



<b>Meeting</b>	<b>Service Leadership Team</b>	Agenda Item	<b>5g</b>
<b>Meeting Date</b>	12 November 2019	Report Number	<b>19-270</b>
<b>Report Author:</b>	Area Manager Prevention and Protection		
<b>Presented By</b>	Director of Operations		
<b>Subject</b>	<b>Protection (Technical Fire Safety) Strategy</b>		
<b>Type of Report:</b>	Information and decision		

## **RECOMMENDATIONS**

SLT are asked to approve the attached strategy and escalation to the Strategic Governance Board.

## **BACKGROUND**

Essex County Fire and Rescue Service (ECFRS) was inspected by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) in July 2019. Following the visit, four areas of concern were identified in relation to the Effectiveness pillar. These were:

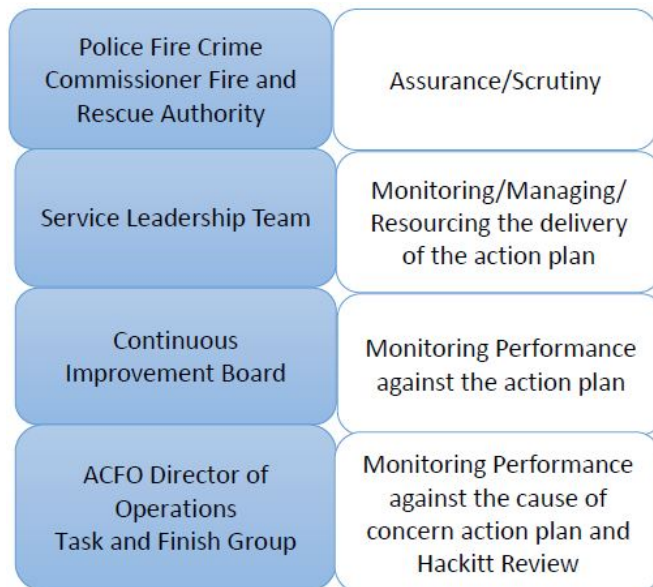
- The Service doesn't have a clear strategy for ensuring compliance with fire safety regulations
- The Service isn't carrying out the number of audits of high – risk premises that it commits to as part of its Risk Based Inspection Programme (RBIP)
- The Service doesn't quality assure audits to ensure they are effective
- The Service doesn't have a clear programme to ensure operational staff are competent to carry out inspections.

This paper and the supporting document (appendix A) will set out how the Service intends to address these issues along with the associated timeframes and governance.

## OPTIONS AND ANALYSIS

ECFRS recognises the areas of concern identified by HMICFRS and agrees that these are areas that need to be enhanced.

Page 3 of appendix A identifies the Governance structure. This will be supplemented by the production of updates at the following governance meetings.



- Continuous Improvement Board
- SLT
- Performance and Resources
- Strategic Board

This structure has been set up to ensure that the service leadership team are sighted on progress and that the Office of the Police, Fire and Crime Commissioner (OPFCC) has effective oversight of progress.

Key Areas of focus for the first six months of the plan are:

- Technical Fire Safety function currently has 9 vacancies that are in the current budget. These are being filled externally and internally, staff will need to be trained prior to being fully qualified to carry out audits.
- SLT have agreed in principle to over establish TFS inspecting officers with an expectation that the numbers will have to be increased over time. Funding for these posts in the short term will be from temporarily moving unfilled budgeted posts from Prevention
- An overarching strategy to be produced.
- High risk will be defined as:
- Based on this definition a Risk Based Inspection Programme will be developed with a view to mitigating life risk as this is the main area of focus under the RRO.

The first piece of this work is the strategy. (appendix B)

This high level document forms the platform for the future direction of TFs and will be underpinned by a RBIP and an enforcement policy.

The strategy is aligned to the Building Fire Safety regulators national framework and clearly identifies the definition of a high risk premise.

## **BENEFITS AND RISK IMPLICATION**

There are key risks for the Service against resourcing and data management which are currently recorded in our risk management system: JCAD

## **FINANCIAL IMPLICATIONS**

Anticipated financial impact due to increased resourcing, training and technical fire safety activity.

Post Grenfell Inquiry, the Local Government Association (LGA) and National Fire Chiefs Council (NFCC) anticipate new burdens around this area of Fire and Rescue Service service delivery, although it is as yet unclear if this will affect FRS funding (LGA position statement 2018).

## **EQUALITY AND DIVERSITY IMPLICATIONS**

Recruitment and promotion activity as part of succession planning for TFS will be undertaken in accordance with internal processes and procedures.

## **WORKFORCE ENGAGEMENT**

Formal internal Communication has taken place around the 4 areas for concern. Engagement seminars are taking place to ensure Technical Fire Safety staff are at the heart of this ongoing work. Technical Fire safety training is being rolled out to station based personnel and will form part of development programmes such as Crew and Watch Manager development.

## **LEGAL IMPLICATIONS**

Legislative change is expected which will impact on the Fire sector and in particular, the areas referred to in this paper.

## **HEALTH AND SAFETY IMPLICATIONS**

None directly associated with this paper.



# Essex County Fire and Rescue Service

## Protection Improvement Plan

September 2019

This improvement plan has been created to ensure we address the areas of concern, which were highlighted during our first HMICFRS inspection in July 2019.

Our first inspection report with graded judgements against the 3 pillars of inspection effectiveness, efficiency and people is due to be published in December 2019.

*The findings of the inspection highlighted areas for concern against the 'keeping the public safe through regulation of fire safety pillar'.*

*Detail of the concerns are given below:-*

*EFFECTIVENESS – Keeping the public Safe through regulation of the Fire Safety.*

*Cause of concern:-*

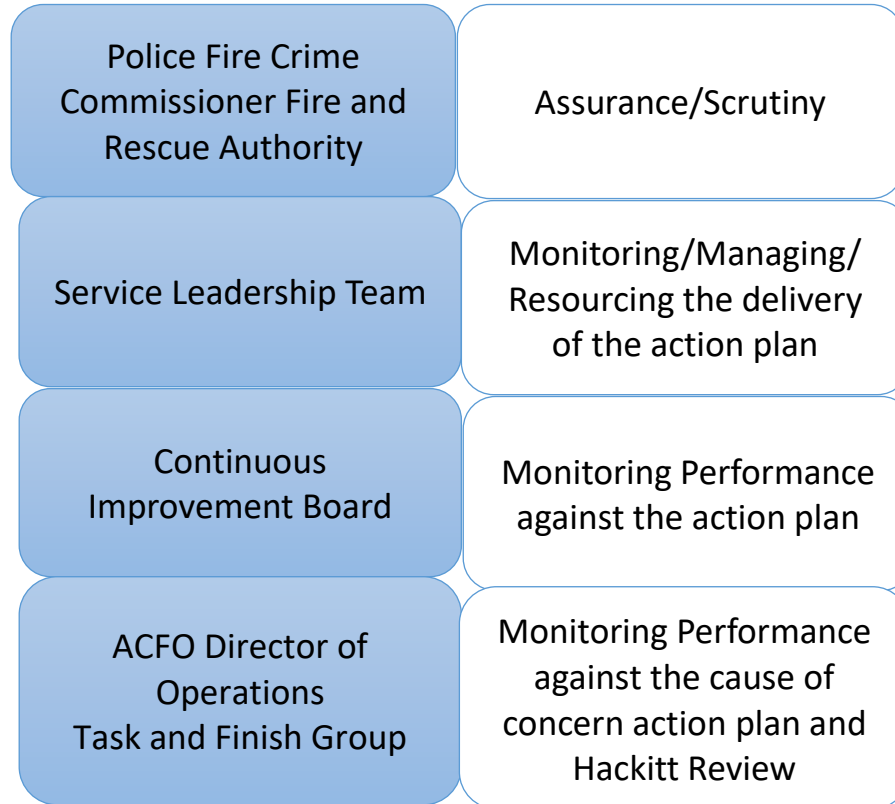
- *Essex County FRS doesn't have a clear strategy for ensuring compliance with fire safety regulations.*
- *The service isn't carrying out the number of audits of high-risk premises that it commits to as part of its risk-based inspection programme*
- *The Service doesn't quality assure audits to ensure they are effective.*
- *The service also doesn't have a clear programme to ensure operational staff are competent to carry out inspections.*

ECFRS have taken these concerns very seriously. This document provides a detailed plan in how the Service intends to address these issues.

This plan supports our current IRMP and the Police, Fire and Crime Commissioners Fire and Rescue plan.

We will monitor progress against the plan through our existing internal governance structure as well as reporting to the PFCC performance and resource board.

**Governance**



**Progress to date**

The Service was informed of the areas of concern in September 2019. The Service will submit an action plan to HMICFRS by 3 October 2019 setting out how we are/will address the concerns.

HMICFRS Inspection Team will revisit the Service on 11<sup>th</sup> to 13<sup>th</sup> November 2019 to review progress against the plan.

**Risk**

The Service have reflected the cause for concern in the Strategic Risk Register. Risk Reference SRR150028

RAG rating guide for this plan.

RAG Rating Guide			
Red	Amber	Green	Blue
An area within the plan is experiencing issues, which may affect the success of delivery of the action or may mean the action can no longer be delivered.	Actions in the plan are progressing but may be experiencing issues which means completing against the specified timeframe or budget defined will be affected.	Action is on target and budget and/or nearing completion.	Action is complete

**Protection/Technical Fire Safety Action Plan**

Cause for concern	Action/Mandate	Status % Complete	Expected completion Date	Action Owner	Stakeholders	RAG
<b>AP1 Essex County FRS doesn't have a clear strategy for ensuring compliance with fire safety regulations.</b>	Develop the ECFRS 2020-2024 Protection Strategy.		0-6 Months	Area Manager Prevention and Protection	Group Manager Protection Technical Fire Safety Team SLT PFCC	
	Define clearly within the 2020-2024 Strategy the ECFRS definition of a high risk premises		0-6 Months	Area Manager Prevention and Protection	Group Manager Protection TFS Team SLT	

					PFCC
	Develop and implement a revised Risk Based Inspection Programme (RBIP)for 2020-2024		0-6 Months	Group Manager Protection	Area Manager Prevention and Protection Area Manager Response TFS Team Performance and Data Team SLT
	Design and implement an over-arching communications and engagement strategy to raise the priority of this work within the organisation		0-6 months	Area Manager Prevention and Protection	SLT Head of Corporate Communications
<b>AP2 The service isn't carrying out the number of audits of high-risk premises that it commits to as part of its risk-based inspection programme</b>	Review the structure of Technical Fire Safety (TFS) to ensure the future structure can meet known and foreseeable risk, demand and activity levels of the 2020-2024 RBIP.		6-12months	Area Manager Prevention and Protection	ACFO – Director of Operations Group Manager Protection TFS Team HR Business Partner
	Review the Protection and Enforcement Policy and procedures.		0-12months	Group Manager Protection	Area Manager Protection Representative Bodies TFS Team PFCC SLT
	Define the activity of TFS Officers, Operational Crews and administration staff.		0-12months	Group Manager Protection	Area Manager Protection Station Managers – TFS Delivery TFS Team



	Review succession plan for TFS.		6-12 months	Group Manager Protection	Area Manager Prevention and Protection HR Business Partner Group Manager Training Group Manager Operations Policy
	Ensure all data related to our risk based inspection programme is accurately captured and available when required for performance reporting, Home Office and HMICFRS.		0-24 months	Area Manager Prevention and Protection	ACFO – Director of Operations Group Manager Protection Performance Analyst
<b>AP3 The Service doesn't quality assure audits to ensure they are effective.</b>	Develop quality assurance process that is robust, open and transparent		6-12months	Group Manager Protection	Area Manager - Protection Station Managers – TFS Delivery Learning and Development Area Manager – Operations assurance and Policy Ops Assurance Team Group Manager Training
	Publish prohibitions and enforcements notices on the website for a period of 3 years		0-12 months	Group Manager Protection	Systems and Data Officer (CRM/Sharepoint) Database Administration Co- ordinator

<b>AP4</b> <i>The Service also doesn't have a clear programme to ensure operational staff are competent to carry out inspections.</i>	Define the type and level of inspection operational crews will carry out		0-12months	Group Manager Protection	Area Manager Response Group Manager Operation Policy	
	Develop and implement a training programme and a competency maintenance programme in order to enable operational crews to carry out inspections/audits aligning with the proposed National Occupational Standard.		6-12months	Group Manager Training	Group Manager Protection Station Manager TFS Policy and Training	

## **Protection Strategy**

2019 / 2021

### **Foreword**

Essex County Fire and Rescue Service (ECFRS) mission is to make Essex a safe place to live work and travel. A key part of being able to deliver that is an effective and robust protection strategy.

The strategy in conjunction with the prevention and response strategies will enable the organisation to work in partnership and a cohesive manner to ensure the public continue to have trust and confidence whilst maximising the use of all our resources.

A significant part of being able to achieve the above priority is to develop an integrated approach to fire safety and utilise not only our technical fire safety professionals but also our operational personnel. This strategy will outline how all staff groups will engage in effective protection activities. It will also identify how we will encourage partnership working and collaboration in order to further identify and mitigate risk to our communities.

In meeting this priority, we will ensure we discharge our statutory fire safety duties in relation to:

- Inspection and audit;
- Statutory consultations;
- Undertaking enforcement activities as appropriate; and
- Carrying out activities associated with Higher Risk Residential Buildings (HRRBs).
- Reducing unwanted fire signals

### **Vision, Purpose and Alignment**

#### **Vision**

Our Vision is:

Safe and secure communities are the bedrock on which we build success and wellbeing for all.

#### **Mission**

Our Mission is:

To make Essex a safe place to live, work and travel.

## **Essex County Fire and Rescue Service Purpose**

ECFRS's main purpose is to protect and save life, property and the environment. This protection strategy is intended to inform managers and employees of the strategic aims and objectives of our protection activity, in order to deliver against the Authority's corporate priorities and objectives as detailed in:

- The Fire and Rescue Plan 2019 – 2024
- Integrated Risk Management Plan (IRMP)

## **Strategic Priorities and objectives**

The service priorities as set out in the Fire and Rescue Plan are:

- Prevention, protection and response: our objective: "We will plan and provide effective and efficient prevention, protection and response activities, so the public continue to have trust and confidence in us."
- Improve safety on our roads: our objective: "Reduce the personal, social and economic impact of road traffic incidents."
- Help the vulnerable to stay safe: our objective: "To help the vulnerable people to be safer in Essex."
- Promote a positive culture in the workplace: our objective: "To have a safe and diverse workforce who we enable to perform well in a supportive culture underpinned by excellent training."
- Develop and broaden the roles and range of activities undertaken by the service: our objective: "To save lives, prevent harm and protect our communities by developing and broadening our roles and partnerships."
- Be transparent, open and accessible: our objective: "Communities are involved, engaged and consulted in the services they receive."
- Collaborate with partners: our objective: "We will work together with our partners to provide a more efficient and effective service for the public."
- Make best use of our resources. Our objective: "We will improve the safety of the people of Essex by making best use of our resources and ensuring value for money."

## **Protection Strategic Purpose**

Our aim is to reduce the risk and impact of fire on the community, safeguarding firefighters, heritage and the environment, reducing the loss of life, injuries, commercial, economic and social costs. As a consequence, our statutory duty to enforce fire safety legislation under the Regulatory Reform (Fire Safety) Order 2005, and promote fire safety is based on risk to provide the community with value for money.

The primary focus of this fire protection strategy is to support business such that all employers and places of community access meet their legal duties and maintain the safety of all those who may be present and in doing so assist the economic growth of Essex.

Premises that are identified in our Risk Based Inspection Programme (RBIP) of presenting the highest risk will be audited and visited most frequently. Premises that are considered to be a lower risk will be audited primarily in response to complaints, following incidents or on a randomly sampled basis to verify their lower risk classification and to confirm that the Responsible Person is complying with their statutory duties and requirements of fire safety legislation.

Our operational personnel will be trained sufficiently engage in risk reduction work appropriate to their role and level of expertise. All our personnel will collect risk data about premises as part of their normal role under section 7(1) of the Fire and Rescue Services Act. This data will be used to enable us to further target our prevention, protection and response activities in an effective and efficient manner.

All protection activities including training will be delivered in line with the Competency Framework for Business Fire Safety Regulators.

## **Responsibilities**

Responsibility for delivering and monitoring of these strategies sit with the following post holders

- Director of Prevention, Protection and Response is responsible for the delivery and review of this strategy
- The Area Manager Prevention and Protection is responsible for the development and delivery of this strategy. The monitoring and reporting against the outcomes of this strategy will be carried out through the service performance procedures.
- The Group Manager Protection is responsible for the development of all policies, procedures and protocols that support this strategy. Also responsible for the delivery of the tasks that are centrally focussed
- The Group Managers in the commands are responsible for the delivery of protection activities in their areas of business.
- Designated operational staff and fire protection staff are responsible for the delivery of fire protection activities.

## Review

A full review of this strategy will be on the same review frequency as the Integrated Risk Management Plan and will be undertaken by the Area Manager Prevention and Protection. The organisation reserves the right to carry out a review due to a fundamental change in the way that ECFRS plans to deliver Fire Protection initiatives, these could be driven by local or national issues.

## Structure

The following diagram shows how the protection function within ECFRS is resourced

**INSERT STRUCTURE CHART.**

## Business Strategy

Insufficient fire safety standards can lead to serious hazards / risks to persons occupying the premises in the event that premise becomes involved in fire. We aim to reduce this risk to the communities we serve within Essex by not only carrying out fire safety checks and fire safety audits but by providing advice to those who ask. Our warranted inspectors will be cognisant of the need to achieve compliance with the Fire Safety Order rather than simply discharging the acknowledged duty to enforce.

A transparent service, where we work with Responsible Persons in the first instance is more likely to result in safer communities, as opposed to the rigid application of hard enforcement measures.

The enforcement sanctions that we have at our disposal and how they will be deployed, as required, are set out in more detail in our Enforcement and Engagement Policy. The level of enforcement is outlined below.

- **Non – Statutory Enforcement action** – includes the issuing of a non – statutory notice including notification of deficiencies / notification of fire safety matters notice or action plan
- **Statutory Enforcement action** – Includes the issuing of a statutory letter or notice including alterations, enforcement or prohibition notice or caution under the Regulatory Reform (Fire Safety) Order 2005

ECFRS will develop a risk-based inspection programme which will be reviewed annually, the aim of which will be to identify the risk in relation to individual properties. This will be inextricably linked to the operational risk inspection frequency that operational crews carry out under Section 7iiD of the Fire and Rescue Services

Act. Our aspiration is to make every contact count whilst minimising the impact on our communities. In order to do this we will:

- Be open, honest and transparent about the level of inspection and the reason for such inspection
- Where possible combine visits to ensure the minimum practical number of visits to a site
- Work with responsible persons where practicable to ensure compliance with the RRO.
- Encourage data sharing between departments within ECFRS.
- Where possible joint inspections will be carried out with our partners.

The level of risk will then drive the nature and frequency of the inspection that is required. The nature of inspections that ECFRS will carry out are:

- **Fire Safety Check:** these will include checks to cover; means of escape, means of giving warning and control of ignition sources and fuel loads. It will also include checking whether a fire risk assessment has been conducted. Appendix A
- **Short Audit:** The short audit provides a swift and simple process, to enable competent inspectors to assess safety in case of fire. It encourages spending as little time as possible in reasonably safe premises in order to move on to higher risk premises. Appendix B
- **Full Audit:** A full audit will be carried out in higher risk premises or those where in the professional judgement of the competent inspector a short audit is not sufficient. Appendix C

**Commented [JP1]:** A more technically correct definition will need adding but this gives a flavour.

In relation to inspections the following criteria will apply:

**High Risk Premises:** An audit will be carried out by an inspecting officer – Business Fire Safety Inspector on a frequency to be determined by the risk score. All premises identified as high risk premises will be inspected annually.

**Lower Risk Premises:** A visit will be carried out by Non-Fire Safety Specialist Personnel (our operational crews). An audit will only be carried out in the event of information that warrants a reactive audit or if the non-fire safety specialist staff deem that a follow up visit is required by a specialist officer.

For the purposes of our Risk Based Inspection Programme we will use the following definition of a High Risk Premises. This will be reviewed annually or at such a time as the definition of a High Risk Residential Building is defined by Central Government. ECFRS are linked into the NFCC community risk programme which will look to define this.

High Risk: High Risk premises will be those premises that are identified as posing the greatest risk to life from fire.

The methods that will be used to identify this are:

- Historical Likelihood of fire
- Vulnerability of occupancy
- Buildings that are already identified as high risk under our operational risk information
- Predicted response time for ECFRS.

The Risk Based Inspection Programme enables the service to demonstrate that it is meeting its enforcement responsibilities in respect of the RRO. The development of this inspection programme enables us to demonstrate that we are focussing our resources on those premises that represent the greatest risk to life in the event of a fire.

Fire Safety Audits of Premises are carried out to:

- Ensure the safety of all relevant persons at the premises;
- Ensure compliance with the provision of the RRO;
- Assist organisations to comply with their legislative responsibilities;
- Give advice regarding appropriate standards of fire protection and potential sources of information for the Responsible Person;
- Gathering of risk information to ensure that resources can be appropriately allocated and to support integrated risk management planning, including the sharing of information with operational crews;
- Fire protection audits will be carried out in line with the national framework, this will ensure consistency of approach throughout the service and ensure that all decisions made are transparent and auditable.

### **Fire Safety Checks.**

Fire Safety Checks will be carried out on lower risk premises by operational crews. The premises in question will be identified from the Risk Based Inspection Programme. Crews carrying out a fire safety check will collection both fire protection data but also operational risk information where possible. This will increase the amount of information being gathered in a single visit and enable a holistic view of risk within Essex that should be shared across all departments.

The fire protection data that will be collected will focus on evaluating;

- The means of escape
- The means of giving warning



- Control of ignition sources and fuel loads.

It will also include a check but no evaluation of;

- The fire risk assessment

### **Reactive Auditing**

ECFRS will also carry out audits reactively, these follow fire safety complaints, fires in regulated buildings and reports of unwanted fire signals (UWFS).

ECFRS are committed to investigating any fire safety concerns that are raised with the organisation. The speed and weight of the response will be proportionate to the risk:

The duty fire safety officer will make a risk based judgement on the weight and speed of response.

High Risk: We are committed to responding to all high risk concerns within 24 hours of being made aware of the complaint.

Lower risk: We are committed to responding to lower risk concerns within 7 working days.

### **Performance outcome and indicators.**

<b>F&amp;RP Priority</b>	<b>Measure description</b>		<b>Reporting frequency</b>	<b>Monitor/Target/No target</b>	<b>Notes</b>
<b>Develop and broaden the role and range of activities undertaken by the service</b>	<b>F&amp;RP –</b> Broader range of prevention, protection and response activity undertaken by operational staff	Operational staff to carry out fire safety checks in line with the Risk Based Inspection Programme.	Quarterly	Monitor	
<b>Prevention, Protection and Response</b>	<b>SERVICE –</b> Fires in Non-Residential Properties	Fires in Non-Residential Properties	Quarterly	Target	Reduction in numbers from the previous year
		% of satisfactory audits	Quarterly	Monitor	
		Number of Prohibitions	Quarterly	Monitor	

		Number of enforcements	Quarterly	Monitor	
<b>Make best use of our resources.</b>	<b>F&amp;RP –</b> Reduction in the number of false alarms	Reduction in the number of false alarms	Quarterly	Target	Reduction in number from the previous year

### Training.

The level of training for our fire safety function will determine the activities staff carry out. Training delivered to IFE standards is nationally accredited and the internal training meets ECFRS internal quality assurance processes for training. All roles and associated knowledge requirements are in line with the Competency Framework for Business Fire Safety Regulators (appendix D) these are outlined below.

<b>Business Fire Safety Inspector:</b>	
<b>ROLE:</b>	An inspector can complete audits of all regulated premises including complex and higher risk residential buildings. They may audit buildings based upon fire engineering principles however, should be cognisant of the scope of their competency (see section 12) and request appropriate assistance where necessary. Inspectors can investigate and report on breaches of fire safety legislation for the commencement of legal prosecutions. They can respond to submissions from building control bodies and advise on fire safety issues, where appropriate, relating to the construction, demolition and/or refurbishment of regulated premises. They are qualified to

	take formal enforcement action for a breach of fire safety legislation. Only persons authorised in writing should undertake fire safety audits:
<b>Knowledge for competency</b>	Level 4 Diploma in Fire Safety

<b>Business Fire Safety Advisor</b>	
<b>Role</b>	A BFS Advisor can undertake audits in simple premises, 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. Only persons authorised in writing should undertake fire safety audits.
<b>Knowledge for competency</b>	Level 3 Certificate in Fire Safety

<b>Non-Fire safety specialists</b>	
<b>Role</b>	Appropriately trained operational staff to undertake basic fire safety checks of low risk simple premises.
<b>Knowledge for competency</b>	In – house Fire Safety training.

**Building regulations:**

Essex County Fire and Rescue Service is a statutory consultee in respect of building regulation consultations. We will ensure we respond to all requests within the statutory consultation period.

### **Sprinkler Match Funding**

ECFRS operates a sprinkler match funding scheme. **ADD IN SENTANCE AROUND WHAT THIS IS AND BENEFITS.**

### **Related Service Policies and Procedures**

The delivery of risk critical information to the incident ground.

### **Version Control.**

Title	Protection Strategy
Author/Owner	James Palmer
Status	
Version	1.0
Date Approved	
Approved by	
Review Date	
Security Classification	OFFICIAL