



PROSECUTION FOR LONDON BUSINESSES

Two London businesses have been prosecuted and heavily fined for failing to meet duties under the Fire Precautions (Workplace) Regulations 1997.

At Ealing Magistrates' Court Toughglaze (UK) Ltd, a glazier, was ordered to pay £23,000 in fines and costs after pleading guilty to 19 breaches of the Fire Precautions (Workplace) Regulations 1997.

The London Fire and Emergency Planning Authority (LFEPA) alleged that the company, based in London, had seriously compromised the safety of employees. An inspection of the premises was carried out and a number of contraventions of the regulations were found:

- **no working fire alarm;**
- **firefighting equipment and extinguishers were either out of date or inaccessible;**
- **staff training on fire safety was inadequate and unrecorded;**
- **there were numerous breaches relating to insufficient fire exits; and**

- **in some cases, fire exits being padlocked shut or obstructed.**

The company argued that, as they had co-operated fully with an LFEPA Enforcement Notice, they should receive either an absolute or conditional discharge. The Judge disagreed, stressing that padlocking fire exits was a serious offence and fines should be imposed.

At the same court, P Goddard & Sons Ltd, a furniture company, admitted 6 breaches of the Fire Precautions (Workplace) Regulations 1997 and was ordered to pay £17,650 in fines and costs.

LFEPA alleged the Brentford High Street company had seriously compromised the safety of employees when, in two separate inspections, officers found exit doors to the car park padlocked shut with iron bars and the final exit from the bed showroom obstructed by a double bed.

However Goddard's, which accepted in court that it had contravened its duties, claimed the charges were the result of an inspection by trainee fire officers with limited experience.



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FETA CONFERENCE ADDRESSES 'LIFE LAW AND BUSINESS'

Andrew Jack, the man responsible for the new Fire Safety Order to be introduced on 1 April, 2006, was amongst the guest speakers at the FETA 2006 Annual Conference.



Over 100 FETA members took the opportunity to gain an insight from the man who has been at the heart of developing a new fire safety regime which will affect every commercial operation in England and Wales as he spoke at the Windmill Village Hotel in Coventry on 1 December, 2005. Mr Jack, who is the Head of the Fire Safety Legislation Branch at the Office of the Deputy Prime Minister (ODPM), explained that the legislation taking the form of an 'Order' was a means of speeding up the parliamentary process and that "...it has as much force of law behind it as if it was an Act." He spoke of the importance of communicating the changes to business and commerce so that employers are aware of

their specific duty of care responsibilities under the new Order. He highlighted the series of publicity roadshows which have been set up (see page 6) as a prime example of how the message is being communicated. He also spoke of the Order's recognition of the continuing role that first aid fire fighting equipment will play in reducing fire losses, citing risk reduction, mitigation, and assistance to others, as well as protecting means of escape, as the main areas on which the Order focuses in this respect. He drew on paragraph 4 from the Order "General Fire Precautions" and went on to say - "Fire fighting equipment can reduce the risk of a small fire, .e.g. a fire in a waste-paper bin, developing into a

large one. The safe use of an appropriate fire extinguisher to control a fire in its early stages can also significantly reduce the risks to other people in the premises by allowing people to assist others who are at risk."

Earlier the conference had been opened, under the title 'Life, Law and Business', with a presentation from Roger Harman, Principal Officer, Incident and Emergency Planning, with the Environment Agency, who focused on the environmental consequences of pollution, particularly with reference to the importance of safely disposing of fire fighting foams. He began with a thought provoking definition of sustainability based on an ancient native American Indian

proverb - "Treat the earth well: it was not given to you by your parents: it was loaned to you by your children." He explained the reasoning behind the proposed legislation to prohibit the storage and use of fluorosurfactant based fire fighting foams, concluding that pan-European legislation is likely to be introduced but that the UK will introduce legislation in April 2006, even if the EU does not.

'Designing and Managing Against Fire Risk in Schools' was the topic of Penny Morgan of International Fire Consultants. With 2-3 schools destroyed or damaged by fire every day, an estimated £100 million in property damage and some 90,000 pupils affected by fire every year, dealing with arson in schools remains a high priority. International Fire Consultants wrote the new Building Bulletin 100, a risk rather than a prescriptive based approach to school fire safety which is due to come into effect alongside the new Fire Safety Order. Ms Morgan outlined some of the changes to the Building Bulletin 7 which was withdrawn in 1997, examining many of the issues specific to schools which have been addressed in the new holistic approach.

Mike Wood of Pilkington plc and Chairman of the Association for Specialist Fire Protection (ASFP) spoke of Best Practice and the implications of the new risk-based regime for fire



Two of the five companies who exhibited alongside the conference.

protection. He provided a working definition of risk, citing probability and consequence as the prime contributory factors. He highlighted some of the shortcomings of a risk based approach, notably the dependency on the competency of those undertaking a risk assessment who will inevitably possess different levels of competence based on their knowledge and judgement. He argued for a retention of best practice principles – “to reduce risk thresholds and minimise the chances of error.”

Delivering what FETA members want from their association was the subject for Suzanne Donovan, FETA Chairman, who also chaired the conference. Ms Donovan focused on the results of FETA’s recent membership survey, pulling out some of the most salient findings and explaining some of the steps that are already being taken in

light of those findings. The importance of maintaining and developing the FETA brand, as well as enhancing the technical role of FETA, was clear from the top 3 reasons given for being a member of the association:

- 1 Credibility
- 2 Well recognised brand
- 3 Technical support

The survey also showed a need for FETA to strengthen its offering to smaller members, with ‘help smaller firms have a say’, ‘merge with other trade associations’, ‘provide training courses’ and ‘promote FETA and the website’ amongst the comments made by respondents. Ms Donovan demonstrated some of the practical steps that have already been taken to address these issues, including the provision of training opportunities, making membership easier, a planned overhaul of the website and developing the market through

vehicles such as the new Wet Chemical extinguisher CD being introduced for all fire brigades.

David Bonnett, Chairman of the Fire Industry Confederation (FIC), took the BAFE Registered Technicians Scheme as the subject for his presentation. He spoke of the need to increase the take up of the schemes from the estimated 700 technicians currently registered under the ST104 scheme and the 166 companies registered under the SP101 scheme. He outlined the findings of a working group, specifically established to look at the workings of the schemes, who had identified a number of areas for improvement. The main outcomes were the combination of the two schemes, a review of the ‘Record’ document to make it comprehensive, no changes to the scale of charges and regular reviews to ensure the schemes stay abreast of

market requirements.

The final presentation of the conference was delivered by Peter Kemp, Vice Chairman of FETA, who looked at the opportunities and threats facing FETA members. He spoke of the Fire Safety Order and the importance of members being in a position to impart sound advice and high quality service through staff training and the offering of products and services that are backed by third party certification. He also cited the possibility of the Fire Brigade charging for their services as a potential threat and one which FETA was addressing. He cited the potential to promote Class F extinguishers as a market opportunity and called on those companies that were also involved in fire alarms to help address the problems of false alarms so that the market for automatic fire detection systems can continue to grow.

Following the conference, members attended a dinner which provided an opportunity to discuss the issues which had come up during the day, as well as being a social gathering of colleagues and friends from the industry.

Copies of the conference papers are available within the Members Section of the FETA website:
www.feta.org.uk



Andrew Jack, ODPM.



Roger Harman, Environment Agency.



Mike Wood, Chairman, ASFP.



Peter Kemp, FETA Vice Chairman.

ISO9001: 2000 CERTIFICATION - UKAS ACCREDITED OR NOT?

Many smaller organisations within the fire extinguisher service sector proudly display logos proclaiming ISO9001:2000 certification; many of them, however, have little idea how the certification industry operates or regulates itself and what the logos actually say about their organisation.

For many years now trade associations have promoted UKAS accredited certification. Who are UKAS? The United Kingdom Accreditation Service, an agency of government charged with over-seeing the country's certification and calibration organisations ensuring that they comply with internationally recognised standards. This allows the UK to compete equally with other countries in these areas.

So why is that important to you? All UKAS accredited certification bodies are audited by UKAS at least once a year, ensuring that the certification body complies with the standards laid down. UKAS themselves are also subject to peer evaluation from other accreditation authorities from different countries. This system of constant oversight ensures that these organisations work to the same consistent level. For



those fire protection companies that have certification via UKAS accredited bodies, this means a standard has been achieved which is globally accepted.

Many companies have chosen, often out of ignorance, unaccredited certification. Whilst this may initially sound attractive as you receive the quality documentation and a certificate all together for little effort, this system clearly lacks the independence and integrity of the UKAS accredited process.

Cost is seen as a barrier to accredited certification by many organisations, but in many cases in the long run it is as cost effective to choose the UKAS route as the unaccredited route offers no internal value to the company and increasingly little external value. Indeed it could be argued that those organisations displaying unaccredited logos are doing themselves more

harm than good, as the level of awareness regarding certification grows.

The introduction of the Regulatory Reform (Fire Safety) Order early next year will only add to the requirement for organisations to show evidence of competence and provide the responsible person with the confidence they will require. FETA now expects all its members to have UKAS accredited ISO9001:2000 certification and for its members engaged in the supply and servicing of portable fire extinguishers to also gain BAFE registration.

With this body of weight directed towards accredited certification, can your organisation afford not to have it?

Daryl Alder
XBS Business Solutions



ARTICLE

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FETA MEMBERSHIP A FACTOR FOR KIER

www.feta.org.uk

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Membership of FETA can be a significant factor in winning business, a point ably demonstrated by a recent care home contract for Fire Safety Services.

Kier Managed Services were recently awarded the facilities management contract for a large group of care homes throughout London and the south east of England. An analysis of existing contracts was carried out to clarify the service currently being provided. During this process

it was identified that a new contractor would be required for the maintenance of portable fire fighting equipment, as the previous contract had expired.

Phil Bilyard, Facilities Manager for Kier Managed Services said, "We needed to appoint a contractor who

would be able to provide a high quality of service to our client's sites. Having met with the Managing Director of Fire Safety Services, David Murfitt, we felt that we had found a company who would be able to meet our requirements; this was further endorsed by their membership of FETA as they offer a very professional back up and support to member companies and are committed to the promotion of high standards throughout the fire

extinguisher service industry."

If FETA members have similar stories to tell, contact the secretariat, on tel: 020 8549 8839.



ARTICLE

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FETA TIGHTENS UP ON LOGO MISUSE

In the last issue of FETA News, David Murfitt, the new Chairman of FETA's Marketing Strategy Sectoral Committee, spoke of the importance of 'policing' the FETA brand. This was made even clearer from the results of the membership survey which placed 'well recognised brand' as one of the most important reasons for being a FETA member (see FETA Conference Review on pages 2-3).

FETA will take action against any company that is using the FETA logo when it is not entitled to do so and is encouraging members to report any instances of the logo's misuse.

David Murfitt comments – "FETA membership says so much about a company, particularly its attitude to quality, and we cannot have a situation where the brand could be tarnished by a business, for whom quality may not be quite so high on

the agenda, by that business claiming to be a FETA member when it is not. It is in all our interests to report misuse so that we can ensure that the FETA brand maintains its credibility."

End users can also check a company's credentials by visiting the website (www.feta.org.uk) and checking the list of members.

Members should report misuse of the logo to the secretariat on tel: 020 8549 8839.

ARTICLE

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REFORM ORDER SEMINARS ROADSHOW TO START IN NEW YEAR

Nobody operating within the fire industry can now be unaware that in a matter of months the most important piece of fire safety legislation since the Fire Precautions (Workplace) Regulations is to be implemented.

The Regulatory Reform (Fire Safety) Order is due to be introduced on 1 April, 2006. It brings together over 70 pieces of fragmented fire safety legislation bringing UK legislation in-line with the European risk based approach.

FETA, through the Fire Industry Confederation, has been instrumental in helping to set up a series of seminars by the Office of the Deputy Prime Minister aimed at ensuring companies are aware of the Order and its

implications. The seminars start on 12 January, 2006 in London and then travel around the country, finishing in Llandudno on 23rd March. The £70 (plus VAT) fee is available at a discounted rate of £45 to FETA members.



ARTICLE 4

WESTLEY GROUP BUYS WALTER FRANK

The share capital of FETA member Walter Frank & Sons has been acquired by The Westley Group, a privately owned non-ferrous casting group based in the UK.

Managing Director Peter Kent will continue to lead the team at Barnsley which will operate as an autonomous unit within the group.

Peter Kent comments – “The change has been made

in order to increase the resources available to us in pursuing our philosophy of continuous improvement and will secure and enhance the Walter Frank reputation.”

‘GLORIAS’ VICTORY



The victorious "Team Gloria" being presented with the Kidde FPS Trophy by FETA Golf Society Captain Campbell Walters (right), having won it for the second time at Belton Woods in September - can anyone have a hope of beating them? The trophy is up for grabs again in May at Mottram Hall, Cheshire.

FAXBACK 020 8547 1564

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Name:

Company:

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Or post to; FETA, Thames House, 29 Thames Street, Kingston upon Thames, Surrey KT1 1PH.



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XBS only use the services of UKAS accredited certification bodies



For Further Information Please Contact XBS Business Solutions Ltd on: t: 01234 767077 m: 07710 656689
 daryl@xbs.org.uk www.xbs.org.uk

ULTRA – THE MOVIE



New DVD brings water mist to your PC or laptop

The benefits of water mist – the cost-effective, eco-friendly alternative to conventional fire suppression – are fully explained and demonstrated in a new DVD from Ultra Suppression Systems. The film, “A Mist Opportunity”, covers the history of the development of the water mist system, and its increasing importance in providing an intelligent fire-fighting solution in sensitive environments such as historic buildings, libraries and museums, laboratories and high-tech manufacturing facilities. The film also includes footage of demonstrations of water mist being put to the test in ‘real-life’ test situations, where its advantages over sprinklers and other conventional systems are clearly shown. The Ultra water mist system uses up only 10% of the amount of water used by a conventional system – providing a significant cost saving and ensuring significantly reduced potential damage to the surroundings (water damage from sprinklers can be as destructive as fire and smoke!). The system comprises cylinders of pure, clean water which creates a thin fire-suppressant mist that is discharged through tiny nozzles to overwhelm a fire and stop it spreading. Water mist systems are completely chemical-free.

The DVD also features several examples of recent Ultra installations, including the new state-of-the-art Guardian printing works in East London, nationwide chains of health and fitness clubs such as Fitness First and David Lloyd, and the beautifully restored Whatley Manor in the Cotswolds, all of which have required an effective but environmentally friendly fire suppression system that would comply with complex building regulations.

For your FREE DVD copy of A Mist Opportunity, please call Ultra Suppression Systems on 01494 444123 or visit www.ultrass.co.uk

NEW LEGISLATION SHARPENS FOCUS FOR BAFE

April 2006 sees the introduction of the new Regulatory Reform (Fire Safety) Order, the most important legislative development in fire safety for over 30 years.

The Order places a duty of care responsibility on the employer/owner to use competent persons. Although the legislation will stop short of making third party certification mandatory, the best way in which an owner or employer can prove he has carried out his duty of care responsibility and used competent persons is by way of a compliance certificate from an independent accredited organisation. This is ably demonstrated by the following extract from the Guidance Notes to the new Order – “Third-party certification schemes for fire protection products and related services are an effective means of providing the fullest possible assurances, offering a level of quality, reliability and safety that non-certificated products may lack.”

BAFE provides the means of achieving this by independent third party compliance certificates from UKAS accredited organisations.

BAFE Schemes currently in operation:

SP101: Contract maintenance of portable fire extinguishers

SP103: Inspection, testing, refurbishment and re-filling of portable fire extinguishers

ST104: Registered technician scheme for the maintenance of portable fire extinguishers

MP101: Manufacture of portable fire extinguishers

MP102: Manufacture of non-percolating, lay-flat, delivery firefighting hose and hose assemblies

MP103: Manufacture of fire blankets

SP204: Halon Decommissioning Scheme

SP201: Requirements for certified fire detection and alarm systems

SP202: Requirements for firefighting system firms

SP203: Fire protection industry scheme for the design, installation, commissioning and maintenance of fire detection, alarm and suppression systems

BAFE is supported and governed by a Council comprising government, trading standards, the Health & Safety Executive and other stakeholders.



Visit stand C20 at Firex South 2006 for details and the highly successful industry standard training courses.

ARTICLE

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