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NOTTINGHAMSHIRE & CITY OF NOTTINGHAM FIRE & RESCUE AUTHORITY

COMMUNITY SAFETY COMMITTEE

Date: Friday, 27 March 2015 **Time:** 10.00 am

Venue: Fire and Rescue Service Headquarters, Bestwood Lodge, Arnold, Nottingham, NG5 8PD

Members are requested to attend the above meeting to be held at the time, place and date mentioned to transact the following business

A handwritten signature in black ink, appearing to read 'M. J. [unclear]'. The signature is written in a cursive style.

Clerk to the Nottinghamshire and City of Nottingham Fire and Rescue Authority

AGENDA

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| 7 | FUTURE MEETING DATES
To note that the proposed meeting dates for the 2015/16 Municipal Year are: 3 July 2015, 2 October 2015, 8 January 2016, 8 April 2016. | |

ANY COUNCILLOR WHO IS UNABLE TO ATTEND THE MEETING AND WISHES TO SUBMIT APOLOGIES SHOULD DO SO VIA THE PERSONAL ASSISTANT TO THE CHIEF FIRE OFFICER AT FIRE SERVICES HEADQUARTERS ON 0115 967 0880

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ABOVE, PLEASE CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN ON THIS AGENDA, IF POSSIBLE BEFORE THE DAY OF THE MEETING.

Governance Officer:

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Agenda, reports and minutes for all public meetings can be viewed online at:-
<http://committee.nottinghamcity.gov.uk/mgCommitteeDetails.aspx?ID=215>



**NOTTINGHAMSHIRE & CITY OF NOTTINGHAM FIRE & RESCUE AUTHORITY -
COMMUNITY SAFETY**

**MINUTES of the meeting held at Fire and Rescue Services HQ, Bestwood Lodge,
Arnold Nottingham NG5 8PD on 9 January 2015 from 10.00am – 11.52am**

Membership

Present

Councillor David Smith (Chair)
Councillor Brian Grocock
Councillor Ken Rigby
Councillor John Wilmott
Councillor Roger Jackson

Absent

Colleagues, partners and others in attendance:

Craig Parkin - Assistant Chief Fire Officer
Keith Jones - Head of Service Delivery
John Mills - Fire Prevention Officer
Cath Ziane-Pryor - Governance Officer

12 APOLOGIES FOR ABSENCE

None.

13 DECLARATIONS OF INTERESTS

None.

14 MINUTES

The Committee confirmed the minutes of the meeting held on 3 October 2014 as a correct record and they were signed by the Chair.

**15 FIRE INVESTIGATION: UNIVERSITY OF NOTTINGHAM - JUBILEE
CAMPUS**

Further to the report submitted to the last meeting, Craig Parkin, Assistant Chief Fire Officer introduced Keith Jones, Head of Service Delivery, and John Mills, Head of Fire Protection.

John Mills, Head of Fire Protection, informed the Committee that whilst the structural fabric of the building, 'Glulam' could bear weights in excess of many other structural fabrics, until the building is completed and all fire safety measures installed, as with most timber frames, buildings are vulnerable to fire.

From the investigation of the fire, the following pattern of events and involvement were reported to the Committee:

- (a) the Fire and Rescue Service was alerted to an incident at the building at 7:55 pm, however, examination of CCTV attached to surrounding buildings, identified smoke emitting from the building from approximately 7:35 pm. During this period the fire became well established;
- (b) on this occasion social media, in the form of filming of the fire by onlookers from different angles, provided a useful tool for investigating the fire and identifying that it originated in the far right of the building where there was an electrical feed and contractors' equipment was stored;
- (c) whilst the building was burnt to the ground, the fire was prevented from affecting other surrounding properties. However, very little evidence remained to assist the fire investigation which involved Nottinghamshire and City of Nottingham Fire and Rescue Service, including the Regional Hydrocarbon Dog Handler, Nottinghamshire Police, and the Health and Safety Executive for Construction Sites;
- (d) the investigation was also supported by :
 - (i) University of Nottingham;
 - (ii) Morgan and Sindall Construction;
 - (iii) Burgoyne's Forensic Investigators;
 - (iv) British Research Establishment;
- (e) fire investigations are undertaken by process of elimination, considering:
 - (i) accidental;
 - (ii) deliberate/criminal;
 - (iii) electrical and/or gas supply;
- (f) Crime Stoppers received a call to say that there was human interference and while this was investigated, no evidence found to confirm this;
- (g) the regional hydrocarbon dog searched the area in which the fire was believed to have started but the very nature of a building site means that where petroleum for generators and other known accelerants which are commonly used in construction are found to be present, it is often not possible to conclude criminal activity;
- (h) electricity and gas mains supply had not been connected to the site but an electrical supply was in place for use by the contractors in the form of generators for their power tools and to charge equipment such as scissor lifts;
- (i) the building contractor, Morgan Sindall, which has an excellent reputation in the industry, were found to have adhered to all fire safety and timber framed construction requirements and even exceeded those requirements;

- (j) it is concluded that electrical supply is the most likely cause of the fire which was exacerbated by the initial recording of smoke at a time when the site was unattended and the fires development for nearly half an hour until the Fire and Rescue Service attended;
- (k) as the GlaxoSmithKline development is to proceed and the contractor retained, Morgan Sindall representatives are to meet with the Fire Service to discuss what further measures can be put in place to improve fire safety on site during the vulnerable period of development. It is predicted that recommendations will include a 24 hour presence on site. As the contractor is on site during the day this may only apply to non-working hours and while a physical presence would be preferable, monitored security cameras would still be of benefit as tackling a fire in its early stages could prevent considerable damage.

Councillors are concerned that while sprinkler systems specifically for buildings during development are available, they are not a legal requirement and insurance companies do not appear to offer reduced premiums if such sprinkler systems are installed. This is not an issue which is confined to large-scale multi-million pound developments, but it is also relevant to domestic properties.

Councillors welcomed the report that sprinklers were a legal requirement in Wales and queried why fire safety measures should be any different for England. It is noted that the Fire Rescue Service nationally continues to lobby for the installation of sprinklers.

RESOLVED

- (1) for the report to be noted;**
- (2) to continue to support the Fire and Rescue Service in its campaign for the installation of sprinkler systems to improve fire safety and reduce risk to life and property;**
- (3) for the thanks and appreciation of the committee to be recorded to all firefighters who had attended the blaze and to all officers involved in the investigation.**

16 CASE SUMMARY: PROSECUTION UNDER REGULATORY REFORM FIRE SAFETY ORDER 2005

John Mills, Head of Fire Protection, and Keith Jones, Head of Service Delivery, informed the Committee of a recent court case involving the Fire Authority in pursuance of fire safety breaches under the Regulatory Reform Fire Safety Order 2005.

The report outlines the case of an individual (RP - responsible person) who although initially appearing to comply with the fire safety requests of the Fire and Rescue Service in regard to 2 properties which he let to hen and stag parties, ultimately challenged the Service and individuals serving within it.

The process by which the case was escalated to Crown Court is summarised as follows:

- (i) following an expression of fire safety concerns by a member of the public who had attended the building, officers inspected the premises in 2010 and the RP was provided with an informal Notice Of Deficiencies which identified areas of fire safety concern and was supported by advice on cost effective solutions to rectify issues at both properties;
- (ii) during 2011 there was a fire at one of the premises and the attending fire crew provided further advice;
- (iii) as a result of this incident and as part of the 'risk-based inspection program', the premises were again inspected in 2012 and fire safety standards were found to have significantly deteriorated. The RP claimed that the 2005 order did not apply to his premises and declined to address the fire safety issues identified. As a result a formal Enforcement Notice was issued. As neither party were willing to alter their stance, the issue was escalated to the Magistrates Court;
- (iv) an initial Magistrates Court hearing was held and an appeal hearing was cancelled. When eventually heard, the Fire Service requested and was awarded court costs totalling £2,500 although this sum is yet to be received;
- (v) during February 2013 the property was re-inspected and it was found that the required works had not been completed to an acceptable standard. Further visits to the premises were denied;
- (vi) the RP requested that the Magistrates Court reopen his appeal against the enforcement notice and following several adjournments this request was denied. Court costs totalling £4,444 were awarded to the Fire Service but are yet to be received;
- (vii) during February 2014 the RP appeared in Nottingham Crown Court and the matter was adjourned to September 2014 for a full trial, at this point the RP changed his plea to guilty on several charges and the Fire Service decided not to pursue the remaining charges due to public interest;
- (viii) during November 2014 Nottingham Crown Court fined the RP £22,000 and he was ordered to pay the Fire and Rescue Service £78,000 towards costs, none of which have been received.

The following points were highlighted and Councillor's questions responded to:

- (a) Officers are not aware that any of the required changes have been made yet but it is understood that the properties are no longer in use;
- (b) the Service does everything in its power to educate, inform and support businesses to improve safety and for the majority of instances this help is accepted and acted upon;
- (c) although pursuing prosecution has proved expensive and full costs have not been awarded to the authority, it is vital that the enforcement program is not undermined and is strictly followed;

- (d) where costs and fines have been awarded, the Service will pursue the payment, this may result in a prison sentence for non-payers;
- (e) the business was not shut down following the initial complaint as it is reasonable to allow time for the safety improvements to be made. It was only when the resistance of the RP to make the improvements that the case was escalated;
- (f) it is not feasible for Local Authorities or the Fire and Rescue Service to inspect all business premises due to capacity. The Fire and Rescue Service does have an ongoing risk based inspection programme relating to 'life risk' and where incidents where 'sleeping risk' premises have been attended by a crew, the priority of a follow up inspection of the site is heightened;
- (g) every premises must have a 'Responsible Person' who takes responsibility for safety. However, the public also have a responsibility report safety concerns.

It is noted that the Service's processes in these type of cases have been highlighted regionally as good practice.

RESOLVED

- (1) to note the report and the workload that this case type creates for the organisation;**
- (2) for Councillors in attendance to be kept informed of the progress of retrieving the costs awarded to the Authority by the courts in this case.**

17 COMMUNITY SAFETY REVIEW

Craig Parkin, Assistant Chief Fire Officer, presented the report which updates Councillors on the Community Safety Review within the organisation, and a revised performance management and reporting process for reporting to this Committee.

The following points were highlighted:

- (a) The review was conducted under four key themes of:
 - (i) Research and information gathering;
 - (ii) Identification of community safety priorities;
 - (iii) Departmental structure options;
 - (iv) Performance monitoring and reporting;
- (b) the Community Safety Team has been restructured so that more resources are focused in the community and in partnership working;
- (c) the 'South' and 'City' groups have been merged;
- (d) the team is better integrated than previously;
- (e) the main priorities of community safety have been identified as:

- (i) personal risk;
- (ii) road safety
- (iii) elderly;
- (iv) education.

Further information on the Performance Framework is to be submitted to the next meeting.

The following responses were given to Councillor's questions:

- (f) the Service is working closely with early intervention agencies with regard to the elderly and dementia sufferers;
- (g) a grant had been secured to provide cycle maintenance sessions for young people which will also provide an opportunity to inform and educate cyclists;
- (h) where people can't be easily educated, including some elderly and dementia citizens, sprinkler systems are especially recommended;
- (i) the Service is keen to engage in further community partnership working but needs to be realistic about the capacity of officers and ensure that engagement is prioritised to where the service can have the most influence;
- (j) it is a concern that the figures held by NCH regarding fires in homes varies from those attended by the Service;
- (k) historically the Fire Prevention Team are focused on securing legislation to support the installation of sprinklers;
- (l) improved sharing of information with the Police will ensure that both Authorities can assist each other in improving community safety and security.

Councillors commented:

- (m) with the drive to keep elderly and infirm people living in their own homes for as long as possible, it is important to ensure that safety is maintained for this growing section of the community;
- (n) there is still an on-going need for cycle safety training for young people but a growing issue is irresponsible driving of disability buggies. Consideration should be given to providing basic safety training;
- (o) it is acknowledged that the Service works closely with Nottingham City Homes (NCH) and several Housing Associations so it is disappointing that for the new-build NCH properties, sprinkler systems are not being installed. This is a short-term financial saving as along with the a potential risk to life, a sprinkler system costing a few hundred pounds is cheap against an average cost of a fire of £65,000 where a sprinkler system hasn't extinguished or inhibited a fire.

RESOLVED to note the report.



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

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

SERVICE DELIVERY PERFORMANCE

Report of the Chief Fire Officer

Date: 27 March 2015

Purpose of Report:

To update Members, as requested, on the performance regime established since the reorganisation of Service Delivery.

CONTACT OFFICER

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1. BACKGROUND

- 1.1 As part of Nottinghamshire Fire and Rescue Service's (NFRS) priorities under the Integrated Risk Management Plan 2014 – 2019 (IRMP), it aims to deliver a professional, effective and value for money emergency response service to all those who live, work and travel in the county of Nottinghamshire.
- 1.2 The Service aims to respond to 90% of all calls within 10 minutes and this is reported in the Service's quarterly operational activity report, published on the NFRS website and reported the Fire and Rescue Authority annually.
- 1.3 Members will be aware that the Service has been through a major transition over the last twelve months with the appointment of a new Principal Officer team. There has also been a new Head of Service Delivery appointed following a retirement and in January 2015 Service Delivery was restructured.
- 1.4 Work is currently progressing to introduce a performance driven business planning process which supports improvements and targets management interventions therefore helping to track progress towards the IRMP objectives.

2. REPORT

Integrated Risk Management Plan

- 2.1 In April 2014 Members approved the IRMP for the next five years. Within this the number one priority is to 'deliver a professional, effective and value for money emergency service to all those who live, work and travel in the County of Nottinghamshire'.
- 2.2 During the life of the IRMP the response element of the Service will be reviewed in line with the agreed objectives. This will result in the emphasis on continually improving and introducing innovative operational response models to meet the needs of the Service and the community.
- 2.3 Members will also be aware of the 'balancing the budget' paper from the February 2014 Fire Authority which has led to specific work within response to address some of these needs against the reducing budget. Examples of the on-going work include:
 - Review of the Specialist Rescue Team to ensure this it is delivering an appropriate level of service to meet demand;
 - Various options around the current deployment of Watch Managers and if alternatives are feasible;
 - The mobilisation of officers and the appropriate levels of incident command cover to meet demand.

Structure and Reporting Mechanisms

- 2.4 The overarching strategy is listed in the IRMP as this sets out the Service plans over the coming years, however, this is interpreted into an action plan in the Service Delivery Business Plan 2014 – 2017, and this forms the basis of the activities in the District Plans which culminate in the departmental / station plans.
- 2.5 An effective performance framework, overseen by the Head of Service Delivery, links station activity to the IRMP which is ultimately reported to the Community Safety Committee of the Fire and Rescue Authority.

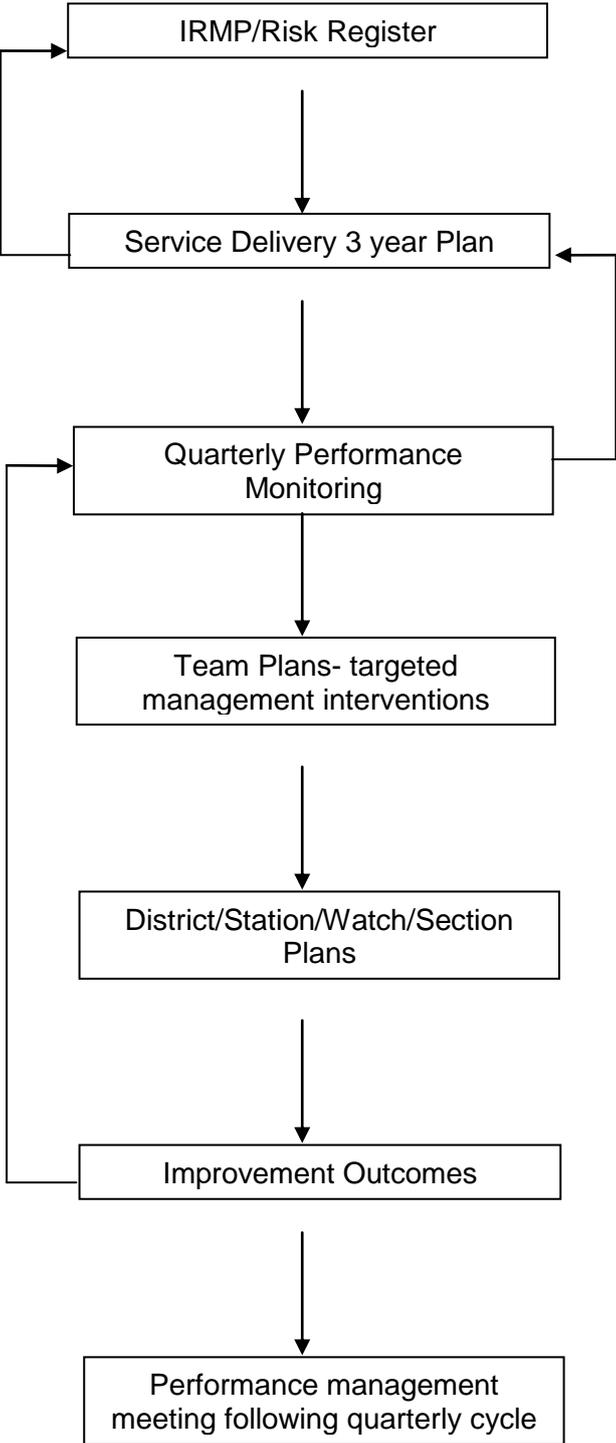
Expectation Audits

- 2.6 The audit procedure has recently been updated to ensure all audits follow a central core theme. All operational stations have a specific document to suit their duty system and specific functions. These documents are referred to as 'Expectations Documents'. They contain expected standards across a range of station based and community facing activities against which performance is audited.
- 2.7 The expectations document is completed quarterly and audited annually as part of the group performance audit. The results of which are collated and used to produce group/district improvement plans. These plans give specific performance related activities for watch/section or teams to focus on over the coming quarter in order to move towards the objectives of the Service Delivery Business Plan and ultimately IRMP.
- 2.8 As well as specific themes within the expectations documents the head of Service Delivery can specify additional areas to be monitored as appropriate according the intelligence and emerging themes, for example new breathing apparatus guidance.

Gathering and Reporting Performance

- 2.9 Departments complete quarterly self-assessments for audit and scrutiny by District Managers. Once agreed the Group Manager North and South check progress against the key business plans and ensure that good practice is shared across the Service.
- 2.10 Examples of the types of performance to be reported currently includes the availability of crews, attendance times to incidents, seasonal risks, training exercises planned, staff development, discipline and grievance cases and outcomes, sickness levels, health and safety events and local budget use etc.
- 2.11 Ultimately, the Head of Service Delivery will report this performance to the Community Safety Committee through the Deputy Chief Fire Officer.

The Performance Reporting Cycle



3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no human resources or learning and development implications arising from this report.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because the purpose of this report is to provide an update on the performance of Service Delivery.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising from this report.

7. LEGAL IMPLICATIONS

The Fire and Rescue Services Act 2004 places statutory duties on the Fire and Rescue Authority. An effective performance framework ensures that the IRMP and business plans are appropriately targeted and evaluated to comply with this duty.

8. RISK MANAGEMENT IMPLICATIONS

An effective performance framework mitigates the risk of unnecessary and uncoordinated Service Delivery activity, therefore maximising impact and the value of work undertaken.

9. RECOMMENDATIONS

That Members note the contents of this report.

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

None.

John Buckley
CHIEF FIRE OFFICER

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NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

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

COMMUNITY SAFETY PERFORMANCE FRAMEWORK

Report of the Chief Fire Officer

Date: 27 March 2015

Purpose of Report:

To update Members, as requested at the meeting of the Committee on 9 January 2015, on the performance regime established since the reorganisation of the Community Safety function within Service Delivery.

CONTACT OFFICER

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1. BACKGROUND

- 1.1 At the meeting of the Policy and Strategy Committee on 7 November 2014 it was confirmed that the Community Safety Committee would receive and consider performance information relating to response, prevention and protection statistics. Where appropriate, relative benchmarking would also be undertaken to provide a richer picture to Members.
- 1.2 The Community Safety Committee has since agreed that performance reporting and scrutiny required the appropriate and timely information to be presented. This change in committee reporting and the reorganisation of the Community Safety function has presented the opportunity to review the Community Safety performance framework.
- 1.3 The review identified how performance reporting could be improved and this report presents an updated framework for Members consideration.

2. REPORT

- 2.1 Scrutiny of performance management is critical role of the Authority, and this report seeks to introduce a new framework to ensure that Members have the opportunity to receive, question and scrutinise performance.
- 2.2 The proposed framework is simple and based on sound performance techniques that gathers rich data, applies problem solving techniques, drives future activity and evaluates and reports the outcomes.

Research, Information and Analysis

- 2.3 By utilising a broad spectrum of internal data going back five years an internal picture can be created, This includes all fires, special service calls, home safety checks, vulnerable person visits and false alarms. This internal picture is enriched further by the inclusion of external data from the partnerships in the City and County. This ensures that wider issues are considered and the opportunity for collaboration is fully explored.
- 2.4 Both sets of data have been analysed and cross mapped to ensure a common information picture. The combined data required analysis wider than fire service data in isolation. For example, the cross agency data to determine risk areas and profiles for road safety.
- 2.5 The new performance management framework will reflect the methodology applied above, analysing the previous quarter's data whilst comparing to the historical data collected. Each of the Community Safety Partnership Areas has been broken down to individual wards or areas aligned to the partnership mapping process for their districts. In most cases areas that have been identified as 'hotspots' for the Service have been mapped to street level.

Problem Solving

- 2.6 Collected data will be analysed, trends identified, comparisons made with partner data and good practice consulted to inform solutions.
- 2.7 Common solutions to broad trends will be shared across the Service, and partnership where appropriate, to support a consistent and more easily measurable approach to maintain good performance. Acute issues identified will receive specific scrutiny from the Services local Community Safety Team to identify short term solutions for those at risk and longer term issues which might require more complex, service wide or partnership solutions.

Evaluation

- 2.8 The Evaluation Officer is an integral part of the internal performance process ensuring that evaluation is embedded and identifying areas for research and development. The Evaluation Officer will provide assurance that appropriate monitoring is in place and common solutions are tracked through to outcomes.

Performance Reporting

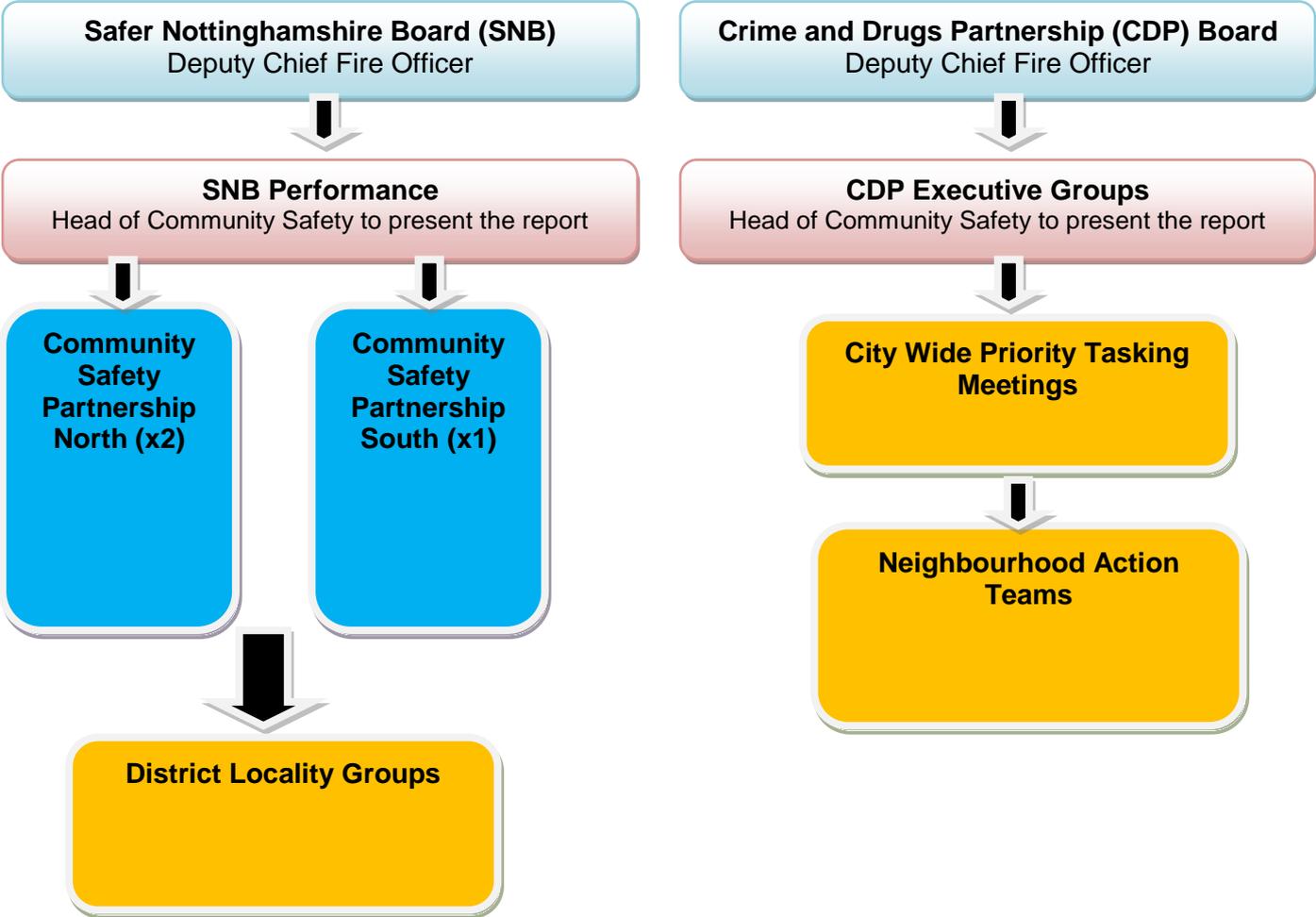
- 2.9 The final phase of the performance framework is the reporting of the previous quarter's performance for the City and County to the Community Safety Committee. This gives members the appropriate opportunity to scrutinise performance.
- 2.10 The Service annually undertakes a Service Strategic Assessment which is delivered and incorporated into the County Safer Nottinghamshire Board and the City Crime and Drugs Partnership Strategic Assessments. This will set the priorities and performance indicators for the following year.

Reporting to Statutory and Local Partnerships

- 2.11 In line with the reporting mechanisms of partnerships meetings, the Service will supply monthly performance data to the Partnership Analyst's to ensure the information is cross mapped with partnership data. This will subsequently be presented to the partners and discussed by the representative Community Safety Group or Station Manager during the partnership performance meetings.
- 2.12 The locality and area based meetings within districts will continue to be represented by the Community Safety Team members responsible for an area. Partnerships have a renewed focus on individuals and families with complex needs rather than geographical areas and the Community Safety Team are now presenting data to the partners to reflect this.
- 2.13 **External Reporting**

The diagram below, and appendices A and B, is intended to give members an indication of the performance landscape within which the Service operates. The Service is represented at strategic, tactical and tasking levels.

This ensures that the Service does not operate in isolation, frequently considers the value that can be added to the wider partnership and continually evaluates its own priorities against the latest information available.



Internal Performance Meetings

2.16 The dates of internal performance meetings will align with the Community Safety Committee meetings to ensure the most appropriate flow of information and reports. This will follow a robust process, led by the Head of Community Safety, to ensure that action plans reflect the data and intelligence available from a wide range of sources is focussing and improving performance.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no human resources or learning and development implications arising from this report.

5. EQUALITIES IMPLICATIONS

The Equalities Officer has been informed of the Community Safety Review and has attended review meetings to discuss the recommendations for performance. An equality impact assessment will take into account the current priorities from the City and County Strategic Assessments and the recent reorganisation reported in this paper and will be completed prior and reported to the next Community Safety Committee.

6. CRIME AND DISORDER IMPLICATIONS

Section 17 of the Crime and Disorder Act 1996 places a statutory duty on Local Authorities to consider crime and disorder implications and to do all that it reasonably can to prevent, crime and disorder in its area. By having effective performance arrangements in place, including the appropriate sharing of data, the Service supports the wider partnership to achieve this duty.

7. LEGAL IMPLICATIONS

The Fire and Rescue Services Act 2004, Part 2 Section 6 places a statutory on the Fire and Authority for promoting fire safety in its area. An effective performance framework ensures that community safety plans are appropriately targeted and evaluated to comply with this duty.

8. RISK MANAGEMENT IMPLICATIONS

A performance framework mitigates the risk of unnecessary and uncoordinated community safety activity, therefore maximising impact and the value of work undertaken.

9. RECOMMENDATIONS

That Members endorse the performance management framework proposed within the main body of the report.

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

None.

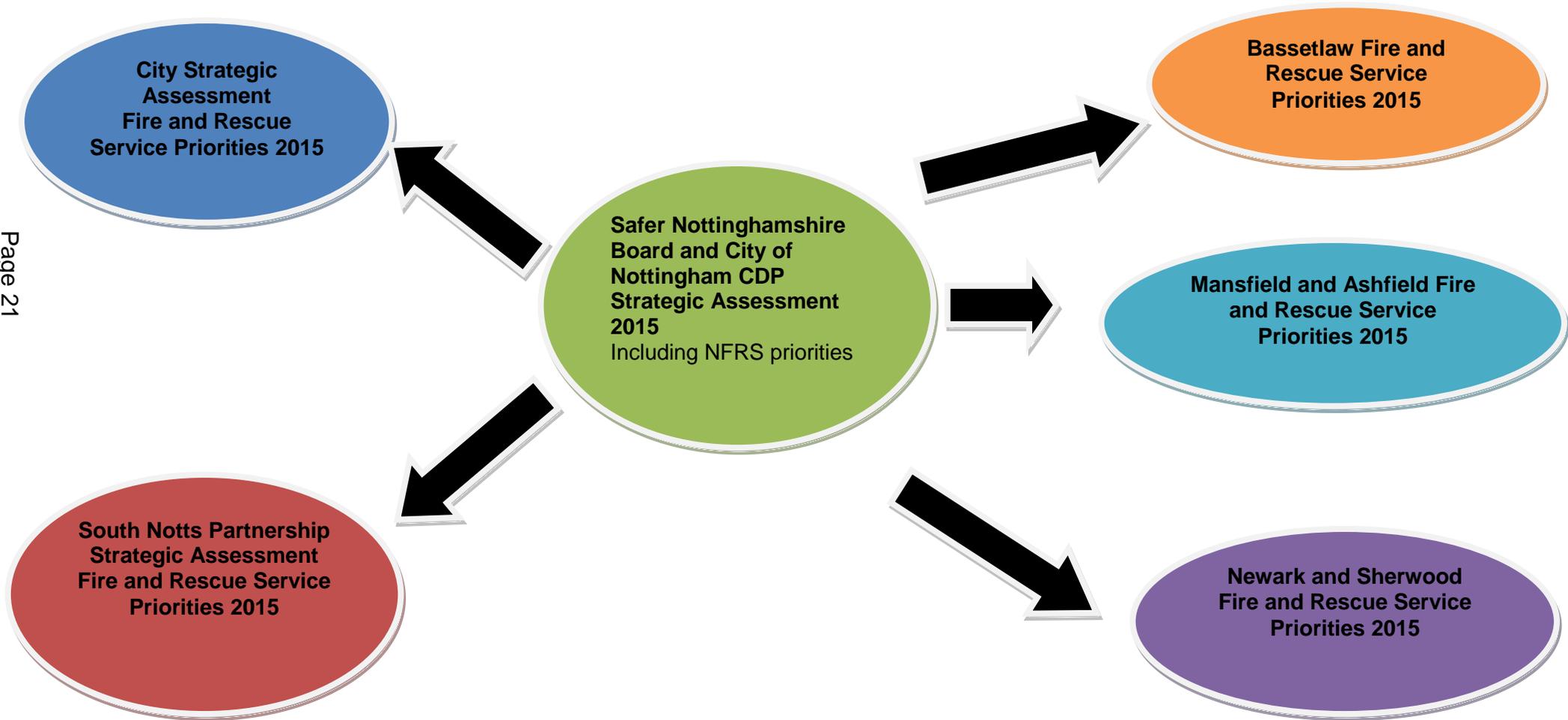
John Buckley
CHIEF FIRE OFFICER

The 2015/16 Performance Cycle

APPENDIX A

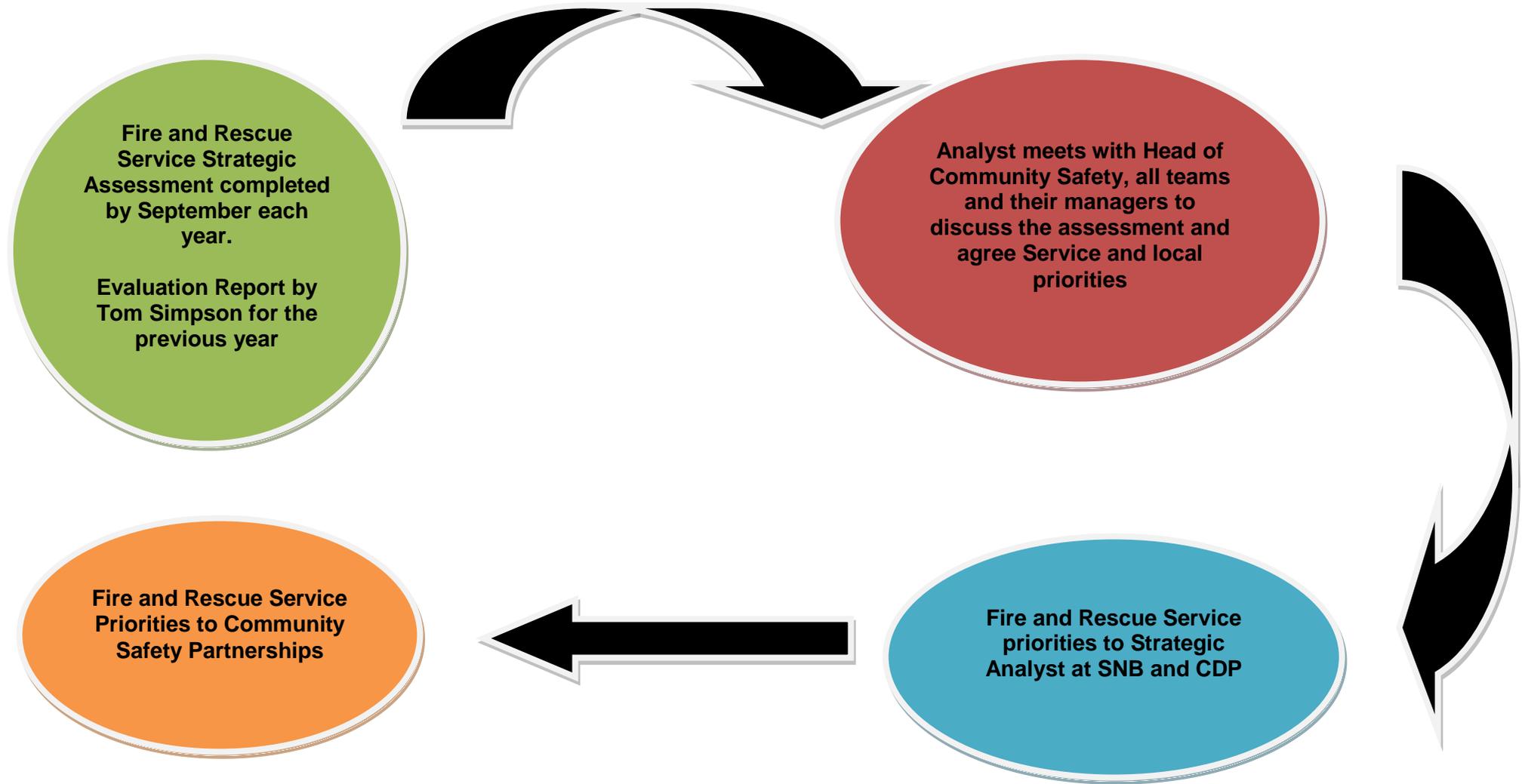
Strategic Assessments

The Service will feed into the Safer Nottinghamshire Board Strategic Assessment and the Crime and Drugs Partnership Assessment (plus individual partnership assessments) for 2015 and then at the end of each year for the subsequent year.



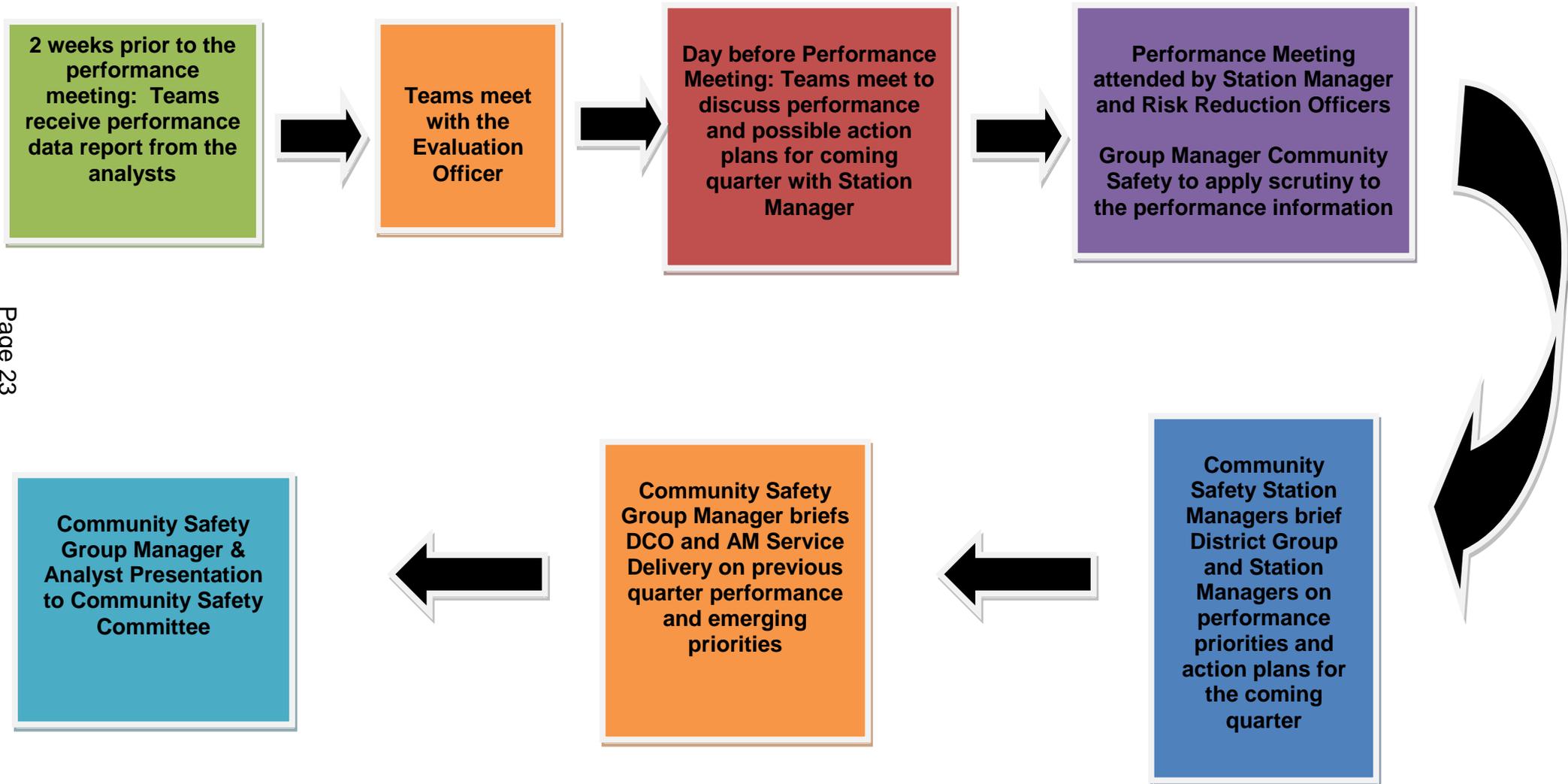
Aligning Performance Information with Strategic Assessments

Priorities for the SNB and Local Strategic Assessment's for the following year will be completed by the Service by September of each year to feed into this process.



The Internal Performance Management Framework

APPENDIX B



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NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

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

FIRE PROTECTION AND FIRE INVESTIGATION ACTIVITY

Report of the Chief Fire Officer

Date: 27 March 2015

Purpose of Report:

To inform Members of the work both the fire protection and fire investigation teams are engaged in and how this links with the integrated risk management plan and service delivery plan. This paper also explains the collaborative and partnership working these departments are involved in and how this work is quality assured.

CONTACT OFFICER

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Media Enquiries Contact : Bridget Aherne
(0115) 967 0880 bridget.aherne@notts-fire.gov.uk

1. BACKGROUND

- 1.1 The current legislation which governs fire safety in non-domestic premises in England and Wales is The Regulatory Reform (Fire Safety) Order 2005 (referred to in this report as “the 2005 Order”). Article 26 of this legislation states, “*every enforcing authority must enforce the provisions of this Order*”. Article 25(a) clarifies that the enforcing authority is “*the fire and rescue authority for the area in which premises are situated*”.
- 1.2 One of the Fire Protection Department’s key roles is to meet the Fire Authority’s statutory obligation to enforce the 2005 Order and in doing so protect the public from unsafe premises. This obligation is met primarily through a risk based inspection programme, which is supported by targeted inspections following the receipt of referrals from partner agencies, members of the public and intelligence from operational crews.
- 1.3 On average Nottinghamshire Fire and Rescue Service’s (NFRS) inspecting officers carry out over 2000 visits to premises, including approximately 500 pre-planned audit inspections. Of these inspections approximately 15 result in Enforcement Notices, 20 in Prohibition Notices and 5 result in prosecution through the courts. Clearly the vast majority of the inspectorate’s inspection activity (98%) involves supporting businesses by providing advice and guidance on cost effective solutions to identified areas of varying risk.
- 1.4 The fire protection (FP) team is divided into the following areas: FP North, FP South (this now incorporates the City), FP Support and FP Investigation.
- 1.5 The fire investigation team carry out the organisations statutory duty for investigating fires under section 45 of the Fire and Rescue Services Act 2004.

2. REPORT

Fire Protection Teams

- 2.1 FP South consists of one station manager leading a team of six fire protection officers (FPOs). FP North consists of one station manager leading a team of five FPOs.
- 2.2 The fire protection team’s activities and priorities are guided by the Fire Protection Business Plan, this plan reflects the priorities identified within the Service Delivery Plan along with key legislation and guidance, for example the Regulatory Reform (Fire Safety) Order 2005, Primary Authority and the Regulators Code.

Performance

FP South Inspections and Enforcement

- 2.3 The NFRS fire protection team has always supported businesses in providing advice and support to make them safer. In accordance with the Regulators Code, FP continues to support premises that do not fully comply. This is demonstrated by the 148 audits carried out in the South of Nottinghamshire over the last six months, 73 were unsatisfactory but only three premises were issued with an Enforcement Notice or an Action Plan. With two Prohibition Notices served. All of these premises were provided with support and advice to assist them in meeting current fire safety legislation.
- 2.4 174 Building Regulation consultations were processed by FP South ensuring that new and altered buildings were built to satisfactory fire safety standards.

FP North Inspections and Enforcement

- 2.5 A total of 292 audits were carried out in the last 12 months in North Nottinghamshire. Of the 292 audits carried out 223 were satisfactory, with 62 unsatisfactory and only five Enforcement Notices served. With two Prohibition Notices served on premises with a sleeping risk.
- 2.6 359 Building Regulation consultations were processed by FP North ensuring that new and altered buildings were built to satisfactory fire safety standards.

Projects

FP South and FP North

- 2.7 Timber Framed Buildings – FP South is working with Morgan Sindall and the University of Nottingham, providing support and advice for the Triumph Road rebuild. The organisation is also taking this opportunity to review procedures and policies and arranging a ‘Lessons Learned’ event for shared learning.
- 2.8 Intelligent Buildings – two members of FP South are tasked with identifying buildings with fire engineered solutions and how to record this information and share it with interested parties.
- 2.9 Operational Awareness Training – two members of FP South are also tasked with updating the presentation packs that improve firefighter safety and are assisting the NFRS Service Development Centre with the probationer modules.
- 2.10 Waste Management Sites – NFRS Fire Protection chair the Tri-Service Working Group, sharing work practices and information. Joint inspections with the Environment Agency have commenced at all sites in the four highest risk categories.
- 2.11 Sprinkler Week – a member of the FP South team has been allocated to work with the Fire Protection Support Team and Business Education Advocate

(BEA) to liaise with the Chief Fire Officers Association (CFOA) on sprinkler activities and Sprinkler Week within the Service.

Interoperability and Collaborative Working

- 2.12 Police Interoperability – steered by the Interoperability Board, the FP Teams have exchanged information and contact details with police counterparts and plans are being made for joint weeks/days of action and other initiatives. Basic fire safety awareness packages will be issued to police colleagues to train their staff in identifying fire safety issues.
- 2.13 Community Safety – joint inspections, training and familiarisation events are planned to enable a more joined up approach. Regular meetings are being held between FP and the Community Safety Team (CST) to streamline strategies and campaigns.
- 2.14 Licensing – providing support, advice and sharing risk information at two managerial and practitioner levels to improve fire safety.
- 2.15 Environment Agency – promoting regional working between NFRS and the EA officers and acts as a forum to review local working arrangements.
- 2.16 East and West Midlands Social Housing Fire Strategy Group – providing support and advice to strategic managers and responsible persons in order to reduce enforcement action at practitioner level.
- 2.17 Nottinghamshire Social Landlords Forum – providing specific local support and advice to Fire Safety Managers of social housing providers
- 2.18 Nottingham City Homes Fire Safety Group – this provides support, advice and sharing risk information to improve fire safety within the 30,000 properties run by NCH. Attendees are key stakeholders within the company who are directly responsible for areas of fire safety management. This has already reduced fire safety deficiencies, Unwanted Fire Signals (UwFS) and fires within the housing stock.
- 2.19 Safety Advisory Group (SAG) – providing support, advice and sharing risk information when required to improve fire safety within events held within the south Nottinghamshire area.

Development

- 2.20 CFOA has introduced a competency framework for business fire safety regulators. Over the last 12 months all new FPOs have been working towards a Level 4 Fire Safety Diploma. This is the new standard which must be achieved within two years of taking up their posts.
- 2.21 NFRS also works with other fire and rescue services to assure the CPD element within the competency framework, and to gain appropriate Approved Prior Learning (APL) for existing FPOs. The department currently has two qualified Fire Engineers.

- 2.22 FPOs are rotating every six months to work with the FP Support team on current projects in order to gain experience of a more strategic perspective of the department.

Fire Protection Investigation Team

- 2.23 FPIT acts as a quality assurer and ensures a consistent, accurate and proportionate approach is adopted by the NFRS fire protection team. This includes the standardisation of processes, guidance and policies to support the inspectorate in delivering their service, particularly the legal aspect of the organisations work. This is in addition to taking forward cases for possible criminal prosecution for breaches of fire safety legislation.
- 2.24 Processes and procedural practices are regularly reviewed, updated and shared to develop and embed good practice when utilising the full scope of enforcement activity, including the early stages of intervention. The constant review of our documentation and working practices is fundamental in ensuring an assured approach by our officers.
- 2.25 The team is committed to ensuring that the Authority's statutory duty of enforcing the Regulatory Reform (Fire Safety) Order 2005 remains proportionate, appropriate, consistent, transparent and above all, lawful. This is in-line with the Regulators Code and ensures the organisations support to the business community and its economic growth.

Fire Protection Support Team and Business Education Advocate (BEA)

- 2.26 The Fire Protection Support Team supports the FP department by controlling and reviewing the guidance and policies the inspecting officers use to ensure a consistent approach. In addition the team monitor local, regional and national issues. This team also leads on staff development and liaises with other fire industry partners such as CFOA. The BEA is part of the Support Team and together they focus on the following initiatives:
- Workshop presentations to businesses, (micro – small –medium size) Presented to over 50 businesses. Customer satisfaction sheets collected indicate positive feedback.
 - Business continuity (BC) advice to businesses after fires.
 - The BEA is an active member on the committee for Better Business Regulations which is part of the Local Enterprise Partnership. As part of the best practice outlined in the Regulators' Code for Fire Services to be involved in local business partnerships.
 - Promoting CFOA initiatives with media support to promote business safety and sprinkler week as examples.

- Engagement with black and ethnic minorities (BEM) and emerging communities in the Hyson Green area, working in partnership with the Community Safety Support Officer for BEM and Emerging Communities.
- To train and utilise Fire Safety Protection Champions in difficult to engage communities.
- To work with FPOs on audits and investigations to keep abreast with the work of the officers on the ground.

Fire Investigation Team

2.27 The Fire Investigation team consists of one station manager and three non-operational fire investigators. At present this team is supported by operational staff that are also qualified fire investigators.

2.28 The fire investigation team carry out, on average, 80 level two fire investigations each year. These investigations are often required to ascertain the cause of a fire, if there has been a serious injury, if NFRS staff have been injured or if a fatality has occurred.

2.29 As well as this investigative role, the fire investigation team provide training for the following:

- Crime Scene Investigation (CSI) – joint training on Fire Investigation Level 1 courses, this incorporates places offered to CSIs throughout the two day course, a CSI manager provides an afternoon’s input during the course to ensure shared understanding of procedures and expectations.
- Police – providing training to Police probationers in line with the expectations of the ‘college of policing’. This training provides input to Criminal Investigation Department (CID) officers on the work undertaken by level 2 investigators and teaches how the outcomes can assist with their investigative role.

Fire Investigation Projects and Initiatives

2.30 Memorandum of Understanding: Trading Standards – this MOU was drafted and led on by the NFRS fire investigation team and allows for the sharing of information regarding fires involving or caused by electrical appliances. This can assist in identifying national trends and in potential product recalls. The preparation of an ‘E-Learning package’ to be provided as a fire investigation refresher to all operational personnel is being drafted.

2.31 Initiatives – Nottingham Trent University: student placement commencing September 2015 for a minimum period of 36 weeks. This on-going partnership with the University will have a number of benefits for the Service and the individuals involved.

2.32 Coroner – the fire investigation team work closely with the Coroner to ensure standards and expectations are maintained. There are currently two inquests pending for the 8 and 18 May 2015.

Timeline expectations: Fatality to inquest – 6 months
 Fatality to fatal fire report delivered to Coroners' office - 2 months

2.33 Crown Court Sentencing – Fire Investigation reports have been used in six criminal cases in 2014 resulting in convictions ranging from 3 months suspended to 9 years imprisonment.

2.34 Interoperability – Fire Investigation work closely with the Police who will shortly co-locate Police Local Intelligence Officers to enhance information sharing and collaborative working.

2.35 Staff Development – Fire Investigators achieve their qualifications by attending external accredited training providers and are then issued maintenance of competence folder that is aligned to national occupational standards (NOS). This ensures that they are appropriately trained and remain up to date with their competencies.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no human resources or learning and development implications arising from this report.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because the purpose of this report is to provide an update on the performance of fire protection and fire investigation.

6. CRIME AND DISORDER IMPLICATIONS

The Fire and Rescue Services Act 2004 places a statutory duty for fire protection and investigation. Further, the Regulatory Reform (fire Safety) Order 2005 places the Fire and Rescue Service as the primary enforcing Authority. An effective performance framework ensures that fire protection and investigation plans are appropriately targeted and evaluated to comply with this duty.

7. LEGAL IMPLICATIONS

There are no legal implications arising from this report.

8. RISK MANAGEMENT IMPLICATIONS

A clear understanding of performance and activity mitigates the risk of unnecessary and uncoordinated work, therefore maximising impact and the value of work undertaken and minimising the risk of failing to meet the Fire and Rescue Authorities statutory and legal duties.

9. RECOMMENDATIONS

That Members note the contents of this report.

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

None.

John Buckley
CHIEF FIRE OFFICER