

TYNE AND WEAR FIRE AND RESCUE AUTHORITY

Item No 6

MEETING: 26 APRIL 2010

SUBJECT: PROTECTION AND TECHNICAL INSPECTION STRATEGY 2010/2011

JOINT REPORT OF THE CHIEF FIRE OFFICER, CLERK TO THE AUTHORITY AND THE FINANCE OFFICER

1 INTRODUCTION

- 1.1 The purpose of this report is to update Members on the premises inspection strategy and associated work undertaken by the Protection and Technical (P&T) department, which seeks to reduce the economic, social and environmental impact of fire on the community, the risk to fire-fighters and the risk in heritage buildings.

2 BACKGROUND

- 2.1 As Members will be aware the Authority has a statutory duty to enforce the following legislation:
- Regulatory Reform (Fire Safety) Order 2005, (the FSO) – this applies to virtually all premises except domestic dwellings and is the key legislation for fire safety.
 - Manufacture and Storage of Explosives Regulations 2005 – this applies to the storage of fireworks.
 - Firework Regulations 2004 – this applies to selling fireworks all year round.
 - Petroleum Regulations Act 1928 and 1936 –this applies to the sale and storage of petrol.
- 2.2 Furthermore, in undertaking this enforcement work, the Department for Communities and Local Government (CLG) requires each Fire and Rescue Authority to have a management strategy and a risk based inspection programme in operation, as set out in the Fire and Rescue Service National Framework 2008/11.
- 2.3 Accordingly, this Authority's strategy and inspection programme is based on high level guidance published by CLG and incorporates the following four key elements:
- Risk Based Inspection Programme: Determining inspection frequency based upon the level of risk.
 - Thematic Inspections: where, through local or national trends, specific sectors are focused upon.

- Engagement : where the business and commercial sectors are engaged with the aim of raising their level of education regarding their responsibly for fire safety , and
- Enforcement: where fire safety regulations are enforced from minor breeches in law to prosecutions of major failures in fire safety, recognising that enforcement actions are an outcome of the inspection strategy.

2.4 In addition, decisions made on the most appropriate level of enforcement to employ, from verbal advice to enforcement and prosecution, are made with regard to the principles in the Health and Safety Executive's *Enforcement Policy Statement and the Regulators' Compliance Code*.

3 OVERVIEW OF INSPECTION STRATEGY UNDERTAKEN IN 2009/2010

3.1 The classification of premises by the P&T department is based upon the Fire Service Emergency Cover (FSEC) methodology, which utilises 17 different property types. In turn a risk categorisation system of 'very high, high, medium, low, and very low' risks is employed within each of the 17 groups, from which an inspection regime is determined. This results in high risk level premises having an annual inspection, medium risk premises being subject to an inspection frequency of 1-5 years and low and very low risk premises a frequency of 5-20 years. (No very high risk premises have been identified).

3.2 In addition to the above, inspections are also carried out annually for those premises storing and selling fireworks and for those premises storing and selling petroleum. These are based on guidance from CLG, CFOA, HSE and local intelligence.

3.3 Utilising this framework, for the fiscal year 2009/2010 the department undertook the following work:

5428	Inspections
1186	Consultations
67	Higher level enforcements
2	Prosecutions

4 PROPOSED INSPECTION STRATEGY FOR 2010/2011

4.1 Having updated the relative risk scoring information for the 2010/11 inspection year the following workload can be anticipated;

5586	Inspections
1100	Consultations
70	Higher level enforcements

4.2 In addition, historical data suggests that a small number of prosecutions can also be anticipated in the 2010/11 year.

- 4.3 Throughout the delivery of the 2010/11 inspection process, the P&T department will also ensure that the risk information that is gathered is incorporated into the Risk Information Project which is designed to contribute to the safety of fire-fighters when undertaking operational duties in premises.
- 4.4 There will be no change to the inspection frequency for those premises storing and selling fireworks and for those premises storing and selling petroleum as the risk is unaltered.
- 4.5 This strategy complies with IRMP Note 4, integrates with the risk information project, and demonstrates an effective management system for the fire safety risks within Tyne and Wear, contributing to the IRMP, as required by the National Framework 2008-11.

5 RISK MANAGEMENT

- 5.1 The risk to the authority has been assessed as having the potential for medium impact utilising the standard risk matrix, however the implementation of this proposal will further mitigate this risk.

6 FINANCIAL IMPLICATIONS

- 6.1 There are no direct financial implications associated with this report with the overall cost of all of the department's work is contained within existing budgets.

7 EQUALITY AND FAIRNESS IMPLICATIONS

- 7.1 There are no diversity and equality implications in respect of this report. All future guidance and operating procedures will undergo a full EIA.

8 HEALTH AND SAFETY IMPLICATIONS

- 8.1 It is not foreseen that there are any negative health and safety implications in respect of this report. The success of the rollout of this report will further support Firefighter safety.

9 STRATEGIC PLAN LINK

- 9.1 The proposal links to all four Strategic Goals.

10 RECOMMENDATIONS

- 10.1 The Authority is recommended to:
 - a) Note the contents of the report
 - b) Receive further reports as appropriate.

BACKGROUND PAPERS

The under mentioned Background Papers refer to the subject matter of the above report:

- Fire and Rescue Service National Framework 2008/2011
- Enforcement Policy and Statement and Regulators Compliance Code: HSE