



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.

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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