



Buckinghamshire & Milton Keynes Fire Authority

Meeting and date: Fire Authority, 16 June 2021

Report title: Protection activity update, including Protection Policy Statement

Lead Member: Service Delivery, Protection and Collaboration

Report sponsor: Area Commander Calum Bell

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Action: Update – For noting.

Protection Policy Statement – For approval.

Recommendations: It is recommended that Building Risk Review (BRR) update be noted, and the draft Protection Policy statement be approved.

Executive summary:

The purpose of this paper is to introduce a refreshed and revised Protection Policy Statement (see Appendix A) and provide an update on Protection activity, as proposed at the Fire Authority meeting of 17 February 2021.

To ensure that Buckinghamshire & Milton Keynes Fire Authority (BMKFA) has a clear, transparent, and accessible approach to delivering its regulatory duties under the Regulatory Reform (Fire Safety) Order 2005 (the Order), a programme is underway to refresh and update all Protection Policies, Procedures and Guidance Notes.

Some of this work will be directly linked to the outcomes of the Grenfell enquiry, the Fire Safety Act, amendments to the Order and guidance provided by the Secretary of State, and other statutory and non-statutory Codes of Practices.

This Protection Policy Statement is the first document to be refreshed and following approval, will published on the Buckinghamshire Fire & Rescue Service (BFRS) external website, as will other relevant Protection Procedures, following approval through the most relevant governance pathway.

Externally publishing Protection Policies and Procedures has a number of benefits for the Service, including reducing the demand placed on departments in answering an ever-increasing number of Freedom of Information Requests (FOIs), by simply sign-posting to the website.

The Building Risk Review Programme continues to progress well and is ahead of schedule, to achieve the Home Office set target date of December 2021. A number of premises have been deemed out of scope for the purposes of this programme,

due to their height, however, they will very much remain within the Service's focus. More information is provided in Appendix B.

Expenditure against the Home Office grant funding of £60,000 has been used to provide training and support in the delivery of this programme, any grant funding not spent will be transferred to the Protection Uplift Programme. More information is provided in Appendix B.

The Protection Uplift Programme which has been created to support initial improvements in local protection capability with BFRS receiving a grant of £123,549.85, is having mixed progress both locally and nationally. Expenditure against this funding has been utilised to employ two members of staff on a fixed term contract, provide training and IT equipment to support these staff members and upskill the qualifications of a number of existing Business Safety Advisors.

These additional staff members have been utilised to develop business engagement, through creating resources to target the business and non-domestic sector. This includes mail shots, web site articles, press releases, 'how to' videos and social media posts. Between 1 January – 31 March 2021 over 1,100 website hits were received and 37,000 social media impressions directly associated with fire safety. Most recently, we assisted with the development of an induction video package for the Open University, aimed at reaching circa 7,000 staff members.

Following the Fire Authority's approval of a significant Protection growth bid, at the February 2020 Fire Authority meeting for a number of posts, it has proved extremely difficult to recruit into all of these, notably the post of High Risk Residential Building Manager (HRRB), due to the essential criteria for specific technical qualifications.

Following an interdepartmental opportunity, the Strategic Management Board has approved a business case to move the funding for this support staff manager post into the Organisational Development department (OD) and move the funding for the operational Station Commander post from OD into the Protection department. This has facilitated a fourth Station Commander into Protection, allowed all of these additional posts to be filled and enabled increased out of hours protection cover for formal Enforcement activities. Full details are contained within Appendix C.

Financial implications:

BMKFA has received both allocations of grant funding and separate cost centres have been created to ensure robust monitoring of expenditure and accurate reporting back to the Home Office through the National Fire Chiefs Council (NFCC).

Monitoring and reporting is undertaken by the Protection Group Commander and authorised by the Director of Finance and Assets.

Both of these funding grants are deemed as one-off allocations.

Subsequent to the above, an additional Grant has been received to support Recognised Prior Learning (RPL) and third-party accreditation requirements.

Additional grant funding for 2021 / 22 has been made available to United Kingdom Fire and Rescue Services. BMKFA has been allocated £195,925.69.

This is a one-year funding arrangement intended to continue to drive significant improvement in the protection function within fire and rescue services and tackling risk in the built environment.

This additional funding will be provided in two payment 'runs'. The first 50 per cent will be paid upfront in May 2021. The second run will be processed at the end of the 2021/22 financial year, paid in arrears for funds actually spent with accruals being put in place for relevant commitments.

Risk management:

Although a comprehensive programme of building inspections is routinely scheduled through a risk-based inspection programme, the failure to ensure that the relevant authority/responsible person is adequately maintaining a high-rise residential building could compromise the safety of the residents should a fire occur, and firefighters when tackling a fire in one of the affected types of premises.

Failure to positively demonstrate the value added by the Section 31 Grant will see diminished confidence in the sector by the Minister of State for Fire and possibly affect the allocation of future funding grants.

Any new workloads introduced by these programmes should not negatively impact on the ongoing risk-based inspection programme and fulfilment of statutory duties.

Any data captured through activities undertaken and shared through monitoring reports is commercial and reflected within the Protection team Records, Retention, and Disposal / Information Assets Register.

No personally identifiable information is shared externally.

All expenditure relating to these programmes is accurately recorded, monitored by the finance team and verified by the Director of Finance and Assets prior to the submitting of any reports.

Legal implications:

The Authority has responsibilities under the Fire and Rescue Services Act 2004 to promote fire safety and to give advice about how to prevent fires, how to restrict their spread and about means of escape. However, it is also the enforcing authority for dealing with breaches by any 'Responsible Person' of fire safety requirements imposed by the Order. The Order does not apply to most domestic premises, but it does apply to the 'common parts' of residential properties, such as high-rise residential buildings, where typically the 'Responsible Person' will be the owner of the freehold or leasehold.

The proposed approaches and the use of the grant funding will support BFRS in fulfilling its fire safety and its enforcement roles

Under the RRO it is the responsibility of the ‘Responsible Person’, not BFRS, to carry out an assessment of the risks from fire, to identify what general fire precautions are required for those particular premises, and to put in place appropriate fire safety arrangements.

Privacy and security implications:

There are no direct privacy or security implications identified as part of the Protection activities considered within in this paper.

Duty to collaborate:

Whilst there is no specific requirement to collaborate on these two Home Office Protection programmes, we continue to work closely with the other Thames Valley FRSs on a variety of protection activities.

There are regular meetings with Thames Valley Protection colleagues to discuss and progress opportunities of joint working and practice.

Both of these Home Office Protection programmes are standing agenda items for the NFCC South East Protection and Business Safety Group.

Any areas of best practice and learning will continue to be shared and adopted, as appropriate, as they are identified.

Health and safety implications:

Any general Health & Safety issues are considered as part of business-as-usual activities.

COVID-19 specific risk assessments have been introduced to ensure staff safety and the continued delivery of all Protection activities.

Implementation of the programmes will lead to a reduction of risk for residents in our highest risk buildings and also improvements in firefighter safety due to more compliant premises.

Environmental implications:

There are no direct environmental impacts identified as part of the Protection activities considered within in this paper.

Equality, diversity, and inclusion implications:

Inspections of in scope high rise residential buildings and subsequent improvements/compliance will impact positively on residents, making them safer in these buildings.

An increase in Protection activity and engagement will support life safety and assist businesses to comply with relevant legislation, supporting business continuity and the economy.

This increased engagement will assist in understanding different community needs and deliver accessible local services, building safer places.

Our diverse teams will feel better equipped to deliver high quality services, through greater training, development, and accreditation.

Consultation and communication:

Employee Services Team – Senior Management Team – Information Governance and Compliance Manager: Minor amendments and formatting of Protection Policy Statement.

Joint Collaboration Forum (JCF) – 3 March 2021 – No feedback or negative comments.

Performance Monitoring Board (PMB) – 6 May 2021 – Approved for submission to Strategic Management Board with no changes.

Strategic Management Board (SMB) – 18 May 2021 – Approved for submission to the Fire Authority: Transfer to new report template, amend report title, amend executive summary regarding the publishing of Policies and procedures, and add narrative regarding additional funding received post the drafting of the initial report.

Background papers:

FA Cover Paper BRR – Protection Uplift Programme 022021

Fire Authority Growth Bid – 2020

Appendix	Title	Protective Marking
A	Protection Policy Statement	None
B	Building Risk Review update	None
C	SMB Cover Paper – OD and Protection Organisational Arrangements	None
D	Business Engagement Overview	None
E	BFRS Property Types	None