

PEEPs Consultation

Deadline to respond: 19 July 2021, 11.45pm

Consultation: <https://www.gov.uk/government/consultations/personal-emergency-evacuation-plans>

Online form to respond: <https://www.homeofficesurveys.homeoffice.gov.uk/s/8T8NUJ/>

This is the agreed response of an informal group of organisations/experts (chaired by DRUK) who have been following this issue closely. **Collectively, we strongly support the proposal to require evacuation plans (PEEPs) for disabled people.** However, we are concerned that:

- The onus is on disabled people to trigger the creation of a PEEP
- The building height criterion is wrong
- There is no requirement for correspondence to be accessible
- The templates for the PEEP itself, and form of information to share with the fire service, are clumsy and unclear
- There is no support for costs of evacuation aids

Questions 1-4 are about the person or organisation responding. Personal accounts are particularly valuable to demonstrate disabled people's experiences.

SAMPLE RESPONSE

Q5: To what extent do you agree with proposal 1: We propose to require the Responsible Person to prepare a [PEEP] for every resident who self-identifies to them as unable to self-evacuate (subject to the resident's voluntary self-identification) and to do so in consultation with them?

Strongly agree

Q6:

The Fire Safety Order 2005 applies to everyone, with no exemption for disabled people. Despite this, most have no evacuation plan from their flats and/or are being routinely refused them. PEEPs for disabled people will help end the discrimination.

The Responsible Person ("RP"), with knowledge of the building and ease of establishing who lives in it, should lead this process.

Whilst we agree with the right to consent, placing the burden on the disabled person to 'self identify' for a PEEP is wrong. A disabled resident may not know the barriers they would experience in an evacuation (particularly if it has not happened before) or that they need to self-identify. Given RPs' history of reluctance to perform PEEPs, the structure of the proposal will potentially encourage some to do nothing in order to not to trigger a PEEP – an unintended and dangerous consequence.

RPs must be obliged to remind, support and advise, in particular:

- Actively survey residents and invite discussion about evacuation

- Explain a PEEP's purpose and give examples of why someone may need one eg being unable to hear a fire alarm or leave without use of a lift.
- Use plain English, avoiding jargon such as 'PEEP'
- Actively encourage communication and not be allowed to imply costs, negative consequences or sharing health data with third parties
- Communicate in an accessible way eg posters on noticeboards are insufficient for blind residents.

In order to support RPs to perform the duty effectively, it must be accompanied with a guidance document. [249/250 words]

Q7: To what extent do you agree with proposal 2: We propose to provide a PEEP template to assist the Responsible Person and the residents in completing the PEEP, and to support consistency at a national level?

Strongly agree

Q8:

We agree with the principle of providing a template which is simple and clear for those that wish to use it. Many RPs will not be familiar with the issues experienced by residents with access needs and will benefit from a form which provides guidance. There is a risk of this form being used in a 'tick box exercise' fashion and RPs should not be limited to these fields in their information gathering. It is essential that the template is accompanied with a guidance note to support the process and its completion. [92/250 words]

Q9: To what extent do you agree with proposal 3: We propose to require the Responsible Person to complete and keep up to date information about residents in their building who would have difficulty self-evacuating in the event of a fire (and who have voluntarily self-identified as such), and to place it in an information box on the premises to assist effective evacuation during a rescue by the Fire and Rescue Service?

Strongly agree

Q10:

A PEEP is the outcome of the process of identifying how a disabled or older person will evacuate. The Fire and Rescue Service ("FRS") will need to rescue the person where the PEEP has failed or when the person is part-way through evacuation. So RPs must be reminded that their duty to prepare an effective PEEP is not discharged simply by passing information to the FRS in the information box.

That said, if the FRS does need to rescue the disabled person (where evacuation has failed) then they will need information to identify the resident's location, access barriers, access needs and risks of injury. The RP must therefore be under a duty to provide this to the FRS.

In terms of how the FRS is informed, the manner must be highly secure, up-to-date and easily accessible by the FRS in an emergency. The level of security should be prescribed i.e. to accredited standards. [153/250 words]

Q11: To what extent do you agree with proposal 4: We propose, in order to assist the Responsible Person and support consistency at a national level, to provide a template to capture the key information to be provided in the information box?

Strongly agree

Q12:

A template is probably the most logical way to guide the RPs in how to select the essential information to share with the FRS. Guidance notes accompanying the template should encourage innovation, discussion with the local FRS and be as effective as possible at saving lives and reducing risk of death/injury during rescue. [53/250 words]

Q13: Do you think other information than in Annex A should be included in the PEEP template and if so, what?

Whilst we advocate a clear and simple template, the template has been oversimplified and is, in parts, contradictory.

We suggest that 'the reason for difficulty in self-evacuating' should not be separate from statement of impairment (disability). The former would be more usefully framed in terms of the resident's practical barriers and physical capabilities. For example, 'unable to walk down stairs but can transfer' or 'cannot hear a fire alarm but can use a smartphone'.

What should not be attempted eg risk of injury or death through mishandling, requires a clear separate line of its own.

There should be a field to record the next review date. Whilst we consider 12 months to be reasonable as a rule, if the person discloses a progressive condition which means their needs will change sooner than 12 months, the review date should reflect this.

A guidance note, with good and bad examples, is essential for the RP to perform this life-saving exercise effectively. [159/250 words]

Q14: Do you think other information than in Annex B is necessary for the Fire and Rescue Service to undertake a rescue and should be included in the information box; if so, what

The PEEP template does not align with the Information Box template - for example "What should not be attempted" (i.e unnecessary risk of death or injury) is not referenced on the information box summary. Why identify this information and not share with the FRS?

We query the clarity of the wording here: “Brief summary of why assistance is required (e.g., cognitive impairment, brittle bones etc.)” The theme is about assistance but the examples given are impairments. We suggest this should either be “Barriers to self-evacuation (eg unable to walk down stairs)” and, separately, “Brief description of assistance needed (eg carrying down stairs)”.

When ‘impairment’ is used it should not be open to interpretation as this may waste precious time. For example, saying someone is “visually impaired” could mean they are blind or partially sighted and expects the FRS to jump to conclusions about their access barriers. This is of less use than barriers, assistance needs and risk of injury.

The contact details for the resident must be available. Someone should attempt to contact the resident to either reassure them, get information on their location/status or just confirm they are not in the building. This is invaluable and in everyone’s interests.

Again, a guidance note should accompany the template, giving good and bad examples.
[\[213/250 words\]](#)

Q15: How often should the PEEP be reviewed?

a) 6 months,

b) 12 months, or

c) As soon as practicable if the resident indicates a change in circumstances to the Responsible Person.

Q16: How often should the information in the information box on the premises be updated?

a) 6 months,

b) 12 months, or

c) As soon as practicable if the resident indicates a change in circumstances to the Responsible Person.

Q17: Do you have any further comments that you think would be important for policy officials to consider as part of this consultation? (400 words)

The arbitrary building height criterion is unacceptable and assesses risk in the wrong way. A disabled person on the first floor of a ‘high rise’ will have PEEP, but someone on the sixth floor of a ‘mid rise’ will be refused. Hundreds of blocks of flats will continue to be wrapped in flammable cladding and/or riddled with internal safety defects for years yet. Many disabled people have no refuge area or opportunity to move away from fire if it was in the flat next door. The height criterion is the wrong test.

Everyone unable to self-evacuate a building must have the right to a PEEP.

Further, the consultation seems to focus on fire. Disabled people tell us that the effect of smoke/noxious gases would alter their ability to self-evacuate so this must be addressed accompanying guidance.

It must be expressly prescribed that no disabled person can be charged a fee for a PEEP. This aligns with prohibition on charging for reasonable adjustments in the Equality Act 2010, s 20.

The consultation fails to address the costs of facilitating an evacuation plan such as evacuation chairs. This is particularly pertinent to buildings which have revealed themselves to be unsafe, have simultaneous evacuation plans in place and need extensive remediation works. The Equality Impact Assessment acknowledges that pushing costs onto other leaseholders is leading to resentment and hate crime of disabled residents. The Government must prescribe that these costs are the responsibility of the building owner or set up a central funding mechanism.

RPs should be obliged to offer a review of a PEEP no later than every 12 months, subject to:

1. A person can request an earlier review if there is a change in circumstances eg their condition has progressed;
2. The premises information box should be updated as soon as is practicable after the PEEP is updated.

How will this new requirement for PEEPs be enforced and monitored? This will be a worthless tick-box exercise if RPs are not fulfilling the duty properly. Many disabled people say they have poor quality PEEPs. How will disputes be resolved?

Reluctance to bring in clear duties around PEEPs is often based on generalisations and perceived 'impracticalities'. Many mechanisms for identifying people who need PEEPs and communicating with them are already in place, eg concierge staff who know their residents. Working from 'no' on an issue which saves lives is unacceptable. [398/400 words]

Q18: Do you have any comment on or data to support the impact assessment (250 words)?

The impact assessment provides no monetary quantification of compensation awards following successful legal action by disabled people for discrimination relating to service provision in the Equality Act 2010 in the event of not having a PEEP. The high band compensation is in fact £25,000 to £45,000.

It also only refers to Article 4 with no mention in A.2 of FSO articles 14 b) and 15 b) which already require RPs to ensure means of escape for all persons and the ability to move away from imminent danger. Legal requirements provide no 'exemption' for duties towards disabled people or exclude any 'general needs buildings' irrespective of height. [106/250 words]