



Safest People, Safest Places

Combined Fire Authority

21 October 2024

Business Fire Safety Member Champion Report

Report of the Business Fire Safety Member Champion

1. Purpose of Report

- 1.1. The purpose of this report is to provide the Combined Fire Authority (CFA) with a strategic update on the business fire safety initiatives across the Service area. This report aims to highlight key activities, priorities, and outcomes in areas such as risk-based inspections, enforcement, public engagement, and partnership efforts with businesses. It seeks to inform the CFA on progress made in enhancing fire safety standards and mitigating risks, while also outlining future strategic directions to strengthen fire safety compliance and collaboration within the business community.

2. Background

- 2.1. The Business Fire Safety (BFS) Team within County Durham and Darlington Fire and Rescue Service (CDDFRS) plays a critical role in safeguarding the commercial sector by ensuring compliance with fire safety legislation and reducing fire risks in non-domestic premises. The team is responsible for conducting fire safety inspections, providing guidance to businesses, and enforcing fire safety regulations to protect life, property, and the local economy.
- 2.2. Operating within a diverse landscape that includes both urban and rural environments, the team faces the challenge of balancing the needs of a wide range of businesses, from small enterprises to large industrial complexes. The Service remains committed to a risk-based approach, prioritising inspections and interventions based on the assessed fire risk of premises across the region.
- 2.3. A key challenge faced by CDDFRS, as with many other Fire and Rescue Services, is the retention of skilled staff within the BFS team. Due to the competitive salaries and benefits offered by the private sector, CDDFRS have previously experienced staff turnover as team members are attracted to roles in

private fire safety consultancy and related industries. This ongoing issue highlights the importance of effective succession planning, staff development, and the creation of attractive career pathways to retain talent and maintain a high standard of fire safety service delivery.

- 2.4. Findings from His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) have been addressed, with significant improvements in key areas of fire safety delivery. The Service has implemented a more targeted, risk-based approach to fire safety activities and enhanced forward planning processes. These changes have not only increased the overall effectiveness of the Service but have also strengthened the team’s capacity for succession planning, ensuring career progression and development opportunities for all members of the Fire Safety Team.

3. Risk Based Inspection Programme and Fire Safety Audits

- 3.1. The Risk-Based Inspection Programme (RBIP) directs the delivery of fire safety audits (FSAs) by both operational crews and the BFS team to mitigate fire risks within the business community.
- 3.2. As part of the Community Risk Management Plan 2023/24, the Service updated the RBIP to ensure that all high-risk premises are adequately covered, and that the frequency of inspections reflects the level of risk. Performance Indicator (PI) 17 tracks the number of inspections completed by the BFS team and audits by the operational crews. The BFS team is responsible for inspecting very high, high, and medium-risk complex premises, while operational crews handle very low-risk, low-risk, and some medium-risk premises.
- 3.3. This approach aligns with the Competency Framework for Fire Safety Regulators, which has been in effect since 1 April 2022. The table below details the FSA performance for the 2021/22, 2022/23 and 2023/24 periods.

Fire Safety Audits/ Inspections	2021/22	2022/23	2023/24
Total Number of FSAs	2,120	1,928	1,715
Satisfactory Audits	1,517 (71.6%)	1,283 (66.5%)	957 (55.8%)
Unsatisfactory Audits	603 (28.4%)	645 (33.5%)	758 (44.2%)

- 3.4. Although the numbers have decreased slightly over the three years, due to the issues previously identified with retention of skilled staff, it is positive to see the increasing percentage of audits that have been unsatisfactory, showing that the Service is targeting the correct premises and making a real difference to improving fire safety across County Durham and the Borough of Darlington.
- 3.5. During our inspection by HMICFRS in 2022, they identified that the Service delivers almost four times the England average for FSA per 100 known premises.

4. Enforcement and Prosecutions

- 4.1. Enforcement activity conducted by the BFS team has increased in response to a rise in unsatisfactory inspection outcomes and in alignment with national directives following the Grenfell Tower tragedy. This escalation in enforcement reflects a heightened commitment to ensuring compliance and addressing fire safety deficiencies effectively.
- 4.2. To ensure that the appropriate level of enforcement is applied at each stage of the inspection process, the Service has implemented measures to address situations where a Duty Holder does not fully engage with the required actions.
- 4.3. A Duty Holder is an individual or organisation responsible for ensuring compliance with fire safety regulations within a premises. This approach helps to ensure that each step in the enforcement process is appropriately addressed and executed.
- 4.4. The following table provides an overview of enforcement activities conducted during the 2021/22, 2022/23 and 2023/24 periods, illustrating the Service's efforts to manage and respond to fire safety compliance issues.

	2021/22	2022/23	2023/24
Enforcement	3	6	11
Prohibition	3	8	25

- 4.5. The Service has enhanced its enforcement approach, leading to a noticeable increase in enforcement activities and Prohibition Notices (PNs). Enforcement options available to the BFS Officer range from requiring time-limited corrective actions to restricting access to certain areas of a premises.
- 4.6. Most PNs are issued due to inadequate fire separation between commercial and sleeping areas, which must meet 60-minute fire protection standards. PNs arise from various sources, including concerns from operational crews, partner agencies, service complaints, or during planned inspections.
- 4.7. The BFS Officer assesses each situation to avoid issuing a PN, exploring all options to resolve the issue. A PN is prepared and reviewed with a senior officer before being served.
- 4.8. Examples of PNs include restricting rooms in hotels or shops due to safety concerns, and in extreme cases, such as closing a hotel in Darlington after a complaint about a blocked exit. An inspection revealed critical compartmentation issues, leading to a PN and the immediate closure of the hotel for safety reasons. The hotel was vacated and reopened gradually after necessary improvements were made.

5. Public Complaints / Information or Guidance relating to Fire Safety

- 5.1. A portion of the BFS teams activities involves addressing fire safety complaints and responding to requests for information or guidance. Complaints typically come from members of the public who are concerned about fire safety issues in their workplaces or publicly accessible premises. The Service is committed to addressing these complaints promptly, with a target to respond to all complaints within 24 hours.
- 5.2. Requests for information or guidance are made by individuals seeking support on fire safety matters. While the Service aims to provide valuable assistance, it is important to maintain a clear boundary by offering guidance rather than taking on the role of a Fire Risk Assessor or Architect. The following table outlines the team's activity in handling complaints and providing guidance during the 2023/24 period.

2023/24 Activity	Job Count	Hours
Complaints	46	81.5hrs

6. Building and Licensing Consultations

- 6.1. Consultations related to Building Regulations and Licensing are integral to the Service's statutory duties and are tracked as performance indicators. Building Regulations consultations are expected to be completed within 15 days, while Licensing consultations have a target of 28 days. Only staff with a Fire Safety Level 4 Diploma are authorised to carry out these consultations.
- 6.2. The review process for submissions can vary significantly in duration. Simple renovations may require only an hour to review, while more complex projects can take over a week. This process often includes early planning meetings, which may occur years in advance of the actual project and involves thorough consultation and scrutiny of submitted plans.
- 6.3. These consultations are crucial for ensuring that new premises meet fire safety standards from the outset. The following table details the central team's activities in these areas for the 2023/24 period.

Consultation	Job Count	Hours
Building Regulations Consultations	480	744
Other Consultations (Licencing etc)	197	180

7. Unwanted Fire Signals

- 7.1. During the 2022/23 period, the Service observed a notable increase in unwanted fire signals (UwFS) compared to previous years. This occurred despite the implementation of a cost recovery process, where the BFS team invoiced premises a total of £98,245.30, since its introduction for incurring three or more chargeable callouts within a rolling 12-month period.
- 7.2. In response to this issue, the Service revised its approach to handling calls from Automatic Fire Alarms (AFA) in non-residential premises, effective from 2 October 2023. This revised approach has led to a reduction in incident responses, resulting in several key benefits:
 - Increased availability of fire appliances to respond to life risk incidents.
 - Reduced road risk for both the public and staff due to fewer emergency response journeys.
 - More time available for risk-critical training.
 - Enhanced opportunities for community safety and arson reduction activities.
 - Increased time for BFS activities.
 - Greater availability for operational crews to gather statutory risk-critical operational information.
 - A decrease in the Service's environmental impact by minimising blue light journeys.

8. Post Fire Management

- 8.1. An essential responsibility of the BFS Team is the investigation and follow-up of all non-domestic primary fires. This thorough scrutiny allows BFS Officers to determine whether a fire resulted from breaches of the Fire Safety Order (FSO). If such omissions are identified, appropriate enforcement actions are taken.
- 8.2. This proactive approach not only addresses potential FSO violations but also contributes to safer premises overall. Even when a fire or its consequences are not directly linked to FSO non-compliance, the Service ensures that fire safety advice is provided and that adherence to the FSO is reinforced on every occasion.

9. Business Engagement

- 9.1. To support and engage with businesses in ensuring compliance with fire safety legislation, the BFS team has developed a comprehensive Communication and Engagement Strategy. This strategy includes participation in all national NFCC campaigns, utilising their toolkits and communication channels, and collaborating with the Service's Communication Team.
- 9.2. The fire safety landscape has undergone significant changes following the Grenfell Tower Inquiry, with the introduction of new legislation and updated fire safety practices. The Service has proactively communicated these changes to businesses through regular website updates, outlining the impact of the new legislation and emphasising the responsibilities of premises owners to report

changes and faults to the Service. This information is crucial for informing operational planning.

- 9.3. As part of the Risk-Based Inspection Programme (RBIP), the Service conducts audits and inspections of circa 2,000 premises annually. This direct interaction with business owners and Responsible Persons forms a core part of the Service's engagement approach, enabling face-to-face advice and guidance on fire safety matters.
- 9.4. Additionally, in partnership with Vital Fire Solutions, the central team has organised engagement seminars for local businesses to educate them about fire safety legislation requirements.

10. Training and succession planning

- 10.1. To provide additional resilience to the central business fire safety team and proactively succession plan a programme of upskilling and training has been offered to interested staff. Development and investment to upskill competent level 3 fire safety qualified staff in achieving the level 4 fire safety certificate has been provided to staff wishing to enhance their knowledge and understanding.
- 10.2. Staff that have successfully attained the level 4 certification are then seconded into the central business fire safety team as short-term secondments to practice their newly acquired qualification and receive coaching from the central team. Once they have been internally verified by the central team they can go onto inspect high risk premises in line with the competency framework.
- 10.3. To date there are 22 additional staff with the level 4 certificate which provides resilience and prepares staff for potential opportunities as they arise. It also means that CDDFRS has an enhanced level of fire safety qualified staff within our operational workforce who can provide advice and identify fire safety concerns when interacting with the business community.

11. Summary

- 11.1. This report provides a strategic overview of the BFS Team's initiatives across the Service area, focusing on key activities and outcomes in risk-based inspections, enforcement, public engagement, and business partnerships. It aims to update the Combined Fire Authority on progress in enhancing fire safety standards and mitigating risks, while also outlining future strategic directions to improve fire safety compliance and collaboration within the business community.
- 11.2. The BFS Team within CDDFRS is instrumental in safeguarding the commercial sector by ensuring compliance with fire safety legislation, conducting inspections, providing guidance, and enforcing regulations to protect life and property. Despite its critical role, the team faces challenges, notably the retention of skilled staff due to competitive private sector salaries and benefits. It is expected the Service's specific BFS succession plans will provide resilience for skillsets moving forward.

11.3. Key initiatives include the Risk-Based Inspection Programme (RBIP), which directs both operational crews and the central BFS Team in mitigating fire risks. Enforcement activities have increased in response to rising unsatisfactory audit outcomes and national directives post-Grenfell Tower. Additionally, the Service has implemented a Communication and Engagement Strategy to better support and engage businesses in maintaining fire safety compliance.

12. Recommendations

12.1. Members are requested to:

- Note the contents of this report.
- Receive further reports as appropriate.

Ben Cairns, Director Community Risk Management (0191 375 5553).