

# **Equality Impact Assessment (EQIA)**

## **Practical Fire Safety Guidance for Existing Non-Residential Premises**

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**Scottish Government**  
Riaghaltas na h-Alba  
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## Equality Impact Assessment

This equality impact assessment (EQIA) has been developed to consider impacts on equality from the revised guidance Practical Fire Safety Guidance for Non-Residential Premises.

There are no new policies or requirements on those with responsibilities under the legislation. This is merely a revision, consolidation and general updating of existing guidance.

The guidance is intended to be of assistance to those with responsibility for fire safety in non-domestic premises across a range of businesses. It does not prescribe any particular measures to be put in place and, whilst it may make recommendations which might have financial impacts on businesses, these are not new, and not required by legislation.

There is no obligation to adopt any particular solution in the guides if the outcomes of a fire safety risk assessment can be met in some other way.

The enforcing authority, the Scottish Fire and Rescue Service (SFRS), is required to take into account the content of the guides to assist in determining whether enforcement action may be necessary, but in doing so it should have a flexible approach to enforcement.

The equality impact assessment sets out:

- the aims of the guidance;
- the equality issues faced by people in respect of race, gender, disability, age, sexual orientation, transgender, religion and belief and work which is going on to try to address relevant issues; and
- potential impacts of the guidance.

This EQIA assesses the impact of this guidance, and should be used by the SFRS when assessing the impact on equality groups of its policies, plans, services and delivery.

### Define the aims of the policy

Title of policy	Practical Fire Safety Guidance for Non-Residential Premises
Strategic Outcomes	Safer and Stronger
Name of Branch or Division	Fire and Rescue Unit
Directorate or Agency	Safer Communities

<p>What is the purpose of the proposed policy (or changes to be made to the policy)?</p>	<p>The guidance is intended to be of assistance to those with responsibility for fire safety in non-domestic premises across a range of businesses. It does not prescribe any particular measures to be put in place and, whilst it may make recommendations which might have financial impacts on businesses, these are not new, and are advisory, not statutory.</p> <p>There is no obligation to adopt any particular solution in the guidance if the outcomes of a fire safety risk assessment can be met in some other way.</p>
<p>Who is affected by the policy or who is intended to benefit from the proposed policy and how?</p>	<p>Persons who are dutyholders in respect of the Fire (Scotland) Act 2005, who therefore may use this guidance to assist them in understanding their responsibilities. Persons who are employees and customers in those premises. The Scottish Fire and Rescue Service, which uses the guides to assist with assessing the appropriateness of fire safety measures within those premises. Regulatory authorities such as the HSE.</p>
<p>How have you, or will you, put the policy into practice, and who is or will be responsible for delivering it?</p>	<p>The guide has been designed to meet the needs of duty holders in existing non-residential premises. The guide is used by relevant dutyholders and SFRS as enforcer.</p>
<p>How does the policy fit into our wider or related policy initiatives?</p>	<p>Three national outcomes in particular underpin the aims of the guidance and our aspirations for reform:</p> <ul style="list-style-type: none"> <li>• <b>we live longer, healthier lives</b> (National Outcome 6);</li> <li>• <b>we live our lives safe from crime, disorder and danger</b> (National Outcome 9);</li> <li>• <b>we have strong resilient and supportive communities where people take responsibility for their own actions and how they affect others</b> (National Outcome 11).</li> </ul>
<p>Do you have a set budget for this work?</p>	<p>No</p>

**What do you already know about the diverse needs and/or experiences of your target audience?**

Do you have information on				
Age	Yes	x	No	
Disability	Yes	x	No	
Gender	Yes	x	No	
Lesbian, Gay, Bisexual and Transgender	Yes	x	No	
Race	Yes	x	No	
Religion and Belief	Yes	x	No	

**What do you already know about the diverse needs and/or experiences of your target audience?**

Age	Dutyholders can be suitable adults of any age
Disability	There will be a range of health and disability issues in the non-domestic sector. Detailed information is not needed for the purposes of this consultation.
Gender (including pregnancy and maternity)	Dutyholders can be male, female or of non-binary gender identity. Detailed information is not needed for the purposes of this consultation.
Lesbian, Gay, Bisexual and Transgender	Dutyholder positions are open to all regardless of sexual orientation or gender identity.
Race	Dutyholder positions are open to all regardless of race
Religion and Belief	Dutyholder positions are open to all regardless of religion & belief

**Do you have enough information to help you understand the diverse needs and/or experiences of your target audience? If not, what else do you need to know?**

Age	Do you have enough information to proceed?	Yes	No
	Yes - As the intention is improve guidance and to clarify, but not alter, policy it is not considered that there is a need to gather detailed data. The same applies below.		
Disability	Do you have enough information to proceed?	Yes	No
	Yes - As above		
Gender (including pregnancy and maternity)	Do you have enough information to proceed?	Yes	No
	Yes - As above		
Lesbian, Gay, Bisexual and Transgender	Do you have enough information to proceed?	Yes	No
	Yes - As above		

Race	Do you have enough information to proceed?	Yes	No
	Yes - As above		
Religion and Belief	Do you have enough information to proceed?	Yes	No
	Yes - As above		

**What does the information you have tell you about how this policy might impact positively or negatively on the different groups within the target audience?**

**Summary of potential impacts of the guidance**

The existing guidance, which will be replaced by this new guidance, is for the use of dutyholders to help them understand their responsibilities and for the safety of employees, customers and anyone else who might find themselves on non-residential premises. Any benefit (improved fire safety) achieved through the revised guidance should be positive for such persons.

The revised guidance covers existing non-residential premises without sleeping accommodation, such as offices, shops and entertainment venues. It will consolidate and supersede the following existing guides:

- Practical Fire safety Guidance for Educational and Day Care for Children Premises: February 2008
- Practical Fire Safety Guidance for Places of Entertainment and Assembly: December 2007
- Practical Fire Safety Guidance for Factories and Storage Premises: February 2008
- Practical Fire safety Guidance for Offices, Shops and Similar Premises: February 2008
- Practical Fire Safety Guidance for Transport Premises: February 2008

These five guides contain a substantial amount of duplication and we believe that reducing the number of guides will make them easier to use for duty holders and enforcers, and provide greater clarity on the guide most relevant for a particular premises. A reduced number of guides will also be quicker for the SG to update when necessary, with a subsequent benefit for dutyholders and enforcers.

The new guide has a substantial number of editorial changes from the existing 5 guides it will replace. In line with the changes introduced into the care home guide revision in March 2014, which were widely welcomed, the new guide contains improvements to text to aid understanding of content and greater use of explanations. Other key changes include the removal of technical annexes and the incorporation of the content into the chapters so that subject information sits together, and a refinement of the risk assessment process to be more closely aligned to the legislation.

**Will you be making any changes to your policy?**

Are there any changes?				
Age	Yes		No	x
Disability	Yes		No	x
Gender (including pregnancy and maternity)	Yes		No	x
Lesbian, Gay, Bisexual and Transgender	Yes		No	x
Race	Yes		No	x
Religion and Belief	Yes		No	x

**Does your policy provide the opportunity to promote equality of opportunity or good relations by altering the policy or working with others?**

Age	Yes	x	No	
Disability	Yes	x	No	
Gender (including pregnancy and maternity)	Yes		No	x
Lesbian, Gay, Bisexual and Transgender	Yes		No	x
Race	Yes		No	x
Religion and Belief	Yes		No	x

Age	It helps promote fire safety for young persons, recommending that consideration should be given to potential inexperience, and lack of awareness of any young persons (under 18 years) on the premises.
Disability	It helps promote fire safety for disabled persons, recommending that consideration should be given to mobility and other issues which might affect the ability of individuals to evacuate the premises.

**Based on the work you have done – rate the level of relevance of your policy**

*Tick one box for each strand*

	Age	Disability	Gender including pregnancy and maternity	LGBT	Religion and belief	Race
<p><b>High</b></p> <ul style="list-style-type: none"> <li>- There is substantial evidence that people from different groups or communities are (or could be) differently affected by the policy (positively or negatively).</li> <li>- There is substantial public concern about the policy, or concerns have been raised about the policy's potential impact by relevant bodies.</li> <li>- The policy is relevant to all or</li> </ul>						

part of the respective general duty, in the case of race, disability and gender.	x					
<b>Medium</b> - There is some evidence that people from different groups or communities are (or could be) differently affected (positively or negatively). - There is some public concern about the policy. - The policy is relevant to parts of the respective general duty, in the case of race, disability and gender.		x				
<b>Low</b> - There is little or no evidence that some people from different groups or communities are (or could be) differently affected (positively or negatively). - There is little or no evidence of public concern about the policy. - The policy has little or no relevance to the respective general duty, in the case of race, disability and gender.			x	x	x	x
<b>Unknown</b> - No evidence or data has been collected therefore an assessment cannot be made						

**Is a further impact assessment required?**

Age	Yes		No	x
Disability	Yes		No	x
Gender (including pregnancy and maternity)	Yes		No	x
Lesbian, Gay, Bisexual and Transgender	Yes		No	x
Race	Yes		No	x
Religion and Belief	Yes		No	x

If you have answered yes please explain why

**Please explain how you will monitor and evaluate this policy/function or strategy to measure progress?**

**Please explain how monitoring will be undertaken, when it will take place and who is responsible for undertaking it.**

Depending on the consultation response any need for further analysis will be reviewed.

**The impact assessment should now be authorised by either the Division or Group Head or equivalent.**

Policy Title	Practical Fire Safety Guidance for Non-Residential Premises
Strategic Outcome	Safer and Stronger
Name of Branch or Division	Fire and Rescue Unit, Safer Communities Division
Directorate or Agency	Learning and Justice

We have completed the equality impact assessment for this policy.	<p>Name: Siân Ledger</p> <p>Position: Team Leader, Fire and Rescue Unit</p> <p>Date: 24/11/16</p>
Authorisation by Deputy Director or equivalent	<p>Name: Wendy Wilkinson</p> <p>Position: Deputy Director of Safer Communities</p> <p>Date: 24/11/16</p>