



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

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

COMPETENCY FRAMEWORK FOR BUSINESS FIRE SAFETY REGULATORS

Report of the Chief Fire Officer

Date: 28 March 2014

Purpose of Report:

To seek endorsement from Members for the adoption of the Competency Framework for Business Fire Safety Regulators.

CONTACT OFFICER

Name : John Buckley
Deputy Chief Fire Officer

Tel : (0115) 967 0880

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

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

1. REPORT

- 1.1 Nottinghamshire Fire and Rescue Service (NFRS) has an established fire protection department dedicated to the enforcement of fire safety in non-domestic premises within the City and County of Nottinghamshire. This is a statutory requirement under the Regulatory Reform Fire Safety Order (RRO) 2005.
- 1.2 Historically the inspecting officers who formed the inspectorate were selected from operational members of staff who were sent to the Fire Service College and completed a series of fire safety courses which equated to competence.
- 1.3 In recent years there has been several factors which have greatly influenced and changed this process, these being:
 - a change in fire safety legislation from the Fire Precautions Act to the RRO in 2005. This required existing trained officers to learn the new legislation and rendered some of the qualifications gained under the previous legislation invalid;
 - no framework to identify and address development needs;
 - no framework to assess competence in the workplace;
 - non-alignment with the National Occupational Standards for fire protection;
 - appointment of non-uniformed inspecting officers (NUIOs) under green book conditions with varying levels of responsibility and skill sets.
- 1.4 It should be noted that all of the NFRS inspectorate are qualified to the same standard and as such can undertake all aspects of fire protection activity. This is proving to be an efficient way of working, assisting business continuity and enabling resources to be managed more effectively.
- 1.5 Fire and rescue services nationally have been criticised by business due to their lack of consistency when providing advice, guidance and support to assist them to comply with their obligations under the RRO. This has been in some way due to the fact that businesses do not understand what different titles and skill sets mean across the country and as such what level of service, support and advice they may expect to receive.
- 1.6 There has also been criticism regarding a lack of consistency when taking enforcement action against businesses due to differences between individual fire and rescue services. As some businesses form part of national chains this has created confusion and in some cases prevented or hindered efficient compliance.

- 1.7 One way to address this problem, and others relating to supporting business fire safety regulation, is the development and implementation of a nationally recognised competency framework for those staff delivering business support and regulation on a day to day basis.
- 1.8 The Better Regulation Delivery Office (BRDO) promotes the use of competency frameworks as a means of ensuring consistency for businesses and for supporting regulators in the development of their staff. Business fire safety regulation was one of the few areas not supported by a nationally recognised competency framework. This has been recognised by the Chief Fire Officers Association (CFOA) and their Business Safety Group has developed a 'Competency Framework for Business Safety Regulators'.

2. REPORT

- 2.1 The Competency Framework for Business Fire Safety Regulators, produced by the Chief Fire Officers Association, has been developed for the use of Fire Safety Regulators throughout the UK, irrespective of the organisation, the work function being performed or position of the individual within the organisation. It takes into account not only the differing levels of authority and responsibility of inspecting officers but also their levels of competence as they develop and gain experience in the inspection role. This gives clarity and consistency to regulators involved with enforcing the RRO and a recognised method of gaining and maintaining competence.
- 2.2 The primary purpose of this framework is to ensure that Business Fire Safety Regulators have the skills, knowledge, understanding and other attributes necessary to be competent. It further protects the regulatory organisation by ensuring that Business Fire Safety Regulators are delivering the most up to date advice and information to the wider community to enable them to meet their statutory duties. This by default supports the government's agenda of providing better regulation which is focused on promoting growth.
- 2.3 The objectives of the Competency Framework for Business Fire Safety Regulators are:
- To develop the critical knowledge and skills needed to improve organisational and individual effectiveness and performance;
 - To promote quality and consistency in Fire Safety Regulation practices throughout the UK resulting in better regulation;
 - To demonstrate to business that the regulator is meeting the national requirements in terms of quality assurance.

2.4 There are three defined levels of competence for business fire safety regulators:

A) Fire Safety Advisor

They can offer advice and educate those responsible for fire safety in regulated premises. They are not qualified to take enforcement action for a breach of fire safety legislation.

B) Fire Safety Risk Assessor

They can complete Fire Risk Assessments, offer advice to educate those responsible for fire safety in regulated premises, and visit low and medium risk sites. They are not qualified to take enforcement action for a breach of fire safety legislation.

C) Fire Safety Inspector

They can complete Inspections of all regulated premises including high risk sites, or those incorporating fire engineering principles. They can investigate and report on breaches of fire safety legislation for the commencement of legal prosecutions. They can report on submissions in liaison with building control bodies and advise on fire safety issues relating to the construction, demolition and/or refurbishment of regulated premises. They are qualified to take enforcement action for a breach of fire safety legislation.

2.5 NFRS is currently working towards all of its fire safety officers to be qualified to 'Fire Safety Inspectors' as defined above. This maintains the current way of working and the advantages of flexibility in the work force, increased business continuity management and quality assurance.

2.6 Currently NFRS's cadre of inspecting officers is made up of operational and non-operational staff. This group of inspectors has varying experience ranging from new starters to fully qualified staff.

2.7 The transition to the new framework will require different routes for each individual member of staff. New starters will require the full suite of courses and guided learning over an 18-24 month period; qualified and more experienced staff will have their existing qualifications checked and accredited through an approved body, with those in between undertaking a mixture of both.

2.8 The training of new starters is relatively straight forward as they follow a natural progression process through to full qualification status. The courses are generally those which would have been completed anyway, it is now the case that they are recognised as a national qualification.

- 2.9 The more experienced staff will undertake a path tailored to their specific needs and a pilot of accreditation for 2 officers is currently underway.

3. FINANCIAL IMPLICATIONS

- 3.1 The cost for training new staff is budgeted for in the annual training plan and the new framework utilises the existing courses at the same cost and is within existing budgets.
- 3.2 There is a slight financial impact in that there are 19 existing 'qualified' officers that require conversion achieved by recognised prior learning [RPL]. A trial is taking place at a cost is £360 per person, which if successful will cost a total of £6,840 for all 19. This expenditure will be met from within the contingencies of the training budget.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

Existing staff will need to be provided with support to achieve qualification. This will have some impact on productivity but is not expected to prevent the department from achieving its objectives and meeting audit requirements. Learning and development impacts are identified in the main body of the report

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because this report does not affect policy or procedures, and only seeks to formalise existing ad-hoc arrangements.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications anticipated.

7. LEGAL IMPLICATIONS

The FRS has to comply with the statutory duty outlined within the Regulatory Reform Fire Safety Order (RRO) 2005 and meet the Better Regulation agenda of the BRDO by improving consistency and quality of standards. Adopting this framework will assist in meeting both of these expectations.

8. RISK MANAGEMENT IMPLICATIONS

The primary purpose of this framework is to ensure that Business Fire Safety Regulators have the skills, knowledge, understanding and other attributes necessary to be competent. It further protects the regulatory organisation by

ensuring that Regulators are delivering the most up to date advice and information to the wider community to enable them to meet their statutory duties. Failure to demonstrate competence of staff may expose the Service to challenge from businesses at the prosecution stage of the enforcement process and lead to reputational damage.

9. RECOMMENDATIONS

It is recommended that Members note the contents of this report and endorse the adoption of the Competency Framework for Business Fire Safety Regulators

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

None.

Frank Swann
CHIEF FIRE OFFICER