

WYFRA	PERSONNEL AND TRAINING COMMITTEE	11 JULY 2008	ITEM NO
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REPORT OF: DIRECTOR OF FIRE SAFETY & COMMUNITY RELATIONS

PURPOSE OF REPORT: 2008 REVIEW OF STAFFING - FIRE SAFETY & COMMUNITY RELATIONS

RECOMMENDATION: THAT MEMBERS APPROVE THE REVIEW'S RECOMMENDATIONS

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT DETAILS

EXEMPTION CATEGORY: NONE

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**BACKGROUND PAPERS
OPEN TO INSPECTION:**

- 1) RE-INSPECTION PROGRAMME 2008/09
- 2) REGULATORS' COMPLIANCE CODE
- 3) REGULATORY ENFORCEMENT AND SANCTIONS BILL
- 4) REVIEW OF THE HIGH RISK STRATEGY 2008

1. BACKGROUND

- 1.1 The Authority's aim is to provide an excellent Fire and Rescue Service working in partnership to reduce death, injury, economic loss and contribute to community well being. The Directorate has set its priorities to achieve this aim, in that it will effectively manage its activities to ensure that the Authority's statutory protection and prevention duties are discharged efficiently, effectively and economically.
- 1.2 Practical experience over the last 3 years in the operation of the partially restructured Group has provided management with information on the effectiveness of the current establishment, and this report recommends that further improvements are made.

2. LEGISLATIVE FIRE SAFETY

2.1 Information

- 2.2 Since the last review, which led to the 'Corporate Restructure', a number of significant changes have occurred. For example:

- A) The Fire Safety Order (FSO) came into effect in October 2006 and replaced over 70 pieces of fire safety law. The FSO applies to all non-domestic premises. The enactment of the FSO now means that the Authority has a direct responsibility to enforce fire safety legislation in a wider range of premises than under the previous legislative framework.
- B) In 2005, Philip Hampton published his report "Reducing Administrative Burdens", which showed the importance of proportionate enforcement in delivering better outcomes on the ground – in the form of fairer markets, safer communities, a better environment for business, and economic growth. The Hampton report led to the introduction of the Regulators' Compliance Code.

The 'Compliance Code' came into force on 6 April 2008 by virtue of the Legislative and Regulatory Reform Code of Practice (Appointed Day) Order 2007. The Code is a central part of the Government's better regulation agenda. Its aim is to embed a risk-based, proportionate and targeted approach to regulatory inspection and enforcement among the regulators it applies to (e.g. this Authority).

The expectation is that the Authority will integrate the Code's standards into its regulatory culture, processes and in the use of its resources. The Authority is expected to use its resources in a way that obtains the most value from the effort made. The Authority must now ensure that inspections and other visits to regulated entities only occur in accordance with a risk-assessment methodology, except where visits are requested by regulated entities, or where the Authority's inspectors act on relevant intelligence.

- C) As from January 2008, operational officers recommenced carrying out a fire safety inspection programme at commercial and industrial premises throughout West Yorkshire.
- 2.3 The effective organisation of fire protection is essential to the success of an integrated risk management approach to ensuring that the people of West Yorkshire receive the best levels of safety from fire when they resort to the built environment, be that for the purposes of leisure, work or residence.

2.4 **Junior Fire Safety Officers**

- 2.5 A significant proportion of the current approved inspector establishment is at the Grade 5 level. This number of inspectors was calculated (during the 'Corporate Restructure' review) as being necessary in order to carry out random inspections in low to medium risk premises, and to carry out inspections to collect FSEC data necessary for IRMP purposes, and for Regional Control Centres.
- 2.6 From January 2008, operational officers recommenced performing this function. This is considered essential inspection workload as provided for by section 45 of the Fire & Rescue Services Act 2004, i.e. obtaining information needed for the discharge of the Authority's emergency functions under section 7, 8 and 9. In addition, operational officers' fire safety knowledge is improved which can assist them to develop and maintain skills in the technical aspects of firefighting in the built environment.
- 2.7 In addition, operational officers need to collect Site Specific Risk Information (SSRI) in order for it to be available to the initial attendance at an incident via mobile data terminals (MDT's). The primary driver for this information is to ensure the health and safety of operational personnel.
- 2.8 In the 2008/09, this operational re-inspection capacity equates to 6120 inspections. This number of inspections is significantly more than that carried out in previous years by Grade 5 FS officers. At full establishment, the number of Grade 5 FS officers could not carry out this number of inspections.
- 2.9 Taking account of this new commitment to fire safety by operational officers, it is recommended that the Grade 5 establishment be reduced to meet current demand and to comply with a new risk-based approach for inspection.
- 2.10 It is proposed to reduce the establishment by 26 Grade 5 FS officers. The remaining 10 Grade 5 officers is considered an appropriate number in order to contribute to a suitable re-inspection programme and to provide an essential and sustainable development route through to the higher inspector grades.

2.11 **Senior Fire Safety Inspectors**

- 2.12 In accordance with Regulators' Compliance Code, the Authority should only perform inspections following a risk assessment, so resources are focused on those least likely to comply or on those premises that pose a serious risk to persons (including fire fighters), our heritage, the environment and/or climate.
- 2.13 The Regulators' Compliance Code imposes a legal duty upon the authority to "have regard to" the code. One of the main elements of the code is for regulators (the authority) to follow an inspection programme that identifies those premises having the highest risk, or are most likely not comply with the regulations enforced by the authority. These types of inspection invariably lead to enforcement and possible legal action being required to achieve compliance with the regulations. Inspectors having the necessary skills will be required to ensure that the authority discharges its legal responsibility of enforcing the regulations.
- 2.14 Currently there are insufficient numbers of competent senior inspectors within the Fire Safety Group (FSG) for the very high-risk premises identified in the re-inspection programme, e.g. hospitals, schools, residential care homes, fire-engineered buildings etc. In order to correctly manage the FSG structure and the identified high-risk workload, it is recommended that 9 senior inspectors (Grade 10) be added to the establishment.

2.15 In addition to carrying out complex inspection work, the functions of these senior inspectors will be to:

- Deputise for their respective FS Manager.
- Provide leadership and collaborative direction to junior inspectors.
- Provide high-level risk information to the Operations Policy Group to ensure that specialist knowledge of building design and fire protection technologies is imparted into aspects of the IRMP where this can contribute to increased operational effectiveness and fire fighter safety through risk response planning and operational strategies. Fire fighter safety is closely linked to the understanding of how fire protection engineering strategies in buildings can influence the tactical deployment of fire fighters to deal with fires.
- Monitor the quality of tactical fire protection information gathered during risk inspections by operational officers.
- Form part of the 'Prosecution Team' e.g. responsible for investigation into possible breaches to FS legislation and producing the necessary case files for consideration by the CR and FS&CR Directors.

2.16 The additional layer of senior inspectors will provide a clear and unbroken career path for all new entrants, i.e. from Fire Safety Officer through to the Senior Fire Safety Manager.

2.17 **Grade 8 Inspectors**

2.18 There are approximately 70,000 premises currently in the fire safety database. Using a risk-based approach, 5,096 premises have been identified for audits by inspectors during 2008/09. This equates to ¹49 FS inspectors. In order to carry out this number of identified audits, an additional 2 x Grade 8 FS inspectors are required.

2.19 **Fire Investigation**

2.20 At the present time, there are 4 x SMB positions within the FSG. It is proposed that the Lead Fire Investigation Officer (SMB) post be relocated from station management to a new position within the FSG. This officer would work alongside the FS Manager responsible for fire engineering.

2.21 This move would create an essential pool of knowledge and competency with regard to complex buildings, and provide a fundamentally required liaison element between the FSG and the Operations Policy Group. To replace this officer, the FSG would exchange the current SMB post responsible for FS training. It is recommended that an additional non-operational FS Manager take responsibility for FS training.

3. **COMMUNITY SAFETY**

3.1 The 2005 IRMP introduced the 'Integrated Home Fire Safety Check Strategy' which will deliver 450,000 Home Fire Safety Checks (HFSC's) by 2013. The strategy has been very effective in reducing risk, the evidence of the last two years suggest that more needs to be done to drive down deaths and injuries even further. During the calendar year

¹ Does not include the additional 8 inspectors that are required to carry out statutory consultations etc, those providing FS training, or those carrying out the increasing number of investigations into possible breaches to FS legislation.

2007 the Service achieved it's lowest ever figure in the number of accidental dwelling fires (ADF) deaths at 7. This number unfortunately increased to 11 for the fiscal year.

- 3.2 The total number of fire deaths for the calendar year was 17 and the fiscal year 26. These figures also include fire deaths recorded as murder, suicide, deliberate ignition and a case still awaiting the outcome of a Coroner's enquiry. This figure is now more significant given the introduction of the new National Indicator (NI's) set which reflect fire deaths in general rather than just the ADF deaths previously recorded.
- 3.3 As a consequence of this, a review has been carried out to consider if the current strategy needs to be enhanced to ensure that the Authority is doing everything possible to continue to reduce the number of deaths.
- 3.4 The review has considered the current effectiveness of the 'High Risk' strategy which was introduced in April 2007. It should be noted that the principle of 'High Risk' interventions is still relatively new and given the recent benefits associated with the District structure it is still relatively early to do a full review of how well it is working. However, evidence confirms that the process has made a significant difference in identifying those most at risk from fire and in reducing risk. The current strategy has relied almost entirely on referrals which are generated internally from initial HFSC's. Several of the deaths recorded during the year were individuals known to other agencies. The agency did not make the connection that the FRS can provide a service to reduce the risk from fire. This is now considered to be a key area of work to focus on and will require a significant to resource to deliver the awareness and training which other agencies require to assist us in this form of partnership working. In addition a significant increase in the number of complex referrals requiring higher levels of training and knowledge for our own staff can be expected.
- 3.5 To deliver the further reductions required a staffing review has been carried out which recognises the current risk needs of the team and the following posts have been identified.

3.6 Community Relations Manager

- 3.7 The role of the Community Relations Manager has developed substantially over the last two years, particularly in supporting the DFS&CR and the Senior Community Safety Officer with all aspects of the delivery of the whole of the Community Safety agenda, in particular the development of multi-agency working, the Local Area Agreement (LAA) agenda and the work which will be required to ensure that the Authority will be ready for Corporate Area Assessment (CAA) which is risk critical to the organisation. A review of the post has been carried out and a revised Job Description produced which more reflects the work which is undertaken. Due to the outcome of that review, this post will be subject to a selection process and advertised externally.

3.8 Partnerships Officer

- 3.9 The role of the Partnership Officer has also developed substantially since it was introduced in November 2006, initially the post was designed to ensure that partnership development was effectively monitored and recorded. In reality the post holder has been invaluable to the Senior Community Safety Officer and the Community Relations Manager in a much wider range of activities. This has included the actual development of partnerships with District Managers and partners as well as undertaking 'environmental scanning' to identify risks and potential solutions. The current post holder is a grade 10, it is anticipated that the new role will be a grade 12, subject to the outcome of job evaluation.

3.10 Older Peoples Co-ordinator

3.11 The 'Older Peoples Co-ordinator' post which is currently externally funded by 'Bradford Older Peoples Partnership' has proved to be very effective in building relationships with key groups and projects that support the elderly. Because the role has been so successful an exit strategy has been devised to 'mainstream' and develop this role to include overall management responsibility for the 'High Risk' element of the 'Home Fire Safety Check' strategy, including the delivery of referral and high risk initiatives to all vulnerable groups. The current post holder is a grade 10, it is anticipated that the new role will be grade 12, subject to job evaluation.

3.12 High Risk Team

3.13 The High Risk Team is currently made up of five grade 5 team members. It is recommended that this number is increased to 10, to support the case load of the existing team. The posts will be used to assist District Managers in dealing with both the cases which are identified internally via the Home Fire Safety Check strategy, dealing with 'near miss' and 'repeat fire' activity and the anticipated workload which specialist referrals from other agencies will create. It is anticipated that a grading exercise will be required for two of these posts due to the fact that the remit for working externally with other agencies is much wider than is reflected in the original High Risk job description, and an element of supervision and guidance to the other team members.

3.14 Events Co-ordinator Post

3.15 A review has been carried out by the safety central working group of the posts required to prepare for the opening and staffing of 'Safety Central'. Following the review the post of Events Co-ordinator has been absorbed into the resources, events and logistics post and the product development role within the structure. Therefore the above post will not be filled and will be removed from the establishment.

4. FINANCIAL IMPLICATIONS

Post	Grade	Salary inc Oheads	Number	Cost
Deleted posts				
Fire safety inspectors	5	£22,500	-26	-£585,000
Events co-ordinator	8	£28,500	-1	-£28,500
New/revised posts				
Senior inspectors	10	£35,700	9	£321,600
Grade 8 inspectors	8	£30,400	2	£60,800
Community Relations Manager re grade			1	£10,000
Partnerships Officer (re-evaluation of post)	12			£4,400
Older person coordinator	12	£42,000	1	£42,000
Non operational FS manager	12	£42,200	1	£42,200
Transfer of resources to fund data post		£10,000	1	£10,000
High risk officers	5	£22,500	5	£112,500
High risk officers (re-evaluation of post)from 5 to 7			5	£10,000
Total cost				0

The table above shows the full year costs of the restructure proposed within this report (subject to a number of job evaluation processes) which shows that it can be financed within existing resources. The implementation of the structure will have to be phased to take account of the reduction in the number of scale 5 posts to ensure that it remains cost neutral during implementation.

5. EQUALITY & FAIRNESS ISSUES

- 5.1 No redundancies are proposed or envisaged. The reduction in the number of Grade 5 officers will be carried out over time, as current individuals develop and progress to fill vacant Grade 8 positions.

6. CONCLUSIONS

- 6.1 The FSG considers that regulatory activity should entail the minimum burden compatible with achieving desired regulatory outcomes and that its activities should focus on those who pose serious risks and on those who are most likely to fail to comply. To achieve this, FSG must focus attention on the inspection of high-risk premises utilising highly skilled inspectors.
- 6.2 Operational crews have the capacity and skills to carry out the work previously identified for Grade 5 officers.
- 6.3 The proposals for the Community Safety team will further enhance capacity to support the most vulnerable, drive down domestic risk and assist in dealing with the challenges which multi agency working creates. It will also ensure that the FRA is prepared to properly meet the challenge of CAA.
- 6.4 Consultation has taken place with representative bodies who are content that the outcome of the review best serves both the Authority and union members.

7. RECOMMENDATIONS

- 7.1 The following recommendations should be implemented
1. That 9 senior inspectors (Grade 10) and 2 (Grade 8) inspectors be added to the FSG establishment.
 2. That the Lead Fire Investigation Officer post be relocated from Station Management to a new position within the FSG.
 3. That the existing SM (B) post responsible for FS training be transferred to the Operations Group.
 4. That an additional non-operational FS Manager takes responsibility for FS training.
 5. That the FSG establishment be reduced by 26 (Grade 5) FS officers.
 6. The staffing of the Fire Investigation OSU should be reviewed as part of the duty system review for the next IRMP
 7. That the current role of Community Relations Manager be reviewed and extended to cover all aspects of the work being undertaken.

8. That the role of the Partnerships Officer be reviewed and extended to cover all aspects of the work being undertaken.
9. That the post of 'Older Peoples Co-ordinator' be reviewed and extended to manage all aspects of the High Risk - Home Fire Safety Check strategy.
10. That 5 High Risk officer posts are added to the Community Safety establishment.
11. That the existing High Risk Team grade 5 posts are reviewed to cover the extended multi-agency development working.
12. That the post of 'Events Co-ordinator be removed from the Community Safety establishment.