MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	**SCRUTINY COMMITTEE**		
DATE:	**25 APRIL 2023**	**REPORT NO:**	**CFO/009/23**
PRESENTING OFFICER	**ASSISTANT CHIEF FIRE OFFICER DAVE MOTTRAM**		
RESPONSIBLE OFFICER:	**DEB APPLETON**	**REPORT AUTHOR:**	**STEWART WOODS,**
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TITLE OF REPORT:	**ACCESS AUDIT**		

APPENDICES:	

Purpose of Report

1. To inform the Scrutiny Committee of the process Merseyside Fire and Rescue Service is following to implement the findings of recent buildings access audit.

Recommendation

2. It is recommended that Members;

   a) note the contents of the report and the accompanying presentation to the Committee and

   b) scrutinise the proposed process to implement the actions arising from the access audit.

Introduction and Background

3. Merseyside Fire and Rescue Authority is committed to ensuring that its buildings are accessible to the people who use them. Access audits carried out in 2013 have influenced the way the Service has upgraded and maintained buildings, but they have become superseded over time by changes to key legislation and British Standards. Therefore, it was agreed in 2021 that a new set of access and Inclusivity audits was required.

4. Following a competitive process, Merseyside Fire and Rescue Authority procured the services of Wilkinson Cowan Partnerships to conduct fresh audits of all buildings including operational fire stations, Training and Development Academy SHQ/JCC and Vesty 1, 5A and 5B.

5. The intention of the access audit process was to appraise defined areas of the existing accommodation and to assess the extent of accessibility to these facilities.
6. The audit also looked to evaluate the inclusivity of our current facilities and identify any barriers or areas of improvement in relation to the needs of all people

regardless of their age, gender, ethnicity or other protected characteristics including facilities for female staff, faith rooms, mother and baby rooms, accessible toilets etc.

7. Following completion of the audits, individual reports were provided for each building suggesting proposals for works where required to improve the current facilities in accordance with the definitions of the Equality Act 2010. The auditors made a total of 1741 recommendations, which varied in scale from major works to minor repairs, a high-level estimate of **£2,564,090.00** was provided which will be the subject of ongoing scrutiny and technical assessment.

8. The recommendations are very thorough, as expected, and have been initially assessed and reviewed in terms of priority by Estates and Strategy and Performance officers (related to the level of risk and MFRA/legislative requirements).

9. A Building Accessibility Reference Group ('the Reference Group') has been established to assist in reviewing and prioritising the recommendations. The group provides opportunities for staff with disabilities or restrictive health conditions, or other staff with an interest in this, to have an active involvement in the work MFRS is developing around building accessibility, share experiences and good practice, and assist in prioritising and progressing the access audit recommendations.

10. An example of the benefit realised from this group is the colour scheme chosen for the Service Headquarters site. Whilst the original colour scheme achieved compliance with regulations i.e. colour contrast difference between adjoining surfaces such as the wall, skirting board and floor; by involving the Reference Group members it was suggested that making the contrast even greater would assist visual impaired staff and visitors much more and at no extra cost.

11. The Reference Group has also carried out site visits to the MFRS's newest fire station at St Helens and will have the opportunity to visit and review the plans for the new Aintree station and Training and Development Academy site.

12. The access auditor has reviewed and been consulted in the planning process for the new Aintree and Training and Development Academy site. Consultation has also taken place with the accessibility officer at Liverpool City Council with a range of improvements being made to make the site accessible to all including such facilities as; Changing Places facilities, a faith room, a range of toilet facilities (male/female and gender neutral), level access, passenger lift, decoration, lighting, improved signage and wellbeing facilities and garden.

Background on Legislation

Equality Act 2010

13. The Equality Act 2010 ('the Act') has extended the provisions and duties of the Disability Discrimination Act 2005 to cover a wide range of matters. These now include age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or beliefs and sexual orientation.

14. Part of the Act makes it unlawful for an employer to discriminate against, harass or victimise employees and those seeking work and therefore while a more reactive approach may be adopted by MFRA in order to address the specific access needs of individual employees, what MFRA offers as an employer to those seeking work in respect of accessing MFRS premises will need to be taken into account to ensure its inclusivity and therefore also adopt a more pro-active approach .

15. In respect of buildings, Section 20 of the Act imposes a general duty to make reasonable adjustments to buildings to ensure those affected by the Act are not prejudiced.

16. For MFRS buildings, consideration also needs to be given to Section 149 of the Equality Act relating to the Public Sector Equality Duty. The Public Sector Equality Duty requires public authorities to have "due regard" to the need to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act and the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

17. Building Regulations 4, the legislative framework of the 'Building Regulations' is principally made up of the Building Regulations 2010 and The Building (Approved Inspectors etc.) Regulations 2010.

18. Approved Document M (ADM) 5 requires that new, existing and temporary buildings, structures and spaces to provide access for all. ADM is one of a series of documents that has been approved and issued by the Secretary of State to provide practical guidance to the requirements of Schedule 1 to and regulation 7 of the Building Regulations 2000 for England and Wales.

Findings of the audits

19. Wilkinson Cowan Partnerships provided the below audit codes as a platform for implementation of the work required.

Condition
A - Good condition/compliance with no need for alteration.
B - Reasonable provision but not to current standards/guidance. Minor changes required.
C – Does not meet current regulations with changes required as soon as possible.
D – Does not meet current regulations with changes required immediately. Nonconformity causing signification obstruction.
M – Management to review (and cost separately where no figure included)
Priority
1 - This financial year.
2 - Within this or next financial year.
3 - As soon as funding is available.
4 - Part of Long Term Planning
A total of 392 D1s have been recommended

Fundamental priorities relating to all buildings:

20. **Public**: Access is required up to the main entrance and community facilities

    Visitors: Visitors should be able to park, access the main entrance and be able to access office and meeting facilities. Suitable toilet facilities should be available

21. **Employees**: Employees require access to all areas of the building to fulfil their duties

Recommendations

22. D1 recommendations have been considered by the auditors to be a priority, however, there are other factors for MFRS to consider and the below points outline those consideration for the next stage of implementing the findings:

    - Recommendations affecting accommodation only used by operational personnel are not always deemed a priority, as those personnel (by nature of the requirements of their role) may not experience the types of accessibility issues that other members of staff or the public might encounter. For example the recommendation to provide accessible study rooms, is not as much of a priority as accessibility in a room used by the public and non-operational members of staff.

    - Some recommendations relating to fire safety may be an organisational priority, but are not necessarily pressing access requirements. For example,

stepped approaches to external doors which are used by operational staff and therefore accessibility is less of an issue.

- Recommendations for female firefighters' facilities. The aim is to follow the model the Service has implemented at the newer fire stations whereby the study rooms and wash facilities will be single use/gender neutral facilities. However, we will review any further requirements on this.

- Recommendations for buildings already listed for works of alteration in the capital programme can be dealt with as part of that process. The planned works at Old Swan, Speke/Garston, Kirkby and Bromborough will provide more modern facilities in line with the Authority's requirements.

- Recommendations for buildings listed for closure may not be cost effective unless they represent a particularly high risk.

- Any new requests for community groups to access stations that require D1 access works to take place will be monitored and discussed with Estates and managers on a case-by-case basis, until all stations are fully accessible.

- A summary of disability access facilities at MFRS premises will be created and published on MFRS website. The summary will be updated as and when work is completed.

- Recommendations for PFI buildings will be dealt with by Balfour Beatty.

Work Schedule

23. In relation to implementing a work schedule, this will be implemented as below, the costs of which can be found in the Financial Implications section below.

Capital Programme - Estates has a five-year new build and major refurbishment capital programme identified in the asset management plan, for these locations access audit recommendations identified will be implemented as part of the capital works, these include:

- Bromborough, Speke/Garston, Old Swan and Kirkby fire stations and Newton Le Willows LLAR house. The access audit recommendations for these buildings will be considered as part of the planning for the refurbishments.

- The recently constructed Formby LLAR House and major refurbishment of Heswall Fire Station have been completed in line with current Building Regulations and include accessible facilities for community groups and MFRS staff.

- Estates have highlighted (and shared with the designers) the key works that can be completed within these projects and the working drawings and specification will reflect this at each site. Examples of this are the inclusion of single use study rooms and wash facilities, accessible

community entrances, baby change rooms and quiet room facilities. Some aspects of the access audits are not required at present; because these rooms are primarily for operational use and Estates would be made aware of a change of use, any access requirements in these locations would be addressed at that time

Station / Building closures (Croxteth, Aintree, TDA and Vesty 5a/b)

- Some work has been removed from the recommendations as these buildings will be closed in the near future. The Estates team has reviewed any urgent items and will action any further works during the TDA build period.

PFI Stations

- The Head of Estates has written to the PFI providers to inform them of the access recommendations for these seven fire stations and. The PFI works will be reviewed and discussed with the PFI Provider. Again, this will need assessment as some works may not be needed due to the use of the building.

All Other Locations

- the remaining MFRS property actions will be prioritised according to risk.

Local Authorities

- Several recommendations relate to works required to the approach routes to the buildings, on land not owned by the Fire and Rescue Authority, these works will need to be carried out by or in conjunction with the local authority. The Estates team will liaise directly with council officers in relation to these activities.

Equality and Diversity Implications

24. The EIA for this work is a live document as the work is still in progress, but overall, the audit and recommendations from it have a positive impact on people with protected characteristics.

25. The intention of the access audit is to consider MFRA's existing accommodation and assess the extent of accessibility to services and facilities. The audit has helped improve our understanding of the issues that people may face when accessing our buildings and services.

26. The inclusivity audit evaluates the inclusivity of our current facilities and identifies any barriers or areas of improvement in relation to the needs of all people regardless of their age, gender, ethnicity or other protected characteristics including facilities for female firefighters, faith rooms, mother and baby rooms, accessible toilets etc.

27. As part of the strategy to improve accessibility, the Accessibility Reference Group is in place. The group includes staff who have an interest in building accessibility. Implementation of the access audit will be developed in consultation with the group.

28. It should be noted that MFRA already considers the accessibility needs of building users when planning building works and that staff with additional needs have provided particular assistance in relation to this in recent years. The proposal for a reference group stems from this engagement.

29. Area Managers will be provided with copies of the access/inclusivity audits for their locations to help manage their community usage on stations that require access work.

Staff Implications

30. Implementation of the findings of the report as described will positively impact on staff.

Legal Implications

31. The legal background to this report is provided in earlier sections

Financial Implications & Value for Money

32. The cost estimate for all recommendations totals **£2,564,000.** This estimate is based on the auditor's experience and the use construction indices. The estimated cost is purely indicative at this stage used for planning purposes and it must be noted that not all recommendations will be required.

33. The below table breaks down the recommendations further into the specific work schedule and D1 priority recommendations.

	All Recommendations		D1 Priority recommendations
	£000's		£000's
Identified works	2,564		1,374
Station / building subject to closure	440		240
Building's with Major refurb Identified	860		583
PFI prioritise	330		82
Local Authority works	50		10
All Other Locations	884		459
	2,564		1,374

34. The Buildings capital programme for 2022/23 to 2027/28 allocated approx. £44m for Major site refurbishments covering a wide range of capital build projects such as-

a)	TDA New Build	£38m
b)	Speke/Garston	£0.6m
c)	Old Swan	£0.6m
d)	Newton LLAR	£0.9m
e)	Bromborough	£1.3m
f)	Kirkby	£0.4m
g)	Wallasey	£0.6m

The access recommendations will be reviewed and included in any future major refurbishment projects specifications.

35. A specific Budget for Access compliance has also been included in the current five-year capital budget of **£460k** for accessibility compliance works. This budget will be utilised to carry out the general works required for both planned and reactive needs of staff and visitors to all MFRS properties.

36. It is therefore considered that the works required to comply with the access audits can be contained within existing capital budgets.

Risk Management, Health & Safety, and Environmental Implications

37. The access audit and this report address risks in relation to non-compliance with equalities legislation.

Contribution to Our Vision:	***To be the best Fire & Rescue Service in the UK.***
Our Purpose:	*Here to serve, Here to protect, Here to keep you safe.*

38. Carrying out an access audit and taking steps to implement its findings will help MFRS to achieve its vision and purpose.

BACKGROUND PAPERS

CFO/111/11 If this report follows on from another, list the previous report(s)

GLOSSARY OF TERMS

MFRA **M**erseyside **F**ire and **R**escue **A**uthority is the physical and legal entity. When writing reports MFRA is the “object”.

MFRS **M**erseyside **F**ire and **R**escue **S**ervice is the service provided by MFRA. When writing reports MFRS is the “action”