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James Dornan MSP  
Convener  
Education & Skills Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP

15 March 2018

Dear James

Thank you for your letter of 2 February 2018 regarding recent press reports suggesting that a number of schools in Fife do not have automatic fire detection. The Committee have also requested re-assurance from Fife Council on the question of adequate fire stopping and whether the council examined fire safety in its schools more generally.

My officials wrote to Fife Council regarding the issues raised in your letter and their response is provided in Annex A.

The Committee should note that not all schools will be provided with an automatic fire detection and alarm system and the exact design of any fire alarm system will depend on the particular building and use. For example, in some small school premises, a fire may be obvious soon after it starts. In such cases and where travel distances are short, a shouted warning of 'fire' or a simple manually operated device that can be heard throughout when operated from any single point within the building, may be all that is needed. In other school premises, particularly those with more than one floor where a shout or warning sounded from a single point will not be heard throughout the building, an electrical fire alarm system incorporating manually operated call points and fire alarm sounders is likely to be required.

In schools accommodating large numbers of pupils, staff and visitors, a more sophisticated fire alarm system incorporating automatic smoke and heat detectors will be required to give warning of fire throughout the entire building. In some cases, this will include smoke

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detection in rooms, circulation spaces and in hidden voids such as ceiling voids and roof spaces.

The principal legislation covering automatic fire detection in existing schools is Part 3 of the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006.

In general, fire safety legislation seeks to ensure the safety, in the event of fire, of persons (whether they are pupils, employees, visitors or others) by setting out the responsibilities of those persons who have fire safety responsibilities in respect of a premises. Anyone who has control to any extent of school building will have some responsibilities for ensuring that those occupying the premises are safe from harm caused by fire. This includes:

1. Assessing the risk from fire;
2. Identifying the fire safety measures necessary as a result of the risk assessment;
3. Implementing these fire safety measures; and
4. Putting in place arrangements for the on-going control and review of the fire safety measures.

Guidance on fire detection and warning systems can be found in Chapter 8 of [Practical Fire Safety Guidance for Existing Non-Residential Premises](#) (issued August 2017).

Legislation places a duty on those responsible for fire safety within relevant premises to carry out a fire risk assessment. These people are defined in the Fire (Scotland) Act 2005 as Duty Holders. For the majority of premises, including schools, the Scottish Fire and Rescue Service is the authority responsible for enforcing this legislation. The Service may visit certain premises to audit whether the fire precautions are being maintained to a satisfactory standard and that the requirements of the legislation are being met.

When carrying out these audits in school premises, SFRS will reference the relevant Scottish Government Sector specific guidance and the Non Domestic Technical Handbook. These documents, along with the premises risk assessment form the basis of their audit activity when assessing all matters relating to fire safety including fire detection systems, their suitability, their installation, testing and maintenance.

In February 2017, following publication of the Independent Inquiry into the construction of Edinburgh Schools (the Cole report), the Scottish Futures Trust wrote to all Local Authorities, Public Bodies, Health Facilities Scotland and the Scottish Funding Council (for Colleges) reminding them of their own risk assessment and quality assurance processes. In particular the SFT highlighted concerns raised in the Cole report about fire-stopping and reminding them to ensure their asset management and inspection practices are robust and to ensure that fire stopping (often present in ceiling voids and other obscured areas) is appropriate.

Following the Grenfell Tower fire, the Deputy First Minister and Cabinet Secretary for Education and Skills wrote to all local authorities in August 2017 seeking further reassurance of fire safety across the school estate. From the detailed responses received, we are reassured that local authorities have taken all steps necessary to ensure the fire safety of their schools.

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I have no evidence to suggest that fire safety in Fife schools raises any new wider issues and in relation to the Committee's recommendations at paragraph 47 and 48 of its report, I would offer the following further information.

Each Local Authority Building Standards Service in Scotland has a duty to share information through Key Performance Outcomes reporting. This includes the main construction non-compliances they find through their checking regimes and numbers of notices and actions taken on buildings they consider to be defective and dangerous buildings.

However, as the Committee is aware, a Ministerial Working Group has been established to oversee a comprehensive review of building and fire safety regulatory frameworks, and any other relevant matters, in order to help ensure that people are safe in Scotland's buildings, and make any recommendations for improvement as required.

The Ministerial Working Group's work programme includes setting up two building standards Review Panels.

### **Review Panel on Building Standards (Fire Safety) in Scotland**

The Review Panel is chaired by Dr Paul Stollard. The first meeting was on 27 October and the remit of the Panel was accepted as:

1. To review standards in light of evidence from the Grenfell Tower fire,
2. To comment on appropriateness and relevance of the current standards and guidance relation to escape, external wall cladding and automatic fire suppression systems with a focus on high rise buildings.
3. To consider the relevance of British Standard and European fire tests.
4. To provide an opinion of whether any changes are necessary.
5. To keep this under review, as further evidence emerges.

### **A Review Panel on Building Standards (Compliance and Enforcement) in Scotland**

The second Review Panel is chaired by Professor John Cole. This Panel covers a wider remit and is considering four key themes:

1. The building standards system
  - The procedures from pre-application to completion
  - The legislative requirements
2. Verification
  - The role and responsibilities of the verifier in providing the independent checking regime through the design and construction phases
  - The skills and resourcing of verification services
3. Certification
  - The role and responsibilities of the relevant person, who signs the completion certificate, to certify compliance with the building warrant and building regulations
  - The actions by the relevant person throughout their project, including the role of self-certification and third party certification

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#### 4. Enforcement and sanctions

- The role of the local authority in enforcing compliance
- The level of sanctions

I can also confirm the Scottish Government and the Scottish Futures Trust are committed to supporting public bodies' responses to incidents that pose a potential threat to life and will undertake an appropriate risk-based based approach to inspection and remediation by those bodies.

I hope this information is helpful.

Kind regards



**KEVIN STEWART**

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### **Fife Council response to questions raised by the Education and Skills Committee**

“We apply the guidance contained in the Scottish Government Practical Fire Safety Guidance. By law our buildings have to be fitted with ‘appropriate.... means for giving warning in the event of fire’ (Fire Safety (Scotland) Regulations 2006).

Our schools have robust systems in place to deal with emergency situations. Whether a school needs a fire alarm and detection is dependent on the design and occupancy of the building. All new builds have automatic fire detection systems with a link to the emergency services. And we take every opportunity to replace systems in older buildings as part of major alterations or renovation works.

With reference to fire stopping as noted in the Cole Report, an update was presented to the Council Executive Team on 27/7/2017. This report summarised the Report of the Independent Inquiry into the Construction of Edinburgh PPP Schools’ by Professor John Cole. It highlighted the discovery of defective fire-stopping above ceilings in many of the schools surveyed and noted that the Cole report recommends a review of how the adequacy of fire stopping is assured in the construction and maintenance of all buildings.

The current position on our schools that are subject to PPP or DBFM style contracts is that we have received confirmation that all required inspections and remedial works have been completed.

With regard to other council properties, for a number of years we have carried out visual, non-intrusive inspections as part of premises condition surveys and fire risk assessments, with remedial action taken where required. Fire risk assessments in our Care Homes have included limited intrusive inspection with a joint inspection carried out by the risk assessor and the building inspector. In addition we have sought to proactively identify any breaches above ceilings while carrying out other works in council buildings.

An annual update report will be considered in due course by our Corporate Fire Safety Management Group.”

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