



**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Nottinghamshire and City of Nottingham  
Fire and Rescue Authority  
Community Safety Committee

# **FIRE INVESTIGATION**

Report of the Chief Fire Officer

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**Agenda Item No:**

**Date:** 16 October 2009

**Purpose of Report:**

To inform Members of the arrangements for fire investigation currently in place in Nottinghamshire and their effectiveness.

## **CONTACT OFFICER**

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## 1. BACKGROUND

- 1.1 The fire investigation function in Nottinghamshire Fire and Rescue Service (NFRS) is managed by the Arson Task Force (ATF). In April 2001 the Arson Control Forum was set up by Central Government and was made responsible for the implementation of Government led strategy to reduce the incidence of deliberate fires by 10% by March 2010.
- 1.2 In April 2003 the Arson Control Forum secured funding from the Government of 13.3M in total with £4M being set aside to be invested in local initiatives beginning in 2003/04. In August 2003 Fire Services were invited to submit funding bids for arson control work within their areas.
- 1.3 Nottinghamshire Fire and Rescue Service's bid in 2004 was successful and the Arson Control Forum allocated £270,000 until March 2006. In 2006 the Fire Authority agreed to continue the funding for the ATF and the three posts were taken into mainstream funding.
- 1.4 Fire Investigation operates currently at two levels in Nottinghamshire Fire and Rescue Service:

Level 1 is conducted by Watch Officers

Level 2 is conducted by specialist fire investigation officers – this function is a “bolt on” to their normal roles and operational commitments.

## 2. REPORT

### Level 1 Fire Investigation

- 2.1 This is conducted by junior officers at the scene of all fires and will produce fire cause information that will be recorded as the most likely cause on the Incident Recording System (IRS). Information from this system will be used together with other factors to direct where community safety resources and interventions are allocated. Where a cause cannot be established a level 2 fire investigation officer may be requested to attend the scene.
- 2.2 There are also a number of other scenarios where a level 2 fire investigator will be mobilised by fire control, these are:
  1. Fires involving fatalities or serious injury (excluding RTC)
  2. Fires requiring the use of 6 or more pumping appliances (with the exception of pumps deployed for water relay)
  3. Primary fires where the cause cannot be easily identified (except motor vehicles)
  4. On request from the Senior Police Investigating Officer
  5. Following a recall to the same address within 12 hours of a previous FDR1 fire
  6. Fires of Special Interest as defined by the CLG.

- 2.3 A recent training programme has been undertaken to give all supervisory managers level 1 fire investigation training, this was a 2 day course delivered on Stations for whole-time personnel and at Service Development Centre for retained duty system personnel.

### **Level 2 Fire Investigation**

- 2.4 Level 2 fire investigation officers are experienced officers that are normally in the role of Station Manager and are usually conditioned to the flexible duty system. Level 2 investigators attend a practical and theoretical course currently provided by Fire Service College. They are also expected to complete a number of units from the National Occupational Standards for fire investigation before being deemed to be competent to conduct investigations on their own. They will also work alongside an experienced investigator on a number of investigations prior to being deemed competent. There is both a person specification and job description. Currently the Service aims to have 10 level 2 fire investigators available currently there are 6 fully trained investigators and 3 in training 2 of which will qualify by the end of September 2009.
- 2.5 The fire investigation function is managed and coordinated by the Station Manager in the Arson Task Force. The Task Force normally consists of 1 Station Manager a Watch Manager and a Police liaison officer who is currently a retired Police Officer.
- 2.6 There are 2 memorandums of understanding in place with regard to fire investigation in Nottinghamshire one is with Nottinghamshire Police and the other is with the 4 other fire services in the east midlands area. These memoranda cover agreed procedures for fire investigation and the individual responsibilities of the signatories.
- 2.7 The regional agreement requires each of the Fire and Rescue Services to provide 8 Level 2 fire investigators however in Nottinghamshire it has been decided to maintain the level at 10 to ensure a level of resilience.
- 2.8 There are a wide variety of definitions of a Level 2 fire investigator throughout the region; however it has been recognised by the regional group that the Nottinghamshire model represents best practice and all the Services are looking at following that model.
- 2.9 The regional agreement also provides funding for a regional hydrocarbon detection dog and handler. This is available to all regional partners however it is used mostly by Derbyshire and Nottinghamshire. The dog and handler can be requested 24 hours a day 365 days a year by level 2 fire investigators or by request from the Police. If the dog and handler are not available for any reason arrangements are in place to request a dog and handler from another Service, this however will have a financial implication for the Service.
- 2.10 The dog will be requested at all fatal fires and those resulting in serious injury together with those where an accelerant is suspected to have been used. So

far in 2009 the regional dog and handler have attended around 60 investigations in Nottinghamshire.

- 2.11 The regional agreement also provides half a flexi duty Station Manager post to coordinate the regional provision this post is currently provided by Derbyshire Fire and Rescue Service. Nottinghamshire Fire and Rescue Service currently contribute £10,647 towards regional fire investigation. This coordinator chairs bi-monthly meetings where regional fire investigation managers share best practice and review regional policies and procedures.
- 2.12 In the year so far from 01 January 2009 93 level 2 fire investigations have been conducted this compares to 157 in total for 2008 it is therefore expected that there will be a slight decrease in the number of level 2 investigations conducted in 2009 compared with 2008.
- 2.13 It is the intention of the arson task force to ensure that its investigative practice and reports are of such a standard that they accepted by the courts without the need for investigators to appear in court. This is of huge cost benefit to the Service as court cases can often last for a number of days or weeks and Officers would be away from their normal duties for long periods.
- 2.14 There have so far been 7 fatalities in fires in Nottinghamshire so far in 2009 these have all been investigated by level 2 investigators in conjunction with the arson task force. Reports on all these fire deaths will be presented to H.M. Coroner for consideration, reports are now structured not only to provide the origin and cause of fire but also to present the circumstances of the individual and their lifestyle in order to show why this individual has died as a result of the fire and to make any recommendations for further actions or interventions to prevent further deaths or injury from fire. This enables the fire investigation officers to make a significant contribution to the aim of "Creating Safer Communities" working alongside partner agencies. The arson task force has an excellent working relationship with H.M. Coroner and has recently provided some training and familiarisation on fire behaviour and investigation to 2 recently appointed deputy Coroners.
- 2.15 The ATF has produced a profile of an individual who is most likely to suffer death or serious injury in a fire, this profile has been used to target the most vulnerable people and has helped form district profiles with regard to those most vulnerable in local communities.
- 2.16 Fire investigators also work closely with Police crime scene investigators and forensic scientists. It is home office policy that a forensic scientist is appointed to investigate all fatal fires; however this can be changed on the instructions of the Police senior investigating officer. If a forensic scientist is appointed, H.M. Coroner will still expect a report to be presented in court by the fire investigation officer.
- 2.17 The Arson Task Force have agreed with Nottinghamshire Police to provide training for their Crime Scene Investigators (CSIs) in fire investigation. This will include a small number of training events for existing staff and a training

package for newly appointed CS Fire investigation currently in place in Nottinghamshire and their effectiveness.

### **3. FINANCIAL IMPLICATIONS**

The financial implications, which in addition to those regional contributions, revolve around the acquisition of specialist fire investigation courses required for level 2 investigators. These courses are currently sourced from delivery specialists, for example the Fire Service College. Costs associated with the acquisition of level 1 and level 2 skills will be met from within existing budgets.

### **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

The selection of specialist fire investigators and their development is undertaken with due regard to organisational requirements and the pursuit of excellence in this field. Training and individual development is administered via a well established monitoring process, which ensures an adequacy of skill base and underpins all elements of the function, from the investigation itself, to delivering expert witness testimony at court.

### **5. EQUALITY IMPACT ASSESSMENT**

An initial equality impact assessment has identified no specific aspects relating to a disproportionate effect in respect of the key equality strands.

### **6. CRIME AND DISORDER IMPLICATIONS**

The reduction of arson is not only a key organisational issue, but also is truly embedded as an issue for Crime and Disorder Reduction Partnerships (CDRPs). For the Service not to actively engage in reducing arson, but also pursue those who commit arson, could undermine our role as a statutory partner in the relevant CDRPs.

### **7. LEGAL IMPLICATIONS**

Fire and Rescue Services do have statutory functions associated with fire investigation, which are utilised to undertake and deliver on these key functions.

### **8. RISK MANAGEMENT IMPLICATIONS**

Risks connected with adverse scrutiny should the Service fail to meet the statutory obligations imposed on it and fire investigators not having the requisite skills and training, must be controlled. The arrangements highlighted in the paper seek to control such risks proportionately so that no adverse scrutiny is directed onto the Service.

## **9. RECOMMENDATIONS**

That Members note the contents of this report.

## **10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)**

- Fire and Rescue Services Act 2004;
- Memoranda of Understanding with Nottinghamshire Police and Regional Fire Investigation.

Frank Swann  
**CHIEF FIRE OFFICER**