



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

Agenda Item No:

Date: 4 October 2013

Purpose of Report:

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

CONTACT OFFICER

Name : John Buckley
Deputy Chief Fire Officer

Tel : 0115 967 0880

Email : john.buckley@notts-fire.gov.uk

Media Enquiries Contact : Vicky Brown
0115 967 0880 vicky.brown@notts-fire.gov.uk

1. BACKGROUND

- 1.1 Nottinghamshire Fire and Rescue Service has maintained a Fire Investigation Team for a number of years on a voluntary basis by way of an addition to the role of flexi-duty officers. The Fire and Rescue Services Act 2004 formalised the requirement to provide such a team. The 2004/2005 National Framework directed that Fire and Rescue Authorities should work together through Regional Management Boards to ensure effective fire investigation. This report details the Authority's response to the above and provides an overview of the activity of the team during the previous 12 months.
- 1.2 As a result of the direction from the Regional Management Board, a regional Fire and Explosion Investigation Policy was agreed on 30 June 2006. This policy requires that each of the fire and rescue services of the East Midlands region will maintain a minimum of 8 Investigators qualified to undertake Level 2 fire and explosion investigations.
- 1.3 The policy also provides that, in the event of no level 2 investigator being on duty within an individual fire and rescue service, the command and control centre for that service will request a suitably qualified investigator from the next nearest service within the East Midlands region to the location of the incident.
- 1.4 Fire investigation currently operates at 2 levels in Nottinghamshire Fire and Rescue Service:
 - Level 1 is conducted by Supervisory Managers;
 - Level 2 is conducted by specialist Fire Investigation Officers.
- 1.5 In support of the East Midlands Regional Policy, the 8 Investigators are made up of 5 flexi-duty operational officers and 3 non-operational uniformed officers. These 3 officers have recently been appointed following a selection process and will be a new addition to the team.

2. REPORT

- 2.1 The purpose of this report is to provide an update to Members with regard to the function and recent activity of the Fire Investigation Team. The report will be supported by a presentation from the Station Manager responsible for the team.

LEVEL 1 FIRE INVESTIGATION

- 2.2 This is conducted by supervisory managers 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 is 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.

- 2.3 All newly appointed Supervisory Managers attend a 2 day training programme delivered by the Fire Investigation Team Co-ordinator at the Service Development Centre. Refresher training to all operational personnel is currently being delivered and the programme will be complete by the end of this year.

LEVEL 2 FIRE INVESTIGATION

- 2.4 Fire Control will mobilise a level 2 Fire Investigator to the following incidents:

- fires involving fatalities or serious injury (excluding road traffic collisions);
- fires requiring the use of 6 or more pumping appliances (with the exception of pumps deployed for water relay);
- primary fires where the cause cannot be easily identified (except motor vehicles);
- on request from the senior police investigating officer;
- following a recall to the same address within 12 hours of a previous primary fire;
- Fires of Special Interest as defined by the Department for Communities and Local Government.

- 2.5 Level 2 Fire 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 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 for this role.

- 2.6 The fire investigation function is managed and coordinated by the Station Manager in the Arson Reduction and Investigation Team. This team consists of a Station Manager, a Watch Manager and 3 non-operational uniformed personnel.

- 2.7 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 and rescue services in the East Midlands area. These memoranda cover agreed procedures for fire investigation and the individual responsibilities of the signatories.

- 2.8 The regional agreement 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.

- 2.9 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. Since April this year, the dog and handler have attended around 40 investigations in Nottinghamshire.

- 2.10 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. This coordinator chairs bi-monthly meetings where regional fire investigation managers share best practice and review regional policies and procedures. Nottinghamshire Fire and Rescue Service currently contribute £13,148 towards regional fire investigation.
- 2.11 From 1 January 2013 to date, 57 level 2 fire investigations have been conducted, this compares to 102 in total for 2012. It is therefore expected that there will be a slight decrease in the number of level 2 investigations conducted in 2013 compared with 2012.
- 2.12 It is the intention of the Arson Reduction and Investigation Team to ensure that its investigative practice and reports are of such a standard that they are 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. In 2012 Nottinghamshire Fire and Rescue Service through thorough investigations and comprehensive statements in relation to arson related offences and assisted the Crown Prosecution Service in securing convictions amounting to 76 years imprisonment. Throughout the above mentioned court hearings, Nottinghamshire Fire and Rescue Service officers were not required to attend any of the court cases.
- 2.13 There have been 2 fire fatalities in Nottinghamshire so far in 201 and these have been investigated by level 2 investigators in conjunction with the Police. Reports on 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 Fire Investigation Team has an excellent working relationship with H.M. Coroner and the staff within the Coroner's Office.
- 2.14 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.

3. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report. However, it is worthy of note that contribution to the regional support and provision of the hydrocarbon detection dog is currently £13,148 and ongoing training costs approximately £4,000 per annum.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

A workforce planning process is in place for ensuring that the team size is maintained at 8 level 2 qualified officers.

5. EQUALITIES IMPLICATIONS

An Equality Impact Assessment has not been undertaken because there are no equalities issues arising from this report. However, it is worthy of note that changes to the structure in 2012 has enable non-operational staff access to roles restricted to senior officers. This has enabled access to these roles from a much more diverse group and consideration is also being given to the potential of expanding these roles to either apprentices or graduate entry.

6. CRIME AND DISORDER IMPLICATIONS

The head of the Fire Investigation Team is responsible for ensuring compliance with the Service's obligations under the Fire Services Act.

7. LEGAL IMPLICATIONS

There are no legal implications arising from this report.

8. RISK MANAGEMENT IMPLICATIONS

The Authority has a statutory duty under the Fire and Rescue Services Act 2004 to investigate incidents of fire. In the case of a fatality, serious injury or financial loss, the Authority is also compelled to ensure that fire investigation reports are accurate, based on sound scientific evidence and robust with regards to legal scrutiny. The Fire Investigation Team, with support through regional arrangements, ensures that this duty, and relevant risk, is well managed.

9. RECOMMENDATIONS

It is recommended that Members note the contents of this report and continue to support the activity of the Fire Investigation Team.

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

Regional Fire & Explosion Investigation Policy.

Frank Swann
CHIEF FIRE OFFICER