# ESSEX POLICE, FIRE AND CRIME COMMISSIONER FIRE & RESCUE AUTHORITY Essex County Fire & Rescue Service



Classification	Official					
Meeting	Performance &	Performance & Resource Board Agenda no. 11				
Meeting Date	24 <sup>th</sup> September 2024					
Report Authors	GM Dave Bond					
Presented By	AM Dan Partrid	ge				
Subject	Protection Stra	Protection Strategy Update (September 2024)				
Type of Report	Information					
PFCC Action Point No.		For Publication	Yes, <mark>with</mark> highlighted redacted	areas		

#### **RECOMMENDATION(S)**

The paper provides members of the Performance and Resources Board an update on the performance against the Protection Strategy.

### **EXECUTIVE SUMMARY**

This paper gives an update on the progress year to date against the objectives set out in the current Protection Strategy.

Specifically, the Protection Strategy is broken down into the following areas:

- Business Engagement
- Enforcement
  - Non-Statutory Enforcement
  - Statutory Enforcement
- Consultation & Licensing Arrangements
- Fire Protection Training & Development
  - Business Fire Safety Inspectors
  - Business Fire Safety Advisors
  - Non-Fire Safety Specialist
- Fire Protection Monitoring & Assurance
  - Reactive Monitoring
  - Sprinkler Match Funding
- Risk Based Inspection Programme (RBIP)
  - Fire Safety Checks
  - Short Audits
  - Full Audits

### BACKGROUND

#### Business Engagement

The Business Engagement Team Service Delivery Plan sets out clear expectation on the role that the Business Engagement Team have.

The introduction of the Business Safe and Well Visit has been received positively by the business community and has supported the service in reaching more medium and low risk businesses than we ever have.

Month 2024	Number of BSWV	Target	Variance	Notes
April	134	80	+54	
May	109	80	+29	
June	170	80	+90	
				All the team were on their Level 4 Fire Safety
July	116	80	+36	Course for a week.
Aug	60	80	-20	High levels of annual leave in August
Total	589	400	+189	

Business Safe and Well Visits

The Business Engagement Team has attended multiple business engagement event across Essex, most run by the Essex Chamber of Commerce, and continues to publish articles in the various magazines, ensuring that the key messages are being promoted further than ever. All engagement data is being monitored by the Campaigns and Partnership Manager within Corporate Communications and is being used to plan and justify further campaigns.

Below is a screenshot of the latest article that was published in the Essex Business Times. The full article can be read here - <u>Business Time Magazine, the Counties Best</u> <u>Source of Business News, (businesstimeinessex.co.uk)</u>



## Unwanted Fire Signals (UwFS)

The responsibility for managing UwFS sits with the Business Engagement Team and this transition across, and a review of reporting metrics, has been completed.

The Business Engagement Team are working with repeat offenders to educate and advise them on the action they can take to reduce the number being received.

The Service's Automatic Fire Alarm policy is under review, and the trigger points for acting against these premises and the attached consequences – this work is linked the Community Risk Management Plan to ensure all strategies and policies align.

The Service's High-Rise Task Force supports the UwFS workstream within the NFCC's national picture to support and influence the decisions taken locally.

#### Rural Engagement

Engagement activity with the rural community has increased through the first part of 2024. Activity through the summer months was going to need to look different to activity during the winter months, due to the seasonal workloads placed on farmers. This has resulted in our Rural Engagement Officer attending more events, working closer with the National Farmers Union (NFU), and delivering more education around fire safety to reduce the risk of wildfires. During the winter months we are scheduling in more audits.

The work that has been completed in the past few months, supported by the NFU, has included the development and introduction of "farm specific" ETHANE risk cards. These cards follow the JESIP principles and have been used the educate and inform farmers on the action they can take, and the information they need to pass to our Fire Control in the event of an incident. This work has been picked up by the National Operational

Learning (NOL) Team and is due to be circulated to all fire services. Essex Fire has led and has been supported by Crawfords with this initiative which is a great news story.

Sund I have		NE messaging for farmers when asking for County Fire and Rescue Service to attend
Е	Exact location	Download the what3words app to easily identify location or use the standard OS Grid reference
т	Type of incident	<ul> <li>Clearly state the nature of the emergency or incident</li> <li>Provide a brief overview of what has happened or is currently happening</li> </ul>
н	Hazards	<ul> <li>Identify any immediate threats, risks or hazards posed by the situation e.g. water/slurry tanks,chemicals/fertilisers,animals, buildings, straw/hay storage, cylinders</li> <li>What animals are around who may be impacted by arrival of emergency services? Can they be secured away from danger? Horses are the main risk (especially if Air Ambulance is in attendance)</li> </ul>
A	Access	<ul> <li>Best routes for access/egress – is the location given the best access point for emergency vehicles?</li> <li>Are there any restrictions? Road/gate widths, locked gates, state of the ground – flooding, ploughed field</li> <li>what3words location of access/egress points e.g. gates</li> </ul>
N	Number of casualties	<ul> <li>Are there any injuries? Nature of those injuries</li> <li>Are any animals/humans trapped/at risk?</li> </ul>
E	Emergency services	<ul> <li>Which emergency services do you need? Are any emergency services present?</li> <li>Have you called your vet if animals involved?</li> </ul>

### Enforcement

Enforcement is broken down into two categories – non-statutory and statutory.

To give context, following an audit at a premises that falls under the Regulatory Reform (Fire Safety) Order 2005 (The Order), one of the following outcomes will take place:

- Issuing of an FSO2 Letter This accepts that the fire safety at the premises was "Broadly Compliant"
- Issuing of an FSO3 Letter This recognises that there were areas relating to the premises that were unsatisfactory, but don't quite meet the threshold for formal enforcement. This is known as non-statutory enforcement, or informal enforcement.
- Issuing of an Article 30 Enforcement Notice This is statutory enforcement, or formal enforcement. This is a legal notice. Failure to act against this notice could result in Prosecution.
- Issuing of an Article 31 Prohibition Notice This is issued where the fire safety at a premises is deemed so serious that there is a significant risk to life. The Article 31 notice prohibits the use of all, or part, of a premises. A prohibition notice is always agreed by Exec/ Exec/ Principal Officer before issuing.

### Non-Statutory

The below table identifies the number of audits (total) completed. (*snapshot taken on 5<sup>th</sup> September, which is why September's activity is showing so low currently*)



Breakdown of Satisfactory/ Unsatisfactory audits – (snapshot taken on 5<sup>th</sup> September, which is why September's activity is showing so low currently)



In Q1 (April-Jun) 2024, the Protection Team issued 198\* informal (non-statutory) notifications, and 171\* premises received satisfactory outcomes.

\*These figures are reported in our Q1 return into the NFCC's Protection Reform Unit, on our Protection Uplift Return.

### Statutory

11x Enforcement Notices have been issued since 1<sup>st</sup> April 2024, and 1x Prohibition Notice.

All live Enforcement Notices and Prohibition Notices can be viewed on the Enforcement Register embedded into our own website, and on the National Enforcement Register.

There is 21-day appeal period from the date the Enforcement Notice is issued. During this time the premises will not appear on the public facing registers.

Any premises under appeal will also not show.

Should an Enforcement Notice be appealed, then the notice is subsequently "paused" until the case can be heard in court. Should a Prohibition Notice be appealed, then the notice will stay live until the case can be heard in court, but the notice will not appear on the public facing registers.

#### **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,	In force
				15, 17	
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,	89	13/08/2019	Prohibition	13, 14	In force
Westcliff on Sea					
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,	40	01/02/2011	Prohibition	13, 14	In force
Romford					



## **Current Live Enforcement Notices**

Live Enforcement Notices

Address	Notice ID	Issue Date	Notice Type	Articles	Status
Victoria House, 47 Victoria Avenue, Southend-on-	194	15/07/2024	Enforcement	8, 9, 13, 14,	Live
Sea				17, 38 (Regs	
				4, 5, 6, 7, 8,	
				9,11)	
Kelting House, Southernhay, Basildon	193	16/07/2024	Enforcement	4, 8, 9, 13,	Live
				14, 15, 17,	
				38 (Regs 7,	
				8, 11)	
Stuart House, St Peters Street, Colchester	190	04/07/2024	Enforcement	4, 8, 9, 11,	Live
				17, 38 (Regs	
				4, 5, 9,10)	
Charles House, St Peters Street, Colchester	189	04/07/2024	Enforcement	4, 8, 9, 11,	Live
				17, 38 (Regs	
				4, 5, 9,10)	
Sail House, Ship Wharf, Colchester	188	10/07/2024	Enforcement	4, 8, 9, 11,	Live
				15, 17, 22,	
				38 (Regs 4,	
				7, 9,10, 11)	
Kings House, 28 The Esplanade, Frinton	187	24/05/2024	Enforcement	8, 9, 13, 15,	Live
				17, 21,	
				38 (Regs 7,	
				10)	
Flats 21-75, Ballantyne Drive, Colchester	186	24/05/2024	Enforcement	4, 8, 17, 38	Live
Riverside Place, Lower Southend Road, Wickford	185	17/05/2024	Enforcement	8, 9, 14, 15,	Live
				17, 38 (Regs	
				4, 7, 8, 10,	
				11)	
Redstone House, Crown Gate, Harlow	184	03/05/2024	Enforcement	8, 9, 13, 14,	Live
				15, 17,	
				38 (Regs 4,	
				8, 9, 10, 11)	
Terminus House, Terminus Street, Harlow	183	18/04/2024	Enforcement	8, 9, 14, 17,	Live
				38 (Regs 4,	
				11)	
Northgate House, High Pavement, Basildon	182	01/03/2024	Enforcement	8, 9, 13, 14,	Live
				15, 17, 21,	
				22 (Regs 7,	
				10, 11)	
Kings Tower, Marconi Plaza, Chelmsford	171	06/12/2023	Enforcement	8, 9, 17,	Live
				21,14, 38	
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

## **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

### Consultation and Licensing

The fire service are statutory consultees as part of the Planning Application and Building Regulations process. We are also statutory consultees on licensing and demolition applications.

Activity under this section is high, with mandatory timeframes being worked to:

- Planning Applications within 20 days of receipt.
- Building Regulations within 15 days of receipt

Month 2024	Number of Building Reg Consultations	Number of Planning Application Consultations	Number of Licensing Applications	Number of Demolition Applications	Total Number of Statutory Consultations
April	134	98	54	7	293
May	124	74	70	1	269
June	100	50	63	9	222
July	146	112	60	2	320
Aug	122	83	68	4	277
Total	626	417	315	23	1381

### Fire Protection Training & Development

Within Protection, the activity that can be carried out by officers is directly reflected by the qualifications they hold. This is dictated to us by the National Competency Framework. This can be read in its entirety here - Competence Framework final 280623.pdf (nfcc.org.uk)

In brief though, the main levels of competency that effect our output as a department, breakdown into the following areas:

- Non-Fire Safety Specialist Personnel Holds a Level 2 Award in Fire Safety or carry equivalent in house training. They are allowed to carry out basic fire safety checks (FSO40s).
- Fire Safety Advisor Holds a Level 3 Certificate in Fire Safety. Qualified to carry
  out audits at our High-Risk premises but cannot take any form of formal
  enforcement action. Should action be required, then this must be passed to a Fire
  Safety Inspector.
- Fire Safety Inspector Holds a Level 4 Diploma in Fire Safety. Qualified to carry out audits at all premises (including our Very High Risk) and can take formal enforcement action.

Members of the Protection team holding a Level 4 Diploma, does not mean that they will be auditing, as these qualifications are also required in other areas of Protection, such as for Fire Safety Managers, and for central functions. The distribution of qualified personnel across all functions remains the responsibility of the Head of Protection to ensure we maximise performance in all areas of the department, prioritising our statutory duties.

Within our "delivery" areas of the department, we currently have the following make-up of officers:

## Service Delivery Point (SDP) Office Managers

				Development
Budgeted	Permanent in	Vacancies, being	Competent	(working
Posts	post	covered by temp	(hold Level 4)	towards L4)
6	4	2	5	1

### SDP Inspecting Officers

Budgeted Posts	Permanent in post	Vacancies, being covered by temp	Additional FTC - funded by Uplift Grant	Hold Level 4 Diploma - can audit up to VH's	Hold Level 3 Certificate - Can audit up to H's	In Development - undertaking training
	-	1 - covering Inspecting Officer covering Office				
22.6	21.6	Manager Role	2	9.2	2	11.4

Note – 6.6 inspecting officers in development have completed their Level 3 certificate, however, are unable to audit until confirmation has been receive that all elements have been passed. This delay is a national challenge faced by all Protection Departments.

#### High Rise Task Force

				Hold Level	
		Additional people	Hold Level 4	3	In
Budgeted		seconded to the team	Diploma -	Certificate -	Development
<b>BAU Posts</b>	Posts funded	on FTC using Uplift	can audit up	Can audit	- undertaking
within HRTF	by BSR	Grant	to VH's	up to H's	training
2	1.5	1	2	1	1.5

Note – the two officers, covering 1.5 FTE that are in development have both completed their Level 3 certificate, however, are awaiting confirmation that all elements have been passed.

### Business Engagement Team

Fire Safety Manager Post	Permanent Fire Safety Inspector Posts	Permanent Fire Safety Advisor Posts within Team	FTC within the team- backfilling secondments or funded by Uplift Grant	Hold Level 4 Diploma - can audit up to VH's	Hold Level 3 Certificate - Can audit up to H's	In Development - undertaking training
		2 - both are seconded into HRTF as L4				
1	1	qualified	4	2	0	4

Note – the four officers in development have completed their Level 3 certificate, however, are awaiting confirmation that all elements have been passed.

The qualifications held by our inspecting officers, and the experience they obtain within the fire sector, are attractive to the private sector. The salaries attached to these roles in the private sector are sometimes twice the amount offered by ECFRS, so this creates retention challenges.

We continue to carry out regular workforce planning, and succession planning, and fortunately have been able to use the Uplift Grant to over establish and start new officers' training journey earlier to minimise any impact of people leaving.

This is a national challenge that is being looked at by all services, and the NFCC.

#### Level 2 Award Update

36x new firefighter recruits have now received the Level 2 certificate in Fire Safety - all new whole-time recruits into Essex fire will now receive this level to input during their initial training. The wider programme is in its final stages of development, however, has had to consider how to maximise the number of people we can train, while minimising the impact on operational availability. To support with this, we are currently exploring the use of secondary contracts to allow courses to be delivered at weekends and outside of normal working hours.

#### Fire Protection Monitoring & 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. This is regulated by the Quality Assurance Officer within Protection, and overseen by the Station Manager responsible for Training, Polices and QA.

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 monthly on the department's performance, in collaboration with the Service's Analytics, Performance and Data Management officers and the PFCC's Head of Performance and Scrutiny due to also attend.

### Third Line of Defence

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

The new reporting tools demonstrates 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.

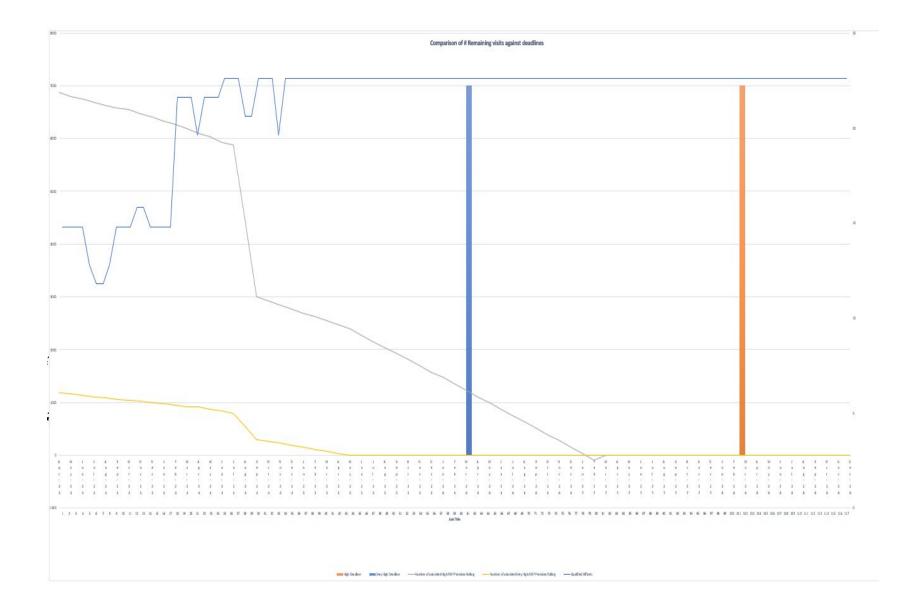
#### Risk Based Inspection Programme (RBIP)

Performance against the RBIP continues to progress well.

Additionally, to the information presented within the monthly performance report, the department tracks and monitors performance against a dynamic 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.



### Breakdown of Audits

Month	Total Number of Audits	Total Number of new VH & H audits - measured in Performance Report	Notes
April	134	114	
May	144	115	
June	91	70	The whole department undertook CPD training for 4x days this month.
July	125	97	
Aug	110	90	High levels of annual leave, and 2x resignations over July & August
Total	604	486	

#### FSO40's

Current levels of FSO40 completion rates are low on station, and there are many reasons for this, including prioritising training, the number of standby movements, and low personnel numbers on station, however it should be noted that this isn't causing Protection a concern.

We built in a 2-year contingency plan into our targets (current target is to complete FSO40's at all medium risk premises over 6-years), knowing that the delivery of the Level 2 Award would lead to a higher standard of FSO40 being carried out.

The challenge we must manage in Protection is that the more FSO40's being carried out at Medium Risk premises, the more referrals are being returned, and the more time the department spend on the medium risk premises, taking team away from the Very High-and High-Risk premises. This is why we must regulate the number of FSO40's being issued and spread them over a longer period.

The move towards delivering the Level 2 qualification to all personnel in the future is a positive one, as this will build crews' confidence in fire safety and allow them to address some basic fire safety concerns that are currently being referred back into the team. This in turn will allow us to increase the number of referrals being issued without any negative impact on other protection activity.

### FIRE STANDARDS

The Protection department continues to be 97% compliant.

The only area marked as partial compliant and stopping us reaching 100% links to activity around UwFS with continuing in this area as previously mentioned in this report.

#### FIRE INVESTIGATION

Note - Fire Investigation falls outside the Protection Strategy, however, is managed within the Protection function. A full project and progression plan is being developed so, in future, progress and development within Fire Investigation will be reported separately.

An updated paper and project plan, including reviewed timelines and costings, is being drawn up to outline expectation and to manage progress however, to date the

commitment to establish a dedicated Fire Investigation Team with is being achieved without the need for further investment.

### **RISKS AND MITIGATIONS**

CFRMIS Data – Concerns have been raised with how "noisy" the data within CFRMIS is.

The reliance on the Local Custodians to make updates means that there are times where we are making changes to premises types within CFRMIS and reporting these changes, however, if the Local Custodian does not make the changes, then during the 6-weekly data update, any changes we have made revert.

This has happened on 3x occasions with a High-Rise Residential Building. Without the due diligence of the team there is a risk that a HRRB would have dropped off our inspection programme.

A recent exercise in the NW, where the system showed them as having 144 VH risk premises left to audit, identified that there was only 22 of these premises where an audit could be carried out. Examples of the additional premises were made land associated with VH risk premises, ATMs within VH risk, premises that had been converted into domestic dwellings but not updated and even premises where the service had created additional premises files for the purpose of grouping SSRPs.

It is accepted and acknowledged that the data within CFRMIS is very good, however it needs to be filtered/ cleansed so that we are only seeing what we need to see to carry out our functions.

The work carried out by the Protection Team to audit the unknown risk has reduced the number of premises left to audit, but this "noise" also makes it harder to identify those that still require audits.

This has been raised with all relevant departments, department heads, and service leads.

#### 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**

Being considered as part of the CRMP process.

### LIST OF BACKGROUND PAPERS AND APPENDICES