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FIRE RISK ASSESSMENT REPORT
on behalf of Colchester Borough Homes

for

1-6 Kersey Court
Colchester
CO2 9EQ

Assessed by: Vincent Kain

Checked by: Darren Blackburn

Date assessed: 7th November 2022

Date checked: 15th November 2022

Review date: 7th November 2027

Project Number: 85732

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BAFE FIRE SAFETY REGISTER
REGISTERED ORGANISATION
ID: 302538

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PREFACE/CONTACTS

CLIENT

Client: Colchester Borough Homes

Client Contact: David Barthram

Telephone:

Responsible Person: Philip Sullivan

SITE

Site: 1-6 Kersey Court, Colchester, CO2 9EQ

Site Contact & Role: No onsite staff

Site Telephone: Not applicable

FIRE RISK ASSESSOR

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Risk Assessment Consultant: Vincent Kain

Reviewed by: Darren Blackburn

SECTION 1 - INTRODUCTION

The purpose of this report is to provide an assessment of the risk to life from fire in these premises and, where appropriate, to make recommendations to ensure compliance with fire safety legislation. The report does not address the risk to property or business continuity.

This report relates to the Fire Risk Assessment carried out at 1-6 Kersey Court. The survey was conducted by Vincent Kain of Eurosafe UK on 7th November 2022 on behalf of Colchester Borough Homes.

Risk Assessment Type:

Type 1 - common parts only (non-intrusive)

Restriction and Exclusions:

This is a Type 1 fire risk assessment and does not include any destructive or intrusive testing of passive fire safety precautions.

The roof space was not accessed due to non-standard lock fitted on communal hatch.

No flats could be accessed during inspection.

Nature of Occupancy:

1-6 Kersey Court is a general needs low rise block. This definition applies as the building is up to and including four floors only.

The use of the building is that of general needs residential accommodation. The building is a three-storey block that contains six flats. Taking each floor to be 3 meters the approximate building height to the uppermost occupied floor surface is approximately 6 meters. The overall building height is approximately 7.5 meters (including any basements).

Layout and Construction:

The construction period is understood to be circa 1980's therefore will have been built to standards at the time.

Traditional brick/concrete construction with concrete floors and stairs, and pitched, tiled roof. Flats are located on all three storeys with ground floor including electrical intake cupboard, personal storage cupboards and two exits. Waste chutes are located in stairwell on first and second floor with paladin bin on ground floor accessed via external doors.

Fire Strategy: The design and construction for fire safety in the block is based around the principles of effective fire compartmentation. The strategy of the building is that of Stay Put. For this strategy to be effective the building relies upon sound construction that will offer a fire resistance to fire. No common fire alarm is installed however it is understood that each flat is installed with smoke alarms. When an effective 'Stay Put' policy is put into effect, it's to keep people safe when they are not in an area directly affected by the fire. If a fire is not in their flat, residents should stay inside with the doors and the windows closed.

The number of people typically present on site is:	12
The maximum number of employees present at any one time is approximately:	0
The maximum number of sleeping occupants at any one time is approximately:	12
The number of people with impaired mobility:	Unknown
The number of lone workers at any one time is approximately:	0
The maximum number of young person's employed present at any one time is approximately:	0

Fire Loss:

No previous fire loss information has been given prior to inspection.

The assessor was not made aware of any history of fire within the premises.

Basis of Assessment and Limitations/Caveats

The purpose of this report is to provide an assessment of the risk to life from fire in these premises based on site conditions and fire safety management.

The Fire Risk Assessment is subjective and for guidance only. All hazards and deficiencies identified in this report should be addressed by implementing all recommendations contained in the following action plan.

The Report is based on information obtained from the assessed areas during the inspection and verbal or documented information supplied by the Client or their representative. The report does not reflect any areas, activities or processes that the assessor was not made aware of, it should be noted that random assessment/sampling might have been used to obtain information to make informal judgements pertinent to the risk assessment, in order to establish a comprehensive overview of existing conditions.

Unless information is provided to the assessor no assessment can be made of the combustibility or fire protection performance of any façade materials including, but not limited to, external cladding and associated core, filler and insulation plus any signage and associated insulation. As such the assessor accepts no liability for any loss, damage or other liability directly or indirectly arising as a result of the combustibility or fire protection performance of any façade materials. It should be noted that the assessment does not include a full survey of all fire doors in the premises, but representative visual assessment only of fire doors.

Whilst every effort has been made to ensure the accuracy of the content of this document, Eurosafe UK will accept no responsibility for any omissions as a result of limitations on access or information not supplied by the Client or occupier.

In accordance with Regulatory Reform (Fire Safety) Order 2005; this risk assessment must be reviewed regularly and/or whenever there is reason to believe this assessment may no longer be valid.

SECTION 2 – ASSESSMENT CONCLUSION

In accordance with Regulatory Reform (Fire Safety) Order 2005 a risk assessment must be carried out (recorded when there are five or more persons employed). It is advised that this risk assessment is reviewed regularly or whenever there is reason to believe that this assessment is no longer valid. We strongly recommend that regular review meetings are arranged to ensure the necessary remedial actions are completed and that changes to workplace activities are reviewed.

Observations:

Records onsite show that the fixed wiring within the building was last inspected in April 2022. This has not exceeded the 5yr cyclical inspection for installations. Light outside the front and rear exit door did not appear to be an emergency light. This area does however have sufficient borrowed street lighting and natural light to communal areas.

The strategy of the building is that of Stay Put. For this strategy to be effective the building relies upon sound construction that will offer a fire resistance to fire. No common fire alarm is installed however it is understood that each flat is installed with smoke alarms. When an effective 'Stay Put' policy is put into effect, it's to keep people safe when they are not in an area directly affected by the fire. If a fire is not in their flat, residents should stay inside with the doors and the windows closed.

A site inspection was carried out. Any inaccessible areas during this assessment are detailed within an earlier section of this fire risk assessment.

Please note: Several actions have been raised so accordingly this fire risk assessment is intended to be a working document that can be used to guide improving compliance and maintaining fire safety standards. Following this, risk assessment measures must be taken to implement effective, preventative, and protective control measures to reduce the risks identified, as well as maintaining ongoing 'general' fire precautions.

Acknowledgement: Descriptions and other relevant information provided by Colchester Borough Homes have been utilised to build the background for this fire risk assessment.

The overall risk rating for the building is Moderate. Further reasons for this are outlined in Section 3.

Risk Level:

Risk Level	Action and Timescale
Trivial	No action is required, and no detailed records need be kept.
Tolerable	No major additional fire precautions required. However, there might be a need for reasonably practicable improvements that involve minor or limited cost.
Moderate	It is essential that efforts are made to reduce the risk. Risk reduction measures, which should take cost into account, should be implemented within a define time period. Where moderate risk is associated with consequences that constitute extreme harm, further assessment might be required to establish more precisely the likelihood of harm as a basis for determining the priority for improved control measures.
Substantial	Considerable resources might have to be allocated to reduce the risk. If the premises are unoccupied, it should not be occupied until the risk has been reduced. If the premises are occupied, urgent action should be taken.
Intolerable	Premises (or relevant area) should not be occupied until the risk is reduced.

Risk Area	Intolerable	Substantial	Moderate	Tolerable	Trivial
Identifying People at Risk				✓	
Fire Hazards			✓		
Fire Protection Measures			✓		
Management of Fire Safety				✓	
Overall	**Moderate**				
On completion of the necessary remedial tasks outlined in Section 3, the existing risk factors highlighted within this report should be significantly reduced.					

SECTION 3 – SIGNIFICANT FINDINGS/ACTION PLAN

It is considered that the following action points should be implemented in order to reduce risk from fire. The timescales for the completion of the action points are determined by the priority rating. The timescales below are for guidance only, it is recommended that action points are completed according to their risk rating, as follows: The above timescales are given only as a guide to assist implementation, although it is recommended that the work be carried out as soon as reasonably practicable.

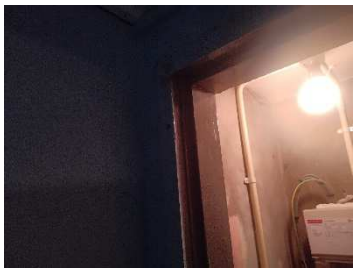
Advisory:	A recommendation offered as a guide to meet best practice.
Low:	Poor practices or features that, whilst not presenting an immediate increased risk to life safety, would increase overall fire safety when implemented. Also includes provision of practices and features that are favourable but may exceed the minimum adequate standards as defined by the Regulatory Reform (Fire Safety) Order 2005. Improvements should be made within the next 3 to 6 months.
Medium:	A breach of the fire safety legislation or inadequate control measures as identified by the Fire Risk Assessment. It is essential that action is taken to reduce the level of risk within the next 4 weeks.
High:	A serious breach of the fire legislation which may result in serious injury or death of the occupants of the building and could result in legal action being taken by the enforcing authority against the responsible person. Urgent remedial action is necessary to significantly reduce the level of risk

Hazard: Arson	**Priority: Low**
Issue Ref: ES/85732/001	
Significant Findings: Refuse chutes and access hatches were seen directly opening onto landings/stairs, so providing the potential for the spread of fire and smoke to the common escape routes.	
Action Required: LGA - 'Fire safety in purpose-built blocks of flats' – 2012 Section 65 It is recommended that refuse and chute rooms should be provided with an automatic fire-resisting shutter to be fitted at the base of the refuse chute to restrict the spread of fire and smoke from a fire in the bin room. The shutter should, as a minimum, be operated on a fixed temperature fusible link.	

Actioned by:	**Date of Action:**
Comments Following Action:	

Hazard: Means of Escape	**Priority: Low**
Issue Ref: ES/85732/002	
Significant Findings: It was noted on day of inspection that plastic saddles have been used to fix conduit in place.	
Action Required: Metal fixings should be used to fix conduit in place to prevent cables from dropping when exposed to extreme heat.	

Actioned by:	**Date of Action:**
Comments Following Action:	

Hazard: Measures to Limit Fire Spread and Development	**Priority: Medium**
Issue Ref: ES/85732/003	
Significant Findings: The assessor noted that there are no cold smoke seals or intumescent strips installed to the frame/door of the electrical riser cupboard.	
Action Required: Install cold smoke seals and intumescent strips to the top edges and both sides of the communal fire door/frame.	

Actioned by:	**Date of Action:**
Comments Following Action:	

Hazard: Measures to Limit Fire Spread and Development	**Priority: Medium**
Issue Ref: ES/85732/004	
Significant Findings: Compartmentation issues noted at the time of inspection include – Walls on ground above personal storage cupboards have vent grills.	
Action Required: Inspection of these vent grills to be carried out to confirm whether vent holes go through to cupboards, and if they do ensure intumescent vent grills are installed.	
Actioned by:	**Date of Action:**
Comments Following Action:	

Hazard: Measures to Limit Fire Spread and Development	**Priority: Medium**
Issue Ref: ES/85732/005	
Significant Findings: Compartmentation issues noted at the time of inspection include – Wall within first and second floor landing leading to flat 4 & 6 has air brick.	
Action Required: Inspection of the air brick to be carried out to confirm whether this goes through to the flat, if air brick is open from flat to common area this must be sealed, or intumescent vent grills fitted to prevent fire/smoke spread.	
Actioned by:	**Date of Action:**
Comments Following Action:	

Hazard: Means of Giving Warning in Case of Fire	**Priority: Medium**
Issue Ref: ES/85732/006	No Photo
Significant Findings: No entry was gained to flats; it is unknown whether smoke detection has been installed within circulation areas of each flat.	
Action Required: Management to confirm that a minimum of LD3 smoke detection has been installed in circulation areas of all flats.	
Actioned by:	**Date of Action:**
Comments Following Action:	

SECTION 4 – IDENTIFYING PEOPLE AT RISK

General – Supporting Information:

As part of your Fire Risk Assessment, it is important to identify those at risk if there is a fire. To do this you need to identify where you have people present, either at permanent locations or at occasional locations around the premises, and to consider who else may be at risk, such as residents, customers, visiting contractors, etc, and where these people are likely to be found. You must consider all the people who use the premises, but you should pay particular attention to people who may be especially at risk who work alone and/or in isolated areas, e.g., cleaners, security staff; people who are unfamiliar with the premises, e.g., contractors, visitors and customers; people with disabilities* or those who may have some other reason for not being able to leave the premises quickly, e.g., elderly residents, customers or parents with children.

Observations:

The occupancy profile of the residents within the block is unknown. It is no longer deemed to be acceptable to assume that all residents are capable of self-evacuation.

Colchester Borough Homes are understood to engage with residents to ascertain that all are capable of self-evacuation from the premises should the need arise. Where residents are identified as not able to self-evacuate or understand evacuation procedure due to English not being there first language a "Person Centred" fire risk assessment is undertaken.

No issues with hoarding noted or those with a propensity to hoard was reported at the time of inspection.

The actions of those who are leaseholders through instigated adaptations must not compromise the intended fire strategy and the compartmentation of individual flats, and therefore, the building and its occupants.

It is understood that Colchester Borough Homes Property Services has a lone working policy available on request.

Identifying people at risk	Yes / No / N/A	Further action required ✓
1. Is there a lone working policy?	**Yes**	
2. Are people who are unfamiliar with the premises e.g., contractors, visitors and customers covered by the lone working policy?	**Yes**	
3. Is sufficient information given to visitors/contractors in relation to fire evacuation procedures?	**Yes**	
4. Are there arrangements in place for people with disabilities * or people who may have some reason for not being able to leave the premises quickly e.g., elderly residents/customers or parents with children?	**Yes**	
5. Are there arrangements in place for people with language difficulties?	**Yes**	

SECTION 5 – FIRE HAZARDS AND THEIR ELIMINATION OR CONTROL

ELECTRICAL SOURCES OF IGNITION

General – Supporting Information:

All electrical equipment should be installed and maintained in a safe manner by a competent person. If portable electrical equipment is used, including items brought into a workplace by staff, then you should ensure that it visually inspected and undergoes portable appliance testing ('PAT') at intervals suitable for the type of equipment and its frequency of use (refer to HSG 107 Maintaining portable equipment). If you have any doubt about the safety of your electrical installation, then you should consult a competent electrician.

Observations and Photographic Evidence:

The common electrical system is fed from a landlord distribution board in an electrical switch room located on the ground floor.

Under The Electricity at Work Regulations 1989 and IET Wiring Regulations BS 7671:2008, domestic accommodation requires annual routine checks of wiring system and 5 yearly fixed wire testing to be carried out for the common areas. Date of last test: April 2022.

No portable electrical appliances were seen within the common areas during this inspection.

Evidence of 5 yearly testing.	

Electrical sources of ignition	Yes / No / N/A	Further action required ✓
1. Is the use of trailing leads and multiple adapters kept to a minimum?	**Yes**	
2. Are flexes run in safe places where they will not be damaged?	**Unknown**	
3. Electrical junction boxes or fuse/circuit breaker boxes with covers/panels not left ajar?	**Yes**	
4. Is there a suitable policy regarding the use of personal electrical appliances?	**Yes**	
5. Is there a robust portable appliance testing regime?	**N/A**	
6. Are fixed installations inspected and tested (five-yearly)?	**Yes**	

SMOKING

General – Supporting Information:

Carelessly discarded cigarettes and other smoking materials are a major cause of fire. A cigarette can smoulder for several hours, especially when surrounded by combustible material. Many fires are started several hours after the smoking materials have been emptied into waste bags and left for future disposal. In those areas where smoking is permitted, provide non-combustible deep and substantial ashtrays to help prevent unsuitable containers being used. Empty all ashtrays daily into a metal waste bin and take outside. It is dangerous to empty ashtrays into plastic waste sacks which are then left inside for disposal later.

Observations and Photographic Evidence:

Smoking is not permitted within the communal areas as per the Smoke-free (Premises and Enforcement) Regulations 2006. Residents must only smoke in the external designated smoking areas around the site or in their own demised areas.

Signage is clearly displayed around the site to indicate this.

The no smoking policy appeared to be observed, there was no evidence of illicit smoking having taken place.

Smoking	Yes / No / N/A	Further action required ✓
1. Is there a suitable policy to prevent fires as a result of smoking?	**Yes**	
2. Is smoking prohibited in all areas of the building?	**No**	
3. Is smoking prohibited in appropriate areas?	**Yes**	
4. Are there suitable arrangements for those who wish to smoke?	**Yes**	
5. Did the policy appear to be observed at the time of inspection?	**Yes**	

ARSON

General – Supporting Information:

Fires started deliberately can be particularly dangerous because they generally develop much faster and may be intentionally started in escape routes. Of all the risk-reduction measures, the most benefit may come from efforts to reduce the threat from arson.

Observations and Photographic Evidence:

The flats are usually fully let, however there could be periods of void (some unlet or held over).

When there are voids, these must be clear of materials and end of tenancy checks will be carried out.

The management of voids must focus on the prevention of fire starting and include ensuring that all non-essential power supplies are isolated, removing any material that might be subject to an arson attack, by ensuring all doors are closed and maintaining security to prevent arson attacks.

Current security levels are adequate, and measures are in place to control unauthorised access to the common areas. The doors to the block are secured via an access control system.

Waste and storage materials are not controlled to a reasonable level.

No other significant fire risks were noticed to the front or rear of the unit during the visit.

Refuse chutes and access hatches were seen directly opening onto landings/stairs.	

Arson	Yes / No / N/A	Further action required ✓
1. Does basic security against arson by outsiders appear reasonable?	**No**	✓
2. Are fire loads which could be at risk of ignition by outsiders kept away from the premises?	**Yes**	
3. No arson attacks or threats of arson occurred in the last twelve months?	**Unknown**	

PORTABLE HEATERS AND HEATING INSTALLATIONS

General – Supporting Information:

Individual heating appliances require particular care if they are to be used safely, particularly those which are kept for emergency use during a power cut or as supplementary heating during severe weather. The greatest risks arise from lack of maintenance and staff unfamiliarity with them. Heaters should preferably be secured in position when in use and fitted with a fire guard if appropriate. As a general rule, convector or fan heaters should be preferred to radiant heaters because they present a lower risk of fire and injury.

Observations and Photographic Evidence:

Heating and hot water services to each flat are within demised areas and not part of this risk assessment.

No portable heaters or other heating installations present within the common areas at the time inspection.

No barbeques or any other such heating appliances noted within the external common areas or on any of the balconies.

Portable heaters and heating installations	Yes / No / N/A	Further action required ✓
1. Is the use of portable heaters avoided as far as practicable?	**Yes**	
2. Is the use of the more hazardous type (e.g., radiant bar fires or LPG appliances) avoided?	**N/A**	
3. Are there suitable measures taken to minimise the hazard of ignition of combustible materials?	**Yes**	
4. Are fixed heating installations subjected to regular maintenance?	**N/A**	

COOKING
General – Supporting Information:
Typical installations used in cooking processes include deep fat fryers, ovens, grills, surface cookers, ductwork, flues, filters, hoods, extract and ventilation ducts and dampers. These cooking processes can operate with high temperatures, involving large quantities of oil and combustible food stuffs. Heat sources used for cooking processes include gas, electric and microwave. The main cause of fire is ignition of cooking oil, combustion of crumbs and sediment deposits, and ductwork fires from a build-up of fats and grease.
Observations and Photographic Evidence:
To manage cooker top fires, risk residents should be encouraged to provide fire blankets for their flat. No barbeques or any other such heating appliances noted within the external common areas or on any of the balconies. Responsibility for maintaining the fixed cooking appliances within the flats lies with the leaseholder / housing authority.

Cooking	**Yes / No / N/A**	**Further action required ✓**
1. Are reasonable measures taken to prevent fires as a result of cooking?	**Yes**	
2. Are grease filters changed and cleaned regularly?	**N/A**	
3. All extraction flues and ductwork for fat and fume extraction, are regularly inspected and deep cleaned (continued cleaning to be in accordance with TR19/installers recommendations)?	**N/A**	
4. Are there suitable extinguishing appliances available?	**N/A**	
5. Do fryers have suitable temperature control?	**N/A**	
6. Main business kitchen, emergency shutdown provided for gas and electrical cooking?	**N/A**	

LIGHTNING
General – Supporting Information:
The provision of a lightning conductor system will not prevent the occurrence of a lightning strike. The purpose of the installation is to direct the current discharged from the strike to earth safely, protecting the structure and its occupants from the effects of the strike. Consideration should be given to BS/IEC 62305 'Protection Against Lightning', to the occupancy of the building, the height compared to other buildings in the area, the use of explosive chemicals and products on the site.
Observations and Photographic Evidence:
No lightning protection system was observed on the premises.

Lightning	**Yes / No / N/A**	**Further action required ✓**
1. Does the building have a lightning protection system?	**N/A**	
2. Has the system been regularly tested and inspected?	**N/A**	

HOUSEKEEPING
General – Supporting Information:
Good housekeeping will lower the chances of a fire starting, so the accumulation of combustible materials in all premises should be monitored carefully. Good housekeeping is essential to reduce the chances of escape routes and fire doors being blocked or obstructed. Keep waste material in suitable containers before it is removed from the premises. If bins, particularly wheeled bins, are used outside, secure them in a compound to prevent them being moved to a position next to the building and set on fire. Never place skips against a building they should normally be a minimum of 6m away from any part of the premises.
Observations and Photographic Evidence:
Internal common escape routes must be always kept fire sterile. Risers and other such areas are maintained shut and are kept always locked to prevent instances of unwanted storage. All arisings coming out of contractor's activity must be removed from the building and suitably disposed of.

Housekeeping	**Yes / No / N/A**	**Further action required ✓**
1. Are combustible materials separated from ignition sources?	**Yes**	
2. Is the accumulation of rubbish and waste avoided?	**Yes**	
3. Is the storage of combustible materials appropriate?	**Yes**	

HAZARDS INTRODUCED BY CONTRACTORS AND BUILDING WORKS
General – Supporting Information:
Fires are more frequent when buildings are undergoing refurbishment or alteration. You should ensure that, before any building work starts, you have reviewed the Fire Risk Assessment and considered what additional dangers are likely to be introduced. You will need to evaluate the additional risks to people, particularly in those buildings that continue to be occupied. Lack of pre-planning can lead to haphazard co-ordination of fire safety measures. Additional risks can include "hot work" such as flame cutting, welding, soldering, or paint stripping; blocking of escape routes, including external escape routes; introduction of combustibles.
Observations:
Only approved contractors will be used to carry out works on site. Any works out of the normal of those of an extended duration will be subject to the necessary planning and authorisation. No apparent structural alterations have been made to the building since build in 1980's. NB: Those who own, manage, or are involved in the alteration of buildings must have a system in place for notifying the relevant enforcing bodies of any material changes or changes in use of the building. **Note:** Building regulations are minimum standards for design, construction, and alterations for virtually every building.

Hazards introduced by outside contractors and building works	**Yes / No / N/A**	**Further action required ✓**
1. Are safety conditions imposed on outside contractors?	**Yes**	
2. Is there satisfactory control over works carried out in the building by outside contractors (including "hot works" permits)?	**Yes**	
3. If there are in-house maintenance personnel, are suitable precautions taken during "hot work", including use of hot works permits?	**Yes**	

DANGEROUS SUBSTANCES
General – Supporting Information:
Specific precautions are required when handling and storing dangerous substances to minimise the possibility of an incident. Your supplier should be able to provide detailed advice on safe storage and handling; however, the following principles will help you reduce the risk from fire HSE publishes guidance 8 about specific substances where appropriate information may need to be provided. If any of these, or any other substance that is not included but nevertheless presents more than a slight risk, is present in your premises, then you must provide such information to staff and others.
Observations and Photographic Evidence:
No dangerous substances present on site.

Dangerous substances	**Yes / No / N/A**	**Further action required ✓**
1. If dangerous substances are, or could be used, has a risk assessment been carried out, as required by the Dangerous Substance and Explosive Atmosphere Regulations 2002?	**N/A**	
2. Are acetylene, propane, and butane cylinders etc, stored appropriately outside of the workplace?	**N/A**	
3. Are chemical stores sufficiently bunded in case of a leak or spillage?	**N/A**	
4. Are flammable liquids/substances stored within an appropriate fire-resistant cabinet?	**N/A**	
5. Is there a system in place to inform emergency services on arrival, of any dangerous substances on site?	**N/A**	

SECTION 6 – FIRE PROTECTION MEASURES

MEANS OF ESCAPE

General – Supporting Information:

You should ensure that your escape routes are suitable; easily, safely and immediately usable at all relevant times; adequate for the number of people likely to use them; free from any obstructions, slip or trip hazards; and available for access at all times.

Observations and Photographic Evidence:

The staircases and corridors are in the majority concrete formed with the floors formed using concrete in situ cast slabs.

Once at ground floor level the residents can evacuate into the grounds of the block or directly onto the street or common open-air car park from the block. Access to the street or common open-air car park is not restricted.

Travel distances are not excessive and noncomplex and appear to be in line with that suggested in LGA - 'Fire safety in purpose-built blocks of flats' - 2012, section 58 – Means of escape within the flat - Flats served by a single escape stairway.

On each floor there are window openings that offer some form of smoke control / ventilation. These will be utilised by the fire and rescue service in the event of an emergency.

No storage of waste and personal items was noted at the time of inspection.

Note: When an effective 'Stay Put' policy is put into effect, it's to keep people safe when they are not in an area directly affected by the fire. If a fire is not in their flat, residents should stay inside with the doors and the windows closed unless directed otherwise by the fire and rescue service.

On each floor there are window openings that offer some form of smoke control / ventilation.	
Plastic saddles have been used to fix conduit in place.	

Means of escape	Yes / No / N/A	Further action required ✓
1. Is the building is provided with reasonable means of escape in case of fire?	**Yes**	
2. Are the escape routes designed of an acceptable standard?	**Yes**	
3. Is there adequate provision of escape routes?	**Yes**	
4. Are fire exits easily and immediately operable where necessary?	**Yes**	
5. Do the fire exits open in the direction of escape where necessary?	**Yes**	
6. Do sliding or revolving doors have overrides installed?	**N/A**	
7. Is the means of securing exits suitable?	**Yes**	
8. Where there is a single direction of travel is the travel distances reasonable?	**N/A**	
9. Where there is an alternative means of escape is the travel distances reasonable?	**Yes**	
10. Is there suitable protection of escape routes?	**No**	✓
11. Are there suitable fire precautions for all inner rooms?	**N/A**	
12. There are no inner-inner rooms present?	**Yes**	
13. Are the escape routes unobstructed?	**Yes**	
14. Are escape routes kept free from displays or inappropriate storage involving combustible materials?	**Yes**	
15. Are there reasonable arrangements for means of escape for disabled people?	**Yes**	

MEASURES TO LIMIT FIRE SPREAD AND DEVELOPMENT

General – Supporting Information:

Many buildings are divided into different areas by fire doors and fire-resisting walls and floors. These are partly designed to keep a fire within one area, giving people more time to escape. You will need to identify which doors, walls and floors in your building are fire-resisting. There may be information available from when the building was built, if alterations have been made, or from a previously held fire certificate. High-risk areas should be separated from the rest of the premises.

Observations and Photographic Evidence:

The construction period is understood to be 1980's therefore will have been built to standards at the time.

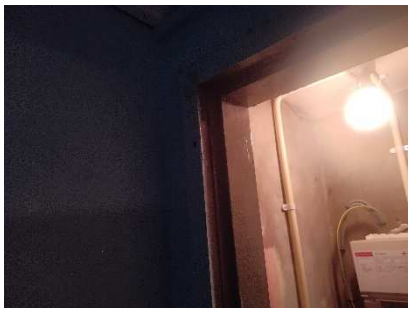
External walls are understood to be formed by traditional methods which would generally be constructed using Brick & Block method. In its most simple terms, this involves the construction of internal blockwork walls, surrounded by external walls of brick or stone.

Horizontal compartmentation exists within each dwelling provided by the original half-hour flat entrance fire door. The escape stairwell is not protected and is not required to be so in accordance with LGA - 'Fire safety in purpose-built blocks of flats'.

To limit internal fire spread surface wall and floor coverings provided in the common corridors and stairwells are of suitably non-combustible or fire-resistant materials.

The flat entrance doors are composite installations and whilst suspected as FD30s there was no documentation to support this.

It is understood that Colchester Borough Homes Property Services have carried out leaseholder Fire Door surveys.

There are no cold smoke seals or intumescent strips installed to the frame/door of the electrical riser cupboard.	
Walls on ground above personal storage cupboards have vent grills.	

Wall within first and second floor landing leading to flat 4 & 6 has air brick	

Means to limit fire spread and development	**Yes / No / N/A**	**Further action required ✓**
1. Is the compartmentation within the building of a reasonable standard? [3]	**Yes**	
2. Are the linings that might promote fire spread of a reasonable standard?	**Yes**	
3. As far as reasonably be ascertained, are fire dampers provided as necessary to protect critical means of escape against passage of fire, smoke and combustion products in the early stages of fire? [3] [4]	**N/A**	
4. Are kitchens with extensive cooking facilities adequately compartmented from other areas of the premises or is a fire suppression system installed?	**N/A**	
5. Are holes in the walls/risers suitably fire stopped? [3]	**No**	✓
6. Is the practice of holding open fire doors with manual devices avoided?	**Yes**	
7. Do fire doors have 3 no. hinges and suitable intumescent/cold smoke seals?	**Unknown**	✓
8. Do fire doors self-close effectively into the door frame or are kept locked?	**Yes**	
9. Glazing on doors, walls and windows is suitably fire rated e.g., with kitemark displayed or wired glass?	**Unknown**	✓
10. Glazing on walls/windows is suitably fire rated e.g., with kitemark displayed or wired glass?	**Yes**	
[3]) Based on visual inspection of readily accessible areas, with a degree of sampling where appropriate. [4]) A full investigation of the design of HVAC systems is outside the scope of this Fire Risk Assessment.		

EMERGENCY ESCAPE LIGHTING
General – Supporting Information:
The primary purpose of emergency escape lighting is to illuminate escape routes, but it also illuminates other safety equipment. The size and type of your premises and the risk to the occupants will determine the complexity of the emergency escape lighting required. Borrowed lighting may be suitable in small premises where the light is from a dependable source, e.g., streetlamps, and it will adequately illuminate escape routes. Where borrowed lighting is not suitable, then a number of torches, in strategic positions, can be considered.
Observations and Photographic Evidence:
There is no emergency escape lighting noted on day of inspection, however, borrowed lighting seems to be sufficient from a dependable source, e.g., streetlamps, and it will adequately illuminate escape routes. The building has no access or use by the public.

Emergency escape lighting	**Yes / No / N/A**	**Further action required ✓**
1. Is the provision of emergency escape lighting suitable? [5]	**N/A**	
2. Are fittings in suitable condition and functioning?	**N/A**	
3. Are escape routes adequately lit?	**Yes**	
4. Suitable test facilities in place?	**N/A**	
5. Maintained illuminated signage provided where applicable?	**N/A**	
[5]) Based on visual inspection, but no test of luminance levels or verification of full compliance with relevant British Standards carried out.		

FIRE SAFETY SIGNS AND NOTICES

General – Supporting Information:

In simple premises, a few signs indicating the alternative exit(s) might be all that is needed. In larger and more complex premises, a series of signs directing people along the escape routes towards the final exit might be needed.
Escape routes that do not constitute a normal means of leaving a building should be properly signed with signs that conform to the requirements of the Health and Safety (Safety Signs and Signals) Regulations 1996. These make use of pictogram s employing the running man, an open door, and directional arrows.

Observations and Photographic Evidence:

It is unknown whether Fire instruction notices have been issued to the residential tenants. The fire instruction notices have/have not been also displayed within the common areas of the block.

Fire doors without self-closers are signed as Keep Locked Shut.

Directional and exit signage is not required in line with LGA - 'Fire safety in purpose-built blocks of flats' – 2012 section 63.

There is also 'No smoking' signage in common area.

Keep Locked Shut signage on electrical cupboard.	
'No smoking' signage in common area.	
Fire Action Notice on communal notice board.	

Fire safety signs and notices	Yes / No / N/A	Further action required ✓
1. Do the signs comply with Health & Safety (Safety Signs and Signals) Regulations 1996 or BS ISO 3864?	**Yes**	
2. Are fire action notices displayed prominently throughout the workplace?	**Yes**	
3. Are final exit doors indicated on the outside with a mandatory sign?	**Yes**	
4. Are internal fire doors labelled?	**Yes**	
5. Are escape routes clearly signed?	**Yes**	

MEANS OF GIVING WARNING IN CASE OF FIRE

General – Supporting Information:

Where an electrical fire-warning system is necessary then a straightforward arrangement typically includes the following: manual call points (break-glass call points) next to exits with at least one call point on each floor; electronic sirens or bells; and control and indicator panel. An alternative system of interconnected combined manual call points and sounders may be acceptable. If your building has areas where a fire could develop undetected or where people work alone and might not see a fire, then it may be necessary to upgrade your fire-warning system to incorporate automatic fire detection or install an automatic fire-detection and warning system.

Observations and Photographic Evidence:

There is no communal automatic fire detection on the premises as per guidance outlined in Local Government Association - Fire Safety in Purpose Built Flats, Section 20.4: '. In 'general needs' blocks designed to support a 'stay put' policy, it is unnecessary and undesirable for a fire alarm system to be provided. A communal fire detection and alarm system will inevitably lead to a proliferation of false alarms. This will impose a burden on fire and rescue services and lead to residents ignoring warnings of genuine fires.

In all flats, early warning of fire should be provided by means of smoke alarms installed in accordance with BS 5839-6. A category LD3 system should be considered the minimum in all circumstances. This is a system where there is one or more smoke alarms solely in the circulation spaces of a flat. Flats with more than one level and those with more than one hallway or circulation space will always require more than one smoke alarm.

No entry was gained to flats.

Means of giving warning in case of fire	Yes / No / N/A	Further action required ✓
1. Is a manual or electrical fire alarm system provided?	**N/A**	
2. Is suitable automatic fire detection provided within the building?	**Unknown**	✓
3. Is there a back-up power supply for the fire detection/warning system?	**N/A**	
4. Is the fire alarm system connected to a collector station?	**N/A**	
5. Are the fire alarm call points clearly visible and unobstructed?	**N/A**	
6. Visual warning units/indicating devices can be clearly seen in relevant areas when fire alarm is activated?	**N/A**	

[6]) Based on visual inspection, but no audible test or verification of full compliance with relevant British Standards carried out.

MANUAL FIRE EXTINGUISHING APPLIANCES
General – Supporting Information:
The occupier/owner has a responsibility for the provision of appropriate firefighting equipment. It is also their responsibility to check that all firefighting equipment is in the correct position and in satisfactory order before the premises is used. Appropriate staff should be trained in the use of all such equipment. Fires are classed according to what is burning. Fire extinguishers provided should be appropriate to the classes of fire found in your premises.
Observations and Photographic Evidence:
There are no portable fire extinguishers on site. This is in line with guidance outlined in Local Government Association – Fire Safety in Purpose Built Flats, Section 21.4: 'The provision of fire extinguishers and other forms of fire-fighting equipment in common parts for use by residents is problematic. It is not expected that residents should need to tackle a fire in their flats to make their escape. Indeed, to obtain a fire extinguisher located in the common parts for this purpose would involve the person leaving their flat in the first place.'

Manual fire extinguishing appliances	**Yes / No / N/A**	**Further action required ✓**
1. Are there an adequate number of suitable fire extinguishers provided? (1 per 200 m^2) (1 per special risk)	**N/A**	
2. Are fire extinguishers and fire blankets located suitably placed and ready for use?	**N/A**	
3. Are extinguishers suitably charged and within service date?	**N/A**	

AUTOMATIC FIRE EXTINGUISHING SYSTEMS
General – Supporting Information:
Fire suppression systems can include sprinklers and other types of fixed installations designed to automatically operate and suppress a fire. Such systems should be maintained by a competent person.
Observations:
There has never been any requirement under Building Regulations to install an automatic fire extinguishing system in a small purpose-built block of flats, nor is there any such requirement to date. This is in line with guidance outlined in Local Government Association – Fire Safety in Purpose Built Flats.

Relevant [7] automatic fire extinguishing systems	**Yes / No / N/A**	**Further action required ✓**
1. Are fixed firefighting installation in working order?	**N/A**	
2. Discharge head unobstructed?	**N/A**	
3. Sprinkler flow switch test facility available?	**N/A**	
[7]) Relevant to life safety and this risk assessment (as opposed to property protection).		

FIXED SYSTEMS AND EQUIPMENT
General – Supporting Information:
Building Regulations and other Acts, including local Acts, may have required firefighting equipment and other facilities to be provided for the safety of people in the building and to help fire fighters. Fire safety law places a duty on you to maintain such facilities in good working order and at all times. These may include access for fire engines and fire fighters; firefighting shafts and lifts; smoke-control systems; dry or wet rising mains and freighting inlets; information and communication arrangements e.g., fire telephones and wireless systems and information to brief the Fire and Rescue Service when they arrive; and firelighter's switches.
Observations:
None present.

Other relevant [7] fixed systems and equipment	**Yes / No / N/A**	**Further action required ✓**
1. Is there suitable provision for fire-fighters switches for high voltage luminous tube signs, etc?	**N/A**	
2. Hydrants clearly marked, adequately located, unobstructed and in good state of repair (when within the Client demise)?	**N/A**	
3. Dry riser outlet boxes accessible, in good condition/locked if appropriate, locking straps in place, no rubbish/storage present?	**N/A**	
4. Manual or automatic opening vents and/or smoke extract systems where present, are in working order?	**N/A**	
[7]) Relevant to life safety and this risk assessment (as opposed to property protection).		

SECTION 7 – FIRE SAFETY MANAGEMENT

PROCEDURES AND ARRANGEMENTS

General – Supporting Information:

Your emergency plan should be appropriate to your premises and could include: how people will be warned if there is a fire; what staff should do if they discover a fire; how the evacuation of the premises should be carried out; where people should assemble after they have left the premises and procedures for checking whether the premises have been evacuated; identification of key escape routes, how people can gain access to them and escape from them to a place of total safety; arrangements for fighting the fire etc.

Observations:

Colchester Borough Homes are understood to engage with residents to ascertain that all are capable of self-evacuation from the premises should the need arise. Where residents are identified as not able to self-evacuate or understand evacuation procedure due to English not being there first language a "Person Centred" fire risk assessment is undertaken.

The significant findings of the fire risk assessment will be passed to all relevant members of staff, responsible persons and visiting contractors will be advised of fire risks in the building.

No fire records were observed at the time of inspection.

Inspections of the fire safety management and physical fire precautions are carried out and documented by the client.

As a Stay Put Policy is in place there is no defined fire assembly point. The natural assembly point would be on Iceni Way or the common car park depending on the incident and risk posed.

Procedures and arrangements	Yes / No / N/A	Further action required ✓
1. Is a suitable evacuation policy in place for these premises?	**Yes**	
2. Is a policy in place to ensure visitors to the building are accompanied at all times by a member of staff and, where not, are given sufficient instruction on arrival on fire safety arrangements?	**N/A**	
3. Are fire procedures appropriate and properly documented, with names and locations of fire wardens displayed or made available throughout the building?	**N/A**	
4. If the layout and escape routes are not familiar to the people present, are members of staff present to give instructions and advice, a voice alarm or public address system?	**N/A**	
5. Are sufficient procedures in place to ensure that in the event of a fire, the Fire and Rescue Service is notified and receive on their arrival, sufficient information on missing persons, origin of fire, plans and layout of the building and refuge areas?	**N/A**	
6. Are competent person(s) appointed to assist in undertaking the relevant general fire safety precautions?	**N/A**	
7. Is there a fire safety logbook, giving sufficient details of fire detection and alarm systems testing, fire evacuation drills with information such as evacuation times, fire safety audits, and other significant information?	**Yes**	

8. Are monthly fire safety audits undertaken by fire wardens to cover the area of the building they are responsible for?	**N/A**	
9. Are there suitable arrangements for ensuring that the premises have been evacuated?	**N/A**	
10. Is there a suitable assembly point, including trained persons and personal evacuation plans?	**N/A**	
11. Are there adequate procedures for the evacuation of any disabled people who are likely to be present including personal emergency evacuation plans?	**Yes**	
12. Have persons been nominated and trained to assist in the evacuation, including the evacuation of disabled people	**N/A**	
13. Is there appropriate liaison with Fire and Rescue Service (e.g., by fire and rescue service crews visiting for familiarisation visits)?	**Yes**	
14. Has a procedure been established to review the Fire Risk Assessment periodically or when significant changes to the building or working practices are introduced?	**Yes**	
15. If you do not have direct control over the workplace, have you notified the owner or landlord of any fire safety related issues?	**N/A**	
16. If you share the workplace with others, do they know about the risks that you have identified?	**N/A**	
17. Are all company policies relating to fire safety reviewed regularly?	**Yes**	

TRAINING AND DRILLS

General – Supporting Information:

The actions of staff if there is a fire are likely to be crucial to their safety and that of other people in the premises. All staff should receive basic fire safety induction training and attend refresher sessions at pre-determined intervals. You should ensure that all staff and contractors are told about the emergency plan and are shown the escape routes. The training should take account of the findings of the Fire Risk Assessment and be easily understood by all those attending. It should include the role that those members of staff will be expected to carry out if a fire occurs. This may vary in large premises, with some staff being appointed as Fire Marshals or being given some other particular role for which additional training will be required.

Observations:

Fire evacuation drills are not undertaken and not required at this property.

The company policy is not to fight fires, so no extinguishers are supplied.

Training and drills	Yes / No / N/A	Further action required ✓
1. Are all staff given suitable fire safety instruction and training on induction?	**N/A**	
2. Are all staff given adequate “refresher training” at suitable intervals?	**N/A**	
3. Are fire drills carried out at appropriate intervals?	**N/A**	
4. Are staff with special responsibilities given additional training (e.g., fire wardens?)	**N/A**	

PREMISES INFORMATION BOX
General – Supporting Information:
A premises information box (PIB) is used to provide a safe location for containing information on a property and its occupants. The PIB is there to provide the local fire and rescue service with up-to-date information in paper and/or electronic form of every floor of the building, identifying the location of key fire safety systems. The type of information the PIB would normally contain include are plans of the building, the fire safety manual, building description, information on occupants (e.g., PEEPs), details of any residents using oxygen or other medical gases, details of key personnel, evacuation strategy, construction layouts, details of fire safety systems etc. The PIB may also be used to contain the fire safety logbook and other safety information, such as an asbestos register.
Observations:
It is understood that Colchester Borough Homes are undertaking a programme of installing lockable Premises Information Boxes.

Premises Information Box	**Yes / No / N/A**	**Further action required ✓**
1. A premises information box is not required for this premises? [8]	**N/A**	
2. Is there a suitably located premises information box for the fire and rescue service?	**Yes**	
3. Are there arrangements to keep the premises information box up to date?	**Yes**	
[8]) If yes and none present, mark subsequent questions as N/A		

TESTING AND MAINTENANCE

General – Supporting Information:

You have responsibility for the provision of appropriate firefighting equipment. It is also your responsibility to check that all firefighting equipment is in the correct position and in satisfactory order before the premises are used. Appropriate staff should be trained in the use of all such equipment. All machinery, apparatus and office equipment should be properly maintained by a competent person.

All emergency escape lighting systems should be regularly tested and properly maintained to an appropriate standard. Most existing systems will need to be manually tested. However, some modern systems have self-testing facilities that reduce routine checks to a minimum.

Observations:

It is understood that Colchester Borough Homes care team carry out block inspections on a regular basis, number of inspections carried out are governed by Colchester Borough Homes to what they deem reasonable.

Testing and maintenance	Yes / No / N/A	Further action required ✓
1. Is the weekly testing and periodic servicing (6 monthly or quarterly, if required) of fire detection and alarm system in place?	**N/A**	
2. Is there routine testing (monthly and annually) for emergency escape lighting?	**N/A**	
3. Have all emergency generators been tested (as per manufacturer's instructions, normally run for one hour)?	**N/A**	
4. Are extinguishing appliances tested and inspected annually?	**N/A**	
5. Are external staircases and gangways inspected on a regular basis?	**Yes**	
6. Six-monthly inspection and annual testing of rising mains?	**N/A**	
7. Weekly, monthly testing, six-monthly inspection and annual testing of fire-fighting lifts?	**N/A**	
8. Weekly testing and periodic inspection of sprinkler installations?	**N/A**	
9. Routine inspection of fire doors, final exit doors and or security fastenings?	**Yes**	
10. Other relevant inspections and tests Automatic door release mechanisms? Green - override points on doors linked to alarm system carried out? Smoke extract systems? Fire suppression systems in plant rooms etc? Kitchen canopy fire suppression systems?	**N/A**	

SECTION 8 – APPENDIX

APPENDIX A - DRAWINGS

"Not applicable; no drawings provided during assessment"

APPENDIX B – BAFE CERTIFICATE

CERTIFICATE OF CONFORMITY

LIFE SAFETY FIRE RISK ASSESSMENT CERTIFICATE OF CONFORMITY

SSAIB Registered Provider: **NYOR061**

CERTIFICATE No. 9128309

This certificate is issued by the organisation named in Part 1 of the schedule in respect of the fire risk assessment provided for the person(s) or organisation named in Part 2 of the schedule at the premises and / or part of the premises identified in Part 3 of the schedule.

PART 1 - ISSUER DETAILS

Issuing Organisation Name	Tersus Consultancy Limited
Bafe Registration no.	103052

PART 2 - CLIENT DETAILS

Customer's Name	Colchester Borough Homes
Address	1-6 Kersey Court Colchester Essex

PART 3 - CERTIFICATION DETAILS

Locations on premises to which this assessment applies	General needs low rise block.		
Scope and purpose of fire risk assessment	Type 1 - Common parts only (non-intrusive)		
Effective date of assessment	07/11/2022	Review Date	07/11/2027
Unique reference no.	9128309		

We, being currently a 'Certificated Organisation' in respect of fire risk assessment identified in the above schedule, certify that the fire risk assessment referred to in the above schedule complies with the Specification identified in the above schedule and with all other requirements as currently laid down within the BAFE SP205 Scheme in respect of such fire risk assessment.

Signed for and on behalf of the issuing Certified Organisation

Name: Darren Blackburn | Job Title: Validator/Director

Date of Issue: 15/11/2022 | Signature:

SSAIB (certification body) can be contacted at: 7 - 11 Earsdon Road, West Monkseaton, Whitley Bay, Tyne and Wear, NE25 9SX.
Tel: +44 (0) 191 296 3242 E-mail: certificate@ssaib.org Web: www.ssaib.org / www.ssaib.ie

BAFE, The Fire Service College, London Road, Moreton-in-Marsh, Gloucestershire, GL56 0RH www.bafe.org.uk :: +44 (0) 844 335 0897

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APPENDIX C - NOTES ON THE RR(FS)O 2005

Previous General Fire Safety Legislation

The Regulatory Reform (Fire Safety) Order 2005 (the Order) replaces previous fire safety legislation. Any fire certificate issued under the Fire Precautions Act 1971 will cease to have any effect. If a fire certificate has been issued in respect of the premises or the premises were built to recent building regulations, if no material alterations have been made and all physical fire precautions have been properly maintained, it is unlikely the need to make any significant improvements to your existing physical fire protection arrangements to comply with the Order. However, a Fire Risk Assessment must be carried out and all maintenance and records kept up to date to ensure that all the fire precautions in the premises remain current and adequate.

If a Fire Risk Assessment was previously carried out under the Fire Precautions (Workplace) Regulations 1999, as amended 1999, and the assessment has been regularly reviewed then you will need to revise that assessment taking account of the wider scope of the Order. Your premises may also be subject to the provisions of a licence or registration (e.g. under the Licensing Act 200378), and the fire authority may wish to review your risk assessment as part of the licensing approval process. Fire safety conditions within your licence should not be set by a licensing authority where the Order applies.

Background

The Order applies in England and Wales. It covers general fire precautions and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around most premises. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.

Responsibility for complying with the Order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person or people in control of the premises will be responsible. If there is more than one responsible person in any type of premises (e.g. a multi-occupied complex), all must take all reasonable steps to co-operate and co-ordinate with each other.

If you are the responsible person, you must have a Fire Risk Assessment carried out which must focus on the safety in case of fire of all 'relevant persons'. It should pay particular attention to those at special risk, such as disabled people, those who you know have special needs and young persons and must include consideration of any dangerous substance liable to be on the premises. The Fire Risk Assessment will help you identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions you need to take.

If your organisation employs five or more people, your premises are licensed or an alterations notice is in force, you must record the significant findings in the assessment. It is good practice to record your significant findings in any case.

Who enforces the Fire Safety Order?

The local Fire and Rescue authority (the Fire and Rescue Service) will enforce the Order in most premises. The exceptions are: Crown-occupied/owned premises where Crown fire inspectors will enforce; premises within armed forces establishments where the defence fire and rescue service will enforce; certain specialist premises including construction sites, ships (under repair or construction) and nuclear installations, where the HSE will enforce; and sports grounds and stands designated as needing a safety certificate by the local authority, where the local authority will enforce.

The enforcing authority will have the power to inspect your premises to check that you are complying with your duties under the Order. They will look for evidence that you have carried out a suitable Fire Risk Assessment and acted upon the significant findings of that assessment. If you are required to record the outcome of the assessment, they will expect to see a copy. If the enforcing authority is dissatisfied with the outcome of your Fire Risk Assessment or the action you have taken, they may issue an enforcement notice that requires you to make certain improvements or, in extreme cases, a prohibition notice that restricts the use of all or part of your premises until improvements are made.

If your premises are considered by the enforcing authority to be or have potential to be high risk, they may issue an alterations' notice that requires you to inform them before you make any changes to your premises or the way they are used. Failure to comply with any duty imposed by the Order or any notice issued by the enforcing authority is an offence. You have a right of appeal to a magistrate's court against any notice issued. Where you agree that there is a need for improvements to your fire precautions but disagree with the enforcing authority on the technical solution to be used (e.g., what type of fire alarm system is needed) you may agree to refer this for independent determination.