

Protection Strategy

2020 – 2024

Foreword

The Essex County Fire and Rescue Service's (ECFRS) Fire and Rescue Plan outlines the overall ambition of "*Making Essex Safer*", this strategy sets out the Protection measures that will enable us to work towards that ambition.

The strategy further supports the aim, "*To make Essex a safe place to live, work and travel.*"

The Fire and Rescue Plan (F&RP) documents key strategic priorities and the overriding goal of this document is to meet, in full, the specific Strategic Priority stated below:

"We will plan and provide effective and efficient prevention, protection and response activities, so the public continue to have trust and confidence in us."

Fire Protection is a cornerstone of the modern fire and rescue service; it is a core activity, as stated in the National Framework Document, the Fire and Rescue Services Act (2004) and our Integrated Risk Management Plan.

A significant part of achieving the above priority is to develop a more integrated approach to Fire Safety and the work that is carried out by operational personnel. In meeting this priority we will ensure the authority's statutory fire protection duties are discharged efficiently and effectively in order to reduce the incidence of fire and the effects of fire should it occur.

This strategy in conjunction with the Prevention and Response Strategies will enable the organisation to work with partners and in 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.

The key elements of this strategy are; -

- Engaging with Businesses to ensure employees and the public are safe in the workplace, not becoming a burden for business, but the Service is viewed as a partner to business in ensuring public safety;
- Operating a Risk Based Inspection Programme (RBIP), which identified areas for priority and ensures the Service Protection activities are proportionate to risk;
- Enforcement – where necessary the Service will use the powers of legal enforcement and prosecution, where this is appropriate to ensure public safety;
- Responding to all statutory consultations within the required timeframes and, wherever possible, provide timely and accurate advice to those who request it.
- Ensuring that the Service maintains an adequate number of trained and skilled staff to achieve other elements of this strategy, including having effective succession planning processes in place.
- Having effective assurance processes are put in place to ensure that our Protection function is fit for purpose and delivering against the Fire and Rescue Plan.

Purpose and scope of Strategy

This strategy outlines how ECFRS will carry out its statutory duty to enforce compliance with fire safety law. The strategy broadly aligns to the work streams of the Protection and Business Safety Committee of the National Fire Chiefs Council (NFCC).

This Protection Strategy sets out how ECFRS will support businesses and other employers to meet their legal requirements, enhance safety and subsequently support economic growth. The strategy is built around the legislative framework provided by the Regulatory Reform (Fire Safety Order), the Health and Safety at Work Act (1974) and the Fire and Rescue Services Act (2004). The document articulates the context of the Community Risk Management Strategy and Service Delivery Framework to provide a holistic approach.

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."

Integrated Risk Management Plan.

Our integrated risk management plan sets out the risks within the county and the ways in which Essex County Fire and Rescue Service will mitigate that risk. The risks that can be mitigated by Protection are outlined in the Document and delivered via this strategy and the Risk Based Inspection Programme. The priorities defined in the IRMP are:

- Train more of our operational staff to undertake business safety checks to help us reach more businesses and issue more safety advice
- Identify opportunities for us to engage with more businesses across Essex, leading to an increase in business engagement events

- Ensure we have the right resources to deliver against our commitments in the Risk Based Inspection Programme
- Review our Risk Based Inspection Programme to ensure it is data led and enables us to understand which premises pose the greatest level of risk and target our resources accordingly.

Changing National Context

To keep pace with our changing context (for example, a greater aware of the risk associated with clad buildings Nationally following Grenfell), the strategy and RBIP will be reviewed annually or when it necessary to do so due to a change in the operating context or available information.

Examples of triggers to review the strategy and RBIP include:

- New intelligence about how buildings behave in fire (for example, clad, tall buildings)
- Recommendations from case studies and National Operational Learning
- Recommendations from Grenfell Tower Inquiry parts 1 and 2;
- Recommendations from the NFCC community risk programme which has committed to delivering a definition of risk for all Fire Services by December 2020;
- Changes to the legislative landscape

Review

The Strategy shall be reviewed at least every two years, on completion of a new IRMP and/or when a change to National Guidance/legislation occurs.

Introduction

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. We recognise that we can't do this alone and as such ECFRS has entered into a number of agreements with other enforcing authorities to provide clarification about which authority takes the lead for particular premises types where the enforcement regimes overlap. To minimise audit and inspection burdens for regulated entities the Service will continue to seek to develop, engage in and foster partnerships working with other enforcers and other stakeholder groups particularly through Local Strategic Partnerships which will encourage joint working relationships.

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.

The definition of a High Risk is currently being reviewed, ECFRS are linked into the National Fire Chief Councils community risk programme which will look to define this. For the purposes of this Strategy; -

'A high risk building is a building where the impact of a fire can be catastrophic. These are buildings where a lot of people live, sleep, are in need of care and/or cannot escape quickly or easily in case of a fire emergency. The risks of losing lives due to a fire are high within this category of buildings.'

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.

Following recent events it has become apparent that as an organisation we need to proactively engage with building owners to understand the built environment that we are working in. Some buildings may not behave the way that we previously expected them to do. As part of our inspection programme we need resource sufficiently to understand and communicate any risk across our prevention, protection and response functions.

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 7iid 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.

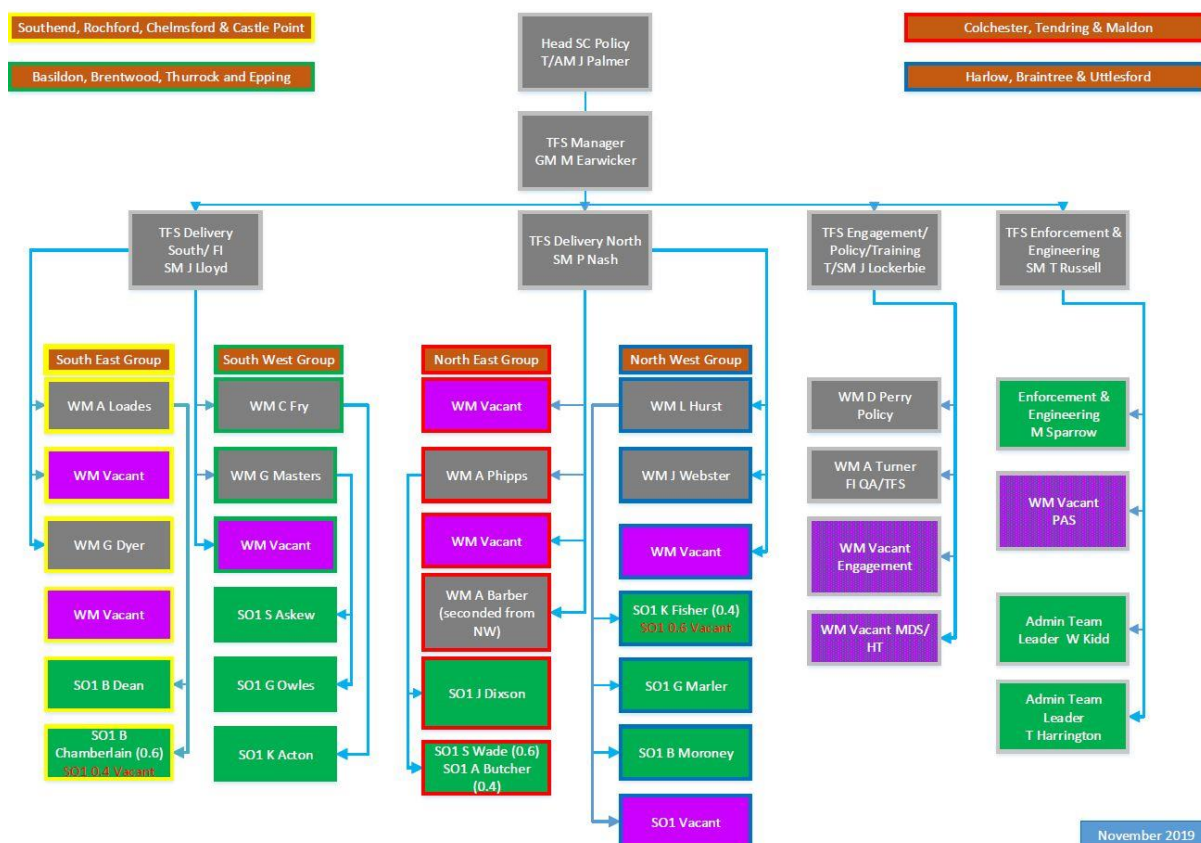
Responsibilities

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

- Director of Operations is accountable to the Service leadership Team for the delivery and review of this strategy
- The Area Manager Prevention and Protection is responsible for the development and delivery of this strategy, including effective performance reporting against Key Performance Indicators.
- 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 by operational crews in their areas of business.
- Designated operational staff and fire protection staff are responsible for the delivery of fire protection activities.

Structure

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



Business Engagement

Insufficient fire safety standards can lead to serious hazards / risks to persons occupying the premises in the event that premise becomes involved in fire. The Service will reduce risk to the communities within Essex by not only carrying out fire safety checks and fire safety audits but by providing advice. The Service will be proactive in our business engagement and work with established organisations, such as the Essex Business Forum, and conduct proactive business engagement events across the county, where business leaders/owners will be invited to share experiences and benefit from early engagement with specialist advice and knowledge.

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. However, this does not preclude the need, where necessary, for businesses to identify a Responsible Person to ensure a competent person carries out a risk assessment. This is especially pertinent where specialist or professional advice may be required.

The Service seeks to engagement positively with Businesses to ensure that they understand their responsibilities, and to develop an environment where businesses are proactive in providing information to the Service of new or emerging risks which the Service can then work to find a satisfactory solution.

Risk Based Inspection Programme (RBIP)

ECFRS Risk-Based Inspection Programme can be found in Appendix One.

The RBIP allows us to identify and target risk from fire in premises across Essex which are regulated under the Regulatory Reform (Fire Safety Order) 2005.

Under the current legislative framework, 'Regulated' premises include all buildings used for a commercial purpose, or for public use, as well as the areas within residential buildings which are shared by more than one household.

The RBIP will use the following definition of a high risk premises:

A high risk building is a building where the impact of a fire can be catastrophic. There are buildings where a lot of people live, sleep, are in need of care and/or cannot escape quickly or easily in case of a fire emergency. The risks of losing lives due to fire are high within this category of buildings.

And will seek to identify our highest risk premises using the following methodology:

- Historical Likelihood of fire
- Vulnerability of occupancy
- Buildings that are already identified as high risk under our operational risk information

The RBIP enables the Service to demonstrate that it is meeting its enforcement responsibilities in respect of the Fire Safety Order. It identifies and priorities risk in relation to individual properties. 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.
- 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
- 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.

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 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 at least on an annual basis. .

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.

Enforcement

The purpose of enforcement is to:

- Ensure that duty holders take action to deal immediately with serious breaches of the law;
- Promote and achieve sustained compliance with the law;
- Ensure that duty holders who breach health and safety requirements, and directors or managers who fail in their responsibilities, may be held to account.

Whilst the Service will always endeavour to work with Responsible Persons in the first instance, however where necessary, the Service will apply enforcement sanctions at our disposal and how they will be deployed, as required, are set out in more detail in our Enforcement and Engagement Policy. The levels 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

The appropriate use of enforcement powers, including prosecution, is important, both to secure compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health, safety and welfare.

The ultimate purpose of enforcing authorities is to ensure that duty holders manage and control compliance effectively, thus preventing harm. The term ‘enforcement’ has a wide meaning and applies to all dealings between enforcing authorities and those on whom the law places duties (employers, the self-employed, employees and others).

Consultation and Licensing Arrangements

The majority of statutory and non-statutory consultations, with the exception of enforcement work carried out under the Order, is the responsibility of the Technical Fire Safety Team.

The Service will establish and maintain close links with the authorities enforcing the provisions of the Health and Safety at Work Act 1974. There is a statutory duty for the Authority to consult with regards to the application of Building Regulations and structures are established to ensure that this duty is met, although there is no requirement for the Authority to be consulted during the Local Authority planning process. Officers will however, wherever possible, seek to consult on those planning applications which would have a material effect on the level of risk within the county.

Through effective consultation with 'building control bodies' the Authority will ensure that buildings are adequately protected from the effects of fire as required by the Building Regulations. In order to facilitate the consultation process the 'building control body' will take the co-ordinating role with this Authority and, where appropriate, with other regulatory bodies. Any recommendations and advice given will be channelled through the 'building control body' to the applicant. Consultations will comply with the current national 'Building Regulations and Fire Safety Procedural Guidance' document.

The Authority and its Officers actively promote and recommend the installation of sprinkler systems or other Automatic Water Suppression Systems (AWSS) in all premises.

Before serving an enforcement notice under the Regulatory Reform (Fire Safety) Order 2005 which would oblige a person to make an alteration to premises, the Authority will consult fully with other relevant enforcing authorities in accordance with article 30(5) of the Order.

The Authority actively supports the principle Primary Authority Schemes (PAS) as a means of promoting consistency of enforcement among organisations with multiple premises in different brigade areas.

The Authority is a "Responsible Authority" as defined within the Licensing Act 2003 (the Act). The responsibility for licensing functions under the Act is the Local Authority (LA). Responsible Authorities must be notified of applications for the grant, variation, or review of a premises license or club premises certificate.

The Technical Fire Safety team examine licence applications on behalf of the Authority and the applicant will be advised of their responsibilities under the Regulatory Reform (Fire Safety) Order 2005 (the Order). The Order is the primary piece of legislation for achieving satisfactory standards of general fire precautions in licensed premises. Applicants are referred to national guidance on how to comply with the Order. The duty to comply with the Order rests with the Responsible Person and the Authority will not provide detailed advice to individual applicants. It will be exceptional for the officers to make representations at the application stage.

Licensed premises are visited periodically as part of the risk-based inspection programme. The Authority conducts a programme of inspections of high-risk premises whilst licensable activity is taking place (During Performance Inspections). Staff will continue to support Licensing Authorities and/or Safety Advisory Groups in fire safety matters relating to licensed open air events and venues.

The team will work together with the Licensing Authorities to encourage satisfactory standards of fire safety in licensed premises. This does not preclude the use of enforcement measures by the Authority where it is considered necessary and appropriate.

Fire Protection Training and Development

A skilled and competent workforce sits at the heart of this strategy. Appropriate levels of advice must be targeted and transparent using the national guidance documents as a benchmark in terms of 'standards'. The Service must have officers who possess the appropriate technical expertise to ensure achievement of satisfactory standard requirements and the provision of advice that enables the business to understand what is required by the law.

The Service recognises the importance of training and development towards the success of fire protection work and is committed to continuous professional development providing competence based training at appropriate career and development points. Personnel completing fire protection duties whether they are operational officers or specialist fire protection inspectors will be provided with the correct level of training and development required for the level of work they undertake. They will work to National Occupational Standards and adhere to the policies and procedures laid down by the Fire and Rescue Service.

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 these are outlined below. Training will be aimed at three levels; -

Business Fire Safety Inspector - 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 advising 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: Competency - Level 4 Diploma in Fire Safety

Business Fire Safety Advisor - 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. Competency - Level 3 Certificate in Fire Safety

Non-Fire safety specialists - Appropriately trained operational staff to undertake basic fire safety checks of low risk simple premises. Competency - In-house Fire Safety training.

Due to the technical nature of this work, succession plan is vital in ensuring vital skills are maintained within the Service. In order to achieve this the Service will maintain an annual Training and development specifically for the Protection Department. This will ensure that the appropriately trained staff are maintained for the correct level for the Service to achieve this strategy.

Fire Protection Monitoring and Assurance

The Performance and Data team are responsible for developing the systems that monitor performance in relation to the delivery of fire protection.

Ultimately, the Area Manager, Prevention and Protection is responsible for performance management of Fire Protection.

Visits carried out by ECFRS will be subject to a robust quality assurance framework; this will ensure that the inspection was carried out in line with our values and code of conduct but equally has been effective in delivering improvements in line with compliance with the Regulatory Reform Fire Safety Order 2005. This will include a quality of service survey which will be sent out to everyone who is audited.

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.

In order to be able to resource the out of hours reactive auditing, the organisation will ensure there is always at least one fire safety officer on duty 24/7. This will be achieved via a range of ways to include: effective planning arrangements on the officer rota banks, a robust succession planning process, an overtime system that enables staff to be compensated for short notice shifts, the use of secondary contracts for suitably trained personnel.

Sprinkler Match Funding

Essex County Fire and Rescue Service has a Think Sprinkler Strategy which sees the Service working to promote the use and adoption of sprinkler systems.

There is overwhelming evidence that the risk to human life in fires can be minimised through the installation of automatic water suppression systems.

The service initially pledged £250,000 to help make sure that the homes where the most vulnerable people live are protected by sprinkler systems.

The £250,000 will be used to provide match funding to fit sprinkler systems and protect the most vulnerable people in the County. The funding is available to Local Authorities, Housing Associations and Charities. Those at highest risk will be given priority access to the fund.

To date we have invested over £650,000 and are committed to continuing this vital work.

Performance outcome and indicators.

F&RP Priority	Measure description		Reporting frequency	Monitor/Target/No target	Notes
Develop and broaden the role and range of activities undertaken by the service	F&RP – 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	
Prevention, Protection and Response	SERVICE – 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	
Make best use of our resources.	F&RP – Reduction in the number of false alarms	Reduction in the number of false alarms	Quarterly	Target	Reduction in number from the previous year

Related Service Policies and Procedures

The delivery of risk critical information to the incident ground.

Version Control.

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