



<b>Classification</b>	<b>Official</b>		
<b>Meeting</b>	<b>Performance &amp; Resource Board</b>	<b>Agenda no.</b>	<b>11</b>
<b>Meeting Date</b>	<b>24<sup>th</sup> June 2024</b>		
<b>Report Authors</b>	<b>AM Dan Partridge and GM Dave Bond</b>		
<b>Presented By</b>	<b>ACFO Andy Smith</b>		
<b>Subject</b>	<b>Protection Strategy Update (June 2024)</b>		
<b>Type of Report</b>	<b>Information</b>		
<b>PFCC Action Point No.</b>		<b>For Publication</b>	<b>Yes</b>

## RECOMMENDATION(S)

The paper provides members of the Performance and Resources Board an update on the progress against the new Risk Based Inspection Programme (RBIP) and the Protection functions activity linked to the Protection Strategy.

## EXECUTIVE SUMMARY

The revised Service Risk Based Inspection Programme started on the 1st of January 2023. Since this date there has been continual improvement with the way RBIP reporting has evolved for premises that fall within the new RBIP. Changes are referenced within the next section of the report to demonstrate the Service will complete the timeframes of 5 years for High and 3 Years for Very High premises.

### HMICFRS stated from the inspection publication.

*The service's protection strategy is clearly linked to the risks it has identified in its IRMP. It is reviewing its current strategy in line with the development of its new CRMP.*

*The service has now set itself an achievable RBIP, which is informed by local risk information. It is based on an improved dataset, which the service is continuing to update. It has shown better planning of its workforce to meet the demands of its protection strategy. Therefore, the previous cause of concern has been closed.*

*The Protection team will now review the process with the National Fire Chiefs Council Protection lead and the Policy and Reform Unit and capture any changes in the Protection Service Delivery plans to ensure:*

- 1. Its quality assurance process is effective, so staff carry out audits to an appropriate standard and they are accurately recorded.*

2. *The service should assure itself that its use of enforcement powers prioritises the highest risks and includes proportionate activity to reduce risk.*
3. *Recruitment and training remain a priority to ensure the service has 22.6 Full Time Equivalent Inspecting Officers.*

## **BACKGROUND**

ECFRS obtains premises and risk data from Address Based Premium (ABP) from the custodians. ABP is updated on a 6-weekly basis, updating the number of premises and the premises risk categories. At the start of the RBIP process in January 2023, the total number of properties identified were allocated a Service Delivery target of,

1. 3 years for Very High-Risk Premises
2. 5 years for High-Risk Premises

An evaluation of the ABP data revealed discrepancies in property risk grading compared to the Service's statutory duty under the Fire Safety Order. For instance, ABP categorised individual flats in a high-rise residential building as Very High Risk, whereas the service is only interested in the building in relation to the Fire Safety Order. Consequently, the property count exceeded what the Service were required to audit under the Fire Safety Order. To address this, the Protection team has developed an internal process to support the CFRMIS team in identifying these discrepancies so that they can remove unnecessary records from the RBIP. This weekly process will lead to a reduction in the total RBIP property count and subsequently reduce the monthly targets split over the remaining months. The process to identify the premises has continued, however there has been changes within the CFRMIS team that has slowed the cleansing process currently. We are continuing to work with ICT and CFRMIS to get this process reinstated.

A significant amount of work went on throughout the 2023/24 fiscal year to bring the Performance Report in line with the delivery plan that Protection had in place. The initial targets within the Performance Report throughout 2023/24 related to fixed targets, based on equal distribution of work on a month-by-month basis, whereas Protection had developed a delivery model that considered targets against resources.

This model considered the number of trained and competent personnel within the department, and when those developing within the department were completing their training and the increase in performance that this would bring. Protection's model allows for growth in performance over a longer period, based on the predicted number of qualified team members at any one time, but still considers likely drops in performance during certain times, such as over the Christmas period, and the summer holidays.

The work carried out by Performance and Analytics and the Protection Team has led to the targets within the 2024/25 Performance Report now being aligned to the targets set within Protection's plan. This is a big step forward, as Protection can now be held to account against targets much more effectively.

This change in reporting also confirms that Protection remains on track to achieve both their 3-year target for the very highs, and the 5-year target for the highs.

## DATA

The RBIP data within the performance report regarding audits only focuses on one objective, the number of new very high and high risk premises that that have been audited. This is because of the commitment within the RBIP however, there will be occasions where we visit premises to carry out an audit, and due to the non-compliances identified there is a need to revisit that premises to carry out a second audit. This is to ensure that the required work has been carried out and the premises is safe. These follow up audits are not accounted within the audit numbers in the performance report but are necessary to ensuring Essex is safe and to be able to evidence effectiveness against our overarching Protection Strategy.

There are also occasions where we receive alleged fire risks at medium or low risk premises that also require an audit, but these audits also don't appear in the performance report.

To give context to this, in May 2024 the Protection Department carried out 144 audits in total, however only 115 audits were carried out at new high and very high-risk premises and is the number that will appear on the performance report.

<b>Outcomes</b> <i>Metric vs Tolerance</i>	Metric	5 Yr Avg	Last Month	Tolerance			
Number of Deliberate Fires	80	104	80	115+	99-114	40-98	0-39
Number of ADF Fires	46	67	49	68+	61-67	43-60	0-42
Number of Non-Domestic Fires	35	34	38	40+	34-39	12-33	0-11
Number of Primary Fire Injuries	9	7	3	8+	5-7	2-4	0-3
Number of ADF Injuries	3	4	2	6+	4-5	1-3	0
Fire Fatalities	0	0	0	3+	2	1	0
Accidental Dwelling Fire Fatalities	0	0	0	3+	2	1	0
Number of Unwanted Fire Signals	83	92	106	114+	101-113	72-100	0-71
Audits (RBIP Very High)*	42	34	29	0-23	24-26	27-29	30+
Audits (RBIP High)*	73	69	85	0-70	71-78	79-87	88+

\* Audit data measured for past 3 years.

The 5 Year Average includes the results for the current month and for the same month in the previous four years, creating a rolling average that provides insight into performance trends over a longer period.

Additionally, to the information within the performance report, there is now a separate forward looking performance plan. This plan considers:

1. The number of premises left to audit.

2. Performance to date.
3. Number of premises the Service has reclassified.
4. Resource numbers current and resource numbers projected.
5. It also accounts for the need to re-audit certain premises and accept that these re-audits are required to keep Essex safe but won't contribute to reducing the number of premises left to visit.

All this data is analysed to ensure that we remain on track with our 3-year and 5-year plan and generates a monthly confidence score on activity against plan.

<b>Number of Audits Per officer per month</b>	<b>3 Month Rolling Average (Apr-Aug)</b>
6	7.0

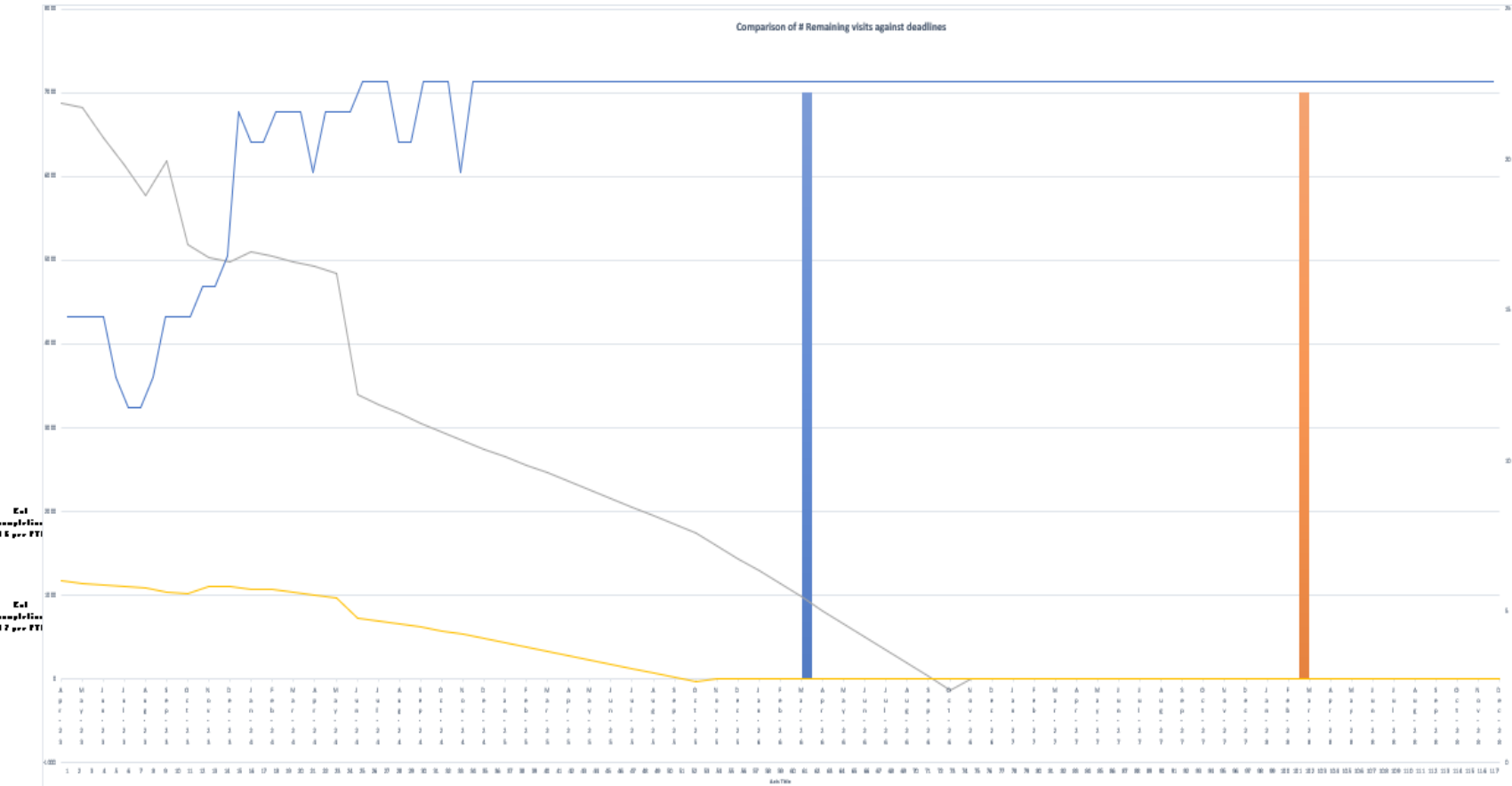
Split Between High and Very High

<b>Very High</b>	<b>High</b>
34%	66%

<b>RBIP Very</b>	<b>RBIP High</b>
Mar-26	Mar-28

<b>Very High Completion</b>	<b>High Completion</b>
Nov-25	Jan-27
4	

<b>Very High Completion Rolling</b>	<b>High Completion Rolling</b>
Sep-25	Sep-26
6	
18	



The systems have been set up to refresh monthly, replacing projections with actuals, and recalculating to ensure the Service remains on track. This way any slippage in the targets can be addressed immediately to align resources to risk on our 3 and 5-year timeframes.

It is also an innovative approach to monitoring performance, moving away from a static performance metric to reporting on performance against current resources, so the Protection team are delivering the number of audits against the resources available.

It also allows us to reallocate audits at very-high risk, and high risk, based on previous months performance. To give context to this, in May 2024 we instructed resources to focus more on very-high risk premises, as currently our high-risk commitment is 14months ahead of schedule, whereas our very-high risk is only 5months ahead of schedule on the prediction planner.

The Service currently has 15.8 FTE inspecting officers working at full capacity across high and very-high audits. Protection also has 6x inspecting officers in development, who completed their Level 3 Certificate in Fire Safety at the end of March 2024, however, are still waiting on the training provider to confirm that all these inspecting officers have passed. Once they receive this confirmation, they will then be able to audit high risk premises. They have also already started their level 4 diploma training, which started in May.

On top of this we have also recruited an additional 5x inspecting officers that start their formal training over the coming months.

The current audit target being set to all inspecting officers is 9 audits per month. The breakdown of this target is that 6 audits should be at new very high and high risk premises, so directly affecting the RBIP commitment. It is accepted and planned that inspecting officers will need to carry out audits at medium risk premises, if FSO40's carried out by crews identify any non-compliance, and they may also need to re-audit premises that have been non-compliant. This is captured within the additional three audits per month, on top of the six at new premises.

Therefore, as part of reviewing the Service Delivery model against the Service strategy, there is absolute confidence in our planning and resourcing to risk that our dynamic modelling will consistently show the actual performance, and when or where intervention is required, to remain on target.

## **ASSURANCE**

The Protection Quality Assurance Policy sets out roles and responsibilities relating to where responsibility at each tier lies within the department. This has been discussed and agreed with the GM of Organisational Assurance and aligns to the services' approach to quality assurance.

On-going work continues within the department to ensure all levels of management are fully aware of their responsibilities at their appropriate tier of QA and are trained.

With regards to assurance against performance and targets, Protection can demonstrate a 'three lines of defence' model, which links to a holistic assurance methodology to ensure a framework of control for the RBIP and other activity carried out within Protection:

#### **First Line of Defence**

- The Group Manager Protection will directly own the Delivery Activity and work across the service functions to record any associated risk via JCAD.

#### **Second Line of Defence**

- The Area Manager Prevention and Protection(P&P) will review activity on performance via the P&P monthly Governance Board attended by the Group Manager and Performance team with independent scrutiny from the PFCC Head of Performance and Scrutiny.

#### **Third Line of Defence**

- Independent Scrutiny:
  1. Monthly updates to the ACFO Operations
  2. A culture shift from Operational Assurance to Organisational Assurance
  3. Performance and Resource Board.

The new reporting tools demonstrate that with the current active inspecting officers and plotting in the fully trained officers over the 3 and 5-year cycles, the Service is on target to complete both the very-high's and high's ahead of the deadlines that have been set, and we are delivering against the Service Delivery plan for the RBIP.

### **UNWANTED FIRE SIGNALS (UwFS)**

Protection presented an options paper with further recommendations on Service approach to responding to UwFS. Unfortunately, a failure to agree with the FBU has resulted in no changes to the incidents mobilised to, or the number of resources mobilise. This will be reviewed within the CRMP however, other options are also being reviewed to try and reduce the amount of time ECFRS appliances spend responding to UwFS.

While Protection work through the options and any future recommendations, campaigns have already started to look at ways in which we can reduce the number of UwFS being received.

Social media campaigns have been run, and continue to be run, with activity against those posts captured and analysed. Leaflets have been developed and have been delivered to the first wave of fire stations, which were selected based on having the highest numbers of UwFS, with further distribution to more stations planned. The instruction to operational crews is that one of these leaflets should be left at any non-domestic premises they attend due to a UwFS. The leaflets give those responsible for the building clear guidance on their legal responsibilities, the consequences of UwFS

on businesses and on the fire service, and a reminder that failing to address UwFS at their premises can lead to enforcement action being taken.

Action against premises that are responsible for UwFS has always sat with the Service Delivery Points within Protection. This takes them away from activity in other areas of the strategy, such as audits. To address this, Protection recruited and established a Business Engagement Team, and UwFS now sits within the Business Engagement 2024/25 Service Delivery Plan.

Station Manager Tim Rickard, who manages the Business Engagement Team, and our High-Rise Task Force, supports the UwFS workstream within the NFCC and his expertise and knowledge in this area will allow us to move to a proactive response, rather than just a reactive one.

## **TRAINING**

8x LearnPro modules were released on 28th 2023 July for all operational personnel to complete (On-Call were not required to complete the FSO40 module). The frequency within pdrPro and LearnPro has been set with the requirement for operational firefighters to complete these every 24months.

Those modules are:

- Regulatory Reform (Fire Safety Order)
- Active and Passive Fire Protection
- Emergency Escape Lighting
- Fire Detection and Alarms
- Fire Signs and Notices
- Firefighting Equipment
- Means of Escape
- FSO40 training (only for Wholetime and On-Call that have completed the appropriate FSO40 input)

The responsibility for completion rates was moved across to Response as part of the 2023/24 closure report.

## **LEVEL 2 QUALIFICATION IN FIRE SAFETY**

The Level 2 Course in Fire Safety that was developed by the Protection Training Team, received accreditation in October 2023.

The wholetime squad that passed out in December 2023 received the first Level 2 award, and the Protection Training Team were also assessed during delivery of this, as it was the first course that they delivered. All personnel completed the training as did the Protection Training Team. This training will now form part of the curriculum for all recruit courses.

The Protection Training Team were assessed by Skills for Justice again in April 2024, and following this assessment they were recommended for Direct Claim Status, which is the highest level of recognition that we could receive from Skills for Justice.



We have now also been approached by other fire and rescue services that are keen to learn from the journey we have been on with this award.

We are now well into the development of a training programme for 2024, to start delivering this qualification to all wholetime personnel. It's not mandatory training for On-Call, but Protection have worked with the finance team and have budgeted for a 25% completion rate within the On-Call in the 2024/25 fiscal year however, due to work capacity we accept that we are unlikely to achieve this level of completion within the On-Call in year one.

It should be noted, that as much as we want to roll this training out at pace, we need to consider the wider training requirements and CPD that the Protection Department require when devising this delivery plan. This may result in it taking a few years to deliver the training to all personnel, but we will be able to provide clearer timeframes in future reports, once the training schedule has been finalised.

## **FIRE STANDARDS**

The department has undergone a full review against the Fire Standards, and Protection currently is 97% compliant against the Protection Fire Standards.

The only area marked as partial compliant and stopping us reaching 100%, links to activity around UwFS.

Work is continuing in this area, including a review of the AFA Policy. Completion of this review is likely to take 1-2 months, however due to the number of policies undergoing consultation, we are still waiting on confirmation of a date when this policy can be signed off by the rep bodies and the service.

Fire Investigation compliance against the Fire Standards is currently behind target due to resourcing and competing Protection priorities. With 2x new Fire Investigation Officers joining the service in March 2024, we have already seen improvements in this area over the past couple of months though, with compliance rates rising from 40% to currently being at 72%.

## **PROHIBITION AND ENFORCEMENT NOTICES**

Protection has an embedded table on our website, which shows all live enforcement, prohibition, and alteration notices. Prohibition and Alteration Notices **can stay live indefinitely**, as the RP may decide not to do the building work and choose not to use the prohibited area of the building.

## Current Live Prohibition Notices

### Live Prohibition Notices

Address	Notice ID	Issue Date	Notice Type	Articles	Status
Gleen House, Hawkins Road, Colchester	166	04/07/2023	Prohibition	8, 9, 11, 14, 15, 17	In force
Amleen House, Hawkins Road, Colchester	164	26/06/2023	Prohibition	8, 14	In force
Curry Cottage, 47 High Street, Burnham on Crouch	140	04/05/2022	Prohibition	13, 14	In force
JCOCI, Meppel Avenue, Canvey island	137	12/07/2021	Prohibition	13, 14	In force
Shuhug, 16 Highbridge Street, Waltham Abbey	98	22/12/2020	Prohibition	13, 14	In force
Marks American Diner, 277 London Road, Westcliff on Sea	89	13/08/2019	Prohibition	13, 14	In force
Abbe Butchers, 55 Duke Street, Chelmsford	88	11/04/2019	Prohibition	13, 14	In force
Island Buffet, 112 Pier Avenue, Clacton on Sea	86	26/07/2018	Prohibition	13, 14	In force
Munchies Kebabs, 161 St Chads Road, Tilbury	67	11/08/2015	Prohibition	13, 14	In force
Jays Convenience Store, 664 London Road, Grays	57	20/08/2014	Prohibition	13, 14	In force
The Royal Oak, Oakhill Road, Stapleford Abbots, Romford	40	01/02/2011	Prohibition	13, 14	In force

## Current Live Enforcement Notices

### Live Enforcement Notices

Address	Notice ID	Issue Date	Notice Type	Articles	Status
Redstone House, Crown Gate, Harlow	184	03/05/2024	Enforcement	8, 9, 13, 14, 15, 17, 38 (Regs 4, 8, 9, 10, 11)	Live
Terminus House, Terminus Street, Harlow	183	18/04/2024	Enforcement	8, 9, 14, 17, 38 (Regs 4, 11)	Live
Northgate House, High Pavement, Basildon	182	01/03/2024	Enforcement	8, 9, 13, 14, 15, 17, 21, 22 (Regs 7, 10, 11)	Live
Rochford Lofts, Pollards Close, Rochford	181	14/02/2024	Enforcement	8, 9, 11, 13, 14, 15, 17, (Regs 4, 7, 8, 11)	Live
Rochford Lofts, Pollards Close, Rochford	180	14/02/2024	Enforcement	8, 9, 11, 13, 14, 15, 17, (Regs 4, 7, 8, 11)	Live
Kings Tower, Marconi Plaza, Chelmsford	171	06/12/2023	Enforcement	8, 9, 17, 21, 14, 38	Live
Charles House, St Peters Street, Colchester	170	06/12/2023	Enforcement	9, 11, 15, 17, 18, 21, 38	Live
Stuart House, St Peters Street, Colchester	169	06/12/2023	Enforcement	9, 11, 15, 17, 18, 21, 38	Live
Block 190-207 Sycamore Field, Harlow	157	03/04/2023	Enforcement	8	Live
Block 154-189 Sycamore Field, Harlow	156	03/04/2023	Enforcement	8	Live
University of Essex, University Square, 36 Queens Road, Southend on Sea	133	26/05/2021	Enforcement	8	Live

\*\* Please note, there are two additional EN's issued in May against two premises. As these are currently within the 21 days appeal period, they aren't on our website or the list above.

We also have two EN's issued against one premises that are under appeal. While an EN is under appeal, the notice is "paused" while we wait for a court outcome. These also don't appear on our Enforcement Register, or the list above.

The two EN's under appeal were issued against Joseph Rank House on 27<sup>th</sup> December and were appealed by the building owner, Places for People. We had an initial court date on the 22<sup>nd</sup> May 2024, however the case was escalated to the District Judge and we were issued a new court date of 11<sup>th</sup> July 2024. This will just be to set the hearing dates, which are likely to be in 2025.

There is additional work going on within the team, in consultation with our SLT, DLUCH and independent subject matter experts around the safety concerns we have with Joseph Rank House.

## Current Live Alteration Notices

### Live Alterations Notices

Address	Notice ID	Issue Date	Notice Type	Status
Pizza 45, 49 Duke Street, Chelmsford	A179	16/01/2024	Alteration	Live

This was the first alterations notice issued by ECFRS.

An Alteration Notice can be issued against a premises when, following an audit we have no concerns with the current use of a room or building, providing the use stays the same. In this instance, an upstairs room was being used as a storeroom, which means the premises is compliant at the time of inspection. However, if the room was to be used as sleeping accommodation, then this would give us concerns. The alterations notice raises this and prevents this from happening.

### FIRE INVESTIGATION AND ISO 17020

A paper was submitted to SLT in July 2023 recommending a move to a dedicated Fire Investigation Team. This was agreed in principle, subject to a business case and budget bid. The paper mentioned ISO accreditation, but the purpose and benefits of the dedicated team focused on the benefits to Essex, regardless of ISO accreditation status.

In December 2023 new information was received from the ISO Project, which ECFRS were part of along with four other fire and rescue services, stating that the ISO project was going to need to be extended by 2-years (taking it to 2027) due to UKAS not having written the ISO marking criteria for Fire Investigation.

To give some context, the second draft of the Forensic Scientific Regulators Code still classes fire scene investigation as an activity not requiring accreditation. This is likely to have led to the shift in timeframe by UKAS, as creating a marking criterion to accredit fire investigation, at a time where it is not required, wouldn't have been a priority for them.

The concerns raised by ECFRS to the project team were that this lack of certainty could result in the timeframe continuing to move. Other concerns raised considered the finances, as this would require additional investment for a further two years than currently planned. We were also told that should any fire service drop out of the project, then any costs would be shared across those fire services that remain. This created additional questions around the stability of the project.

The SLT paper recommended that the Service withdraw from the current ISO 17020 accreditation process, focus on fire investigation within Essex, and review ISO 17020 accreditation once the national landscape settles and there is more certainty around criteria, funding, and expectation.

If the landscape settles and ISO accreditation forms part of that, then it should still be the Service's ambition to achieve this status. However, by developing our

collaborative working relationships with Essex Police, who are experienced in the ISO processes, we have options available on how we can better achieve this. With any changes in statutory responsibility that may come, we would also expect their there to be funding to support, so we would engage with the Home Office for additional funding to cover this change in expectation.

The SLT paper giving an update on ISO, and recommending we withdrew from the current project, was presented on 19<sup>th</sup> March, and SLT agreed and accepted our recommendations. We have subsequently withdrawn from the ISO project, and all updates on this were captured within the 2023/24 annual plan closure report relating to this subject.

Activity in the Fire Investigation space continues to increase as additional roles join the team. The Service has a Station Manager, dedicated to managing our Fire Investigation response, and has recruited two additional Fire Investigation Officers.

The Fire Investigation Team, supported by Protection Training Team, have now achieved Skills for Justice accreditation against their Tier 1 Training Course, and work is ongoing to develop and accredit ongoing CPD and refresher training for both the Tier 1 officers, and the Tier 2 officers.

A review of the mobilisation criteria of our Tier 2 Officers is still being conducted, to ensure all fires are receiving the most appropriate investigation, the most accurate data is being collected, and ensuring the Service is continuing to support colleagues in Essex Police with their criminal investigations.

There is also a focus on increasing our compliance against the Fire Investigation Fire Standards now that resources allow, and there has been significant progress against this over the past 2 months.

## **BUSINESS ENGAGEMENT TEAM (BET)**

Now that the BET has been established, thousands of businesses have been engaged with across the county since September 2023.

The 2024/25 Business Engagement Service Delivery Plan has just been signed off, which builds on the original 2023/24 plan, and includes clear KPI and performance metrics. Dashboards are now being developed to allow performance to be tracked accurately against both the delivery plan, and the overall Protection Strategy.

Within our BET, we have our Rural Engagement Officer. It should be noted that many fire services carry out rural engagement activity, however this has generally sat within Prevention. ECFRS is the first service nationally to have recruited a dedicated, fully qualified, Fire Safety Inspecting Officer, to work with farmers, to ensure that farms across Essex are compliant with The Regulatory Reform (Fire Safety) Order 2005.

By educating and working with farmers, we can make farms safer, therefore reducing the risk from fire. We are also working with them to educate on our needs as a fire service regarding water supplies, meaning that we will be able to respond much more quickly and effectively should there be a fire. As well as working with farmers, there

has been a lot of work going on with other key stakeholders such as the National Farmers Union (NFU) and farm suppliers.

This work led to a partnership being created with Crawfords Group, who have provided the Protection Team a tractor, on loan, which has been liveried up in ECFRS branding, and can be used at events and shows to attract more people, allowing us to deliver even more safety messages.

An inter-departmental Wildfire Tactical Group has been set up, to review and develop our response to wildfires in the future, with our Rural Engagement Officer playing a key part within this group, along with other representatives from Protection.

### **RISKS AND MITIGATIONS**

None for the update report.

### **LINKS TO FIRE AND RESCUE PLAN**

None for the update report.

### **FINANCIAL IMPLICATIONS**

None for the update report.

### **LEGAL IMPLICATIONS**

None for the update report.

### **STAFFING IMPLICATIONS**

None for the update report.

### **EQUALITY AND DIVERSITY IMPLICATIONS**

The actions being taken will not have a disproportionate impact on individuals with protected characteristics (as defined within the Equality Act 2010), when compared to all other individuals and will not disadvantage people with protected characteristics.

Race	n	Religion or belief	n
Sex	n	Gender reassignment	n
Age	n	Pregnancy & maternity	n
Disability	n	Marriage and Civil Partnership	n
Sexual orientation	n		

The Core Code of Ethics Fire Standard has been fully considered and incorporated into the proposals outlined in this paper.

### **HEALTH AND SAFETY IMPLICATIONS**

None for the report

## **CONSULTATION AND ENGAGEMENT**

UwFS Consultation – Extraordinary JNCC Consultation – March 18<sup>th</sup> – failure to agree.

Revised Quality Assurance Document – Agreed

## **FUTURE PLANS**

As part of the CRMP planning, the service is working towards the creation of a single Prevention, Protection & Response Strategy. Protection will support this process.

## **LIST OF BACKGROUND PAPERS AND APPENDICES**