the nominated liaison officers for the FRS and DCSF. This will enable issues to be identified, and agreements to be reached on any further action to be taken. Subject matter is to include Fire Safety Standards, reporting and issues arising.
- 5.2 Meetings may be held as deemed appropriate by the partners.
- 5.3 It is agreed that new Independent Schools should not open until a FRS response has been received by DCSF.
- 5.4 All correspondence, where possible, will be generated by email.

6. **DCSF COMMITMENT**

- 6.1 On an annual basis, in December, DCSF will provide a list of all independent schools within the geographical area served by the FRS.
- 6.2 On receipt of any relevant application from a new school wishing to be registered, DCSF will ask the school to forward information (*with 1 set of plans that indicate Fire Strategy*) to the relevant county/district served by the FRS Group Fire Safety Office and seek a response from the FRS.

7. **FRS COMMITMENT**

- 7.1 The FRS will give DCSF a list of contact details of Officers responsible for both Fire Safety Enforcement and Community Safety and will keep that list updated.
- 7.2 **New School Applications**
 - 7.2.1 On receipt of the application, DCSF will ask the school to contact the FRS who will inspect within one month. The frequency of future inspections will then be determined according to the level of risk.
 - 7.2.2 **Reports**

The FRS will send the inspection report to the school, copied to DCSF, within one month, with a recommendation as to whether the school has a satisfactory level of fire safety. If not, the FRS will take whatever remedial action is necessary to ensure the applicant is compliant with the Regulatory Reform (Fire Safety) Order and inform DCSF.

7.2.3 *New build/alterations requiring building regulations approval*

If the application is subject to Building Control Approval, i.e. (New Build/Change of use), the FRS will take part in a full consultation process, with the relevant Building Control Body (BCB).

7.2.4 In addition to the above, and prior to the issue of a completion certificate by the BCB, a joint 'pre completion' inspection may be undertaken by the FRS and BCB. The school will be informed, as part of the normal building regulations consultation process.

7.5 Additional school premises

Where notified by the school of additional premises at an independent school the FRS will decide, as per the risk based approach, which category the premises fall within, i.e. very low to very high risk in order to determine the level of response.

7.6 Inspection Protocol per established independent schools

7.6.1 *Very High to High Risk*

Both partners recognise the greater risk associated with both Boarding and Special Schools and therefore the FRS will carry out a full fire safety audit on each of those premises in accordance with their risk based inspection programme.

7.6.2 *Medium to very Low Risk*

In addition to the above, the FRS will also carry out inspections of premises by sampling from the DCSF provided list. Subject to the number of independent schools in the FRS area, a minimum of 3 will be carried out. The local Fire Safety Officer will inform the schools of the inspection by letter, where applicable, prior to the visit to the premises.

7.6.3 Following any inspection carried out by the FRS a report should be provided to the DCSF within 15 working days.

7.7 *Response to areas of concern.*

The FRS will also provide an urgent response to concerns identified by other inspectorates through the Independent School inspection process, this will be as follows:

- Where there is immediate risk to life an officer will inspect within 24 hours of the request.
- In all other cases, an officer will respond to the query/concern within 28 working days of request.

7.8 General

7.8.2 Local day to day support and advice will be provided by local Fire Safety Officers.

8. REVIEW DATE OF AGREEMENT

8.1 The SLA will be reviewed annually by the Area Fire Safety Managers and DCSF and any issues raised may be discussed at a review meeting.