



Buckinghamshire & Milton Keynes Fire Authority

Meeting and date: Fire Authority, 8 December 2021

Report title: Building Risk Review and Protection Update

Lead Member: Service Delivery, Protection and Collaboration

Report sponsor: Area Commander Calum Bell

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Action: Noting.

Recommendations: It is recommended that Building Risk Review and Protection update be noted.

Executive summary:

The purpose of this paper, is to provide an update on the Building Risk Review (BRR) and Protection activity, following on from the Authority meeting of 16 June 2021 and as proposed at the Authority meeting of 17 February 2021.

BRR

The High Risk Residential Buildings (HRRB) Manager, supported by the North, Central and South Protection teams, has been engaging with all in scope buildings across Buckinghamshire & Milton Keynes to collect and validate the data set required to satisfy the BRR.

This data set is a base line, to provide the Home Office with an overview of all in scope buildings by 31 December 2021. Appendix 1 provides an overview of Buckinghamshire Fire & Rescue Service's (BFRS) current returns and trajectory for completion.

Prior to 31 December 2021, the Protection Policy Reform Unit (PPRU) will undertake Quality Assurance on Service returns, through a new automated Building Risk Review quality assurance process.

PROTECTION ACTIVITY

BFRS continues to deliver the Protection Uplift Programme, utilising the associated grant funding to deliver improvements in fire safety delivery, response staff knowledge and support wider business engagement.

Business Engagement

BFRS continue to employ a number of staff on a temporary basis, these staff are focussing on business engagement, targeting those premises types that are not deemed the highest risk and are unlikely to receive a physical visit through the Risk Based Inspection Programme (RBIP).

To support this work, a self-assessment form has been developed, which will be accessed through BFRS's external website. Targeted premises will be sent the link and responses will be reviewed, resulting in a percentage of those targeted receiving a physical visit. This approach not only enables BFRS to receive information from premises in relation to their fire safety management arrangements, but also share fire safety advice and guidance relevant to individual sectors.

An overview of web site and social media activity and interactions can be seen in Appendix 2.

Staff Training

Following a procurement process, a training delivery provider has been procured to deliver fire safety training to response staff. A two-day pilot is being delivered to twelve Flexi Duty Officers in October 2021, ready to roll out to the wider staff group over the following months. This training will broadly cover relevant legislation, the built environment and fire safety requirements.

Technology

Scoping work is underway, to identify how technology can assist in the delivery of fire safety activities. This includes lone working, body worn cameras, web site development, mobile devices and media content production.

Competency

The National Fire Chiefs Council (NFCC) Competency Framework for Fire Safety Regulators, revised, aims to assist Enforcing Authorities in demonstrating how they assure the competence of their fire safety staff and their commitment to invest in their people, thereby creating a more competent and professional service, increased consistency of regulation and greater reassurance of the professionalism of Fire Safety Regulators to business and members of the public alike. The framework is contained within Appendix 3.

BFRS aims to fully comply with the competency framework, which can take up to two years for a non-qualified staff member to achieve Level 4 Diploma status.

Aligning with the Competency Framework for Fire Safety Regulators, which recommends that all fire safety inspectors (FSI) working on higher risk premises (residential care, hospitals, buildings in scope of the Building Safety Bill, prisons and some specialised housing) should be third party validated.

In June 2021, the NFCC Protection and Business Safety Committee endorsed the Institution of Fire Engineers (IFE) as the preferred third-party validator for Fire and Rescue Service (FRS) FSIs.

Each service is required to nominate a coordinator and reviewer and will undertake validation on behalf of the IFE.

In year one, the costs associated with accreditation are £850 per person to cover the initial assessment and registration costs. In all subsequent years they will be £400 per person. In England, year one fees will be covered by Home Office grant funding which was paid to English FRSs in March 2021 specifically for this purpose. Additional grant funding has been ring fenced to support these costs moving forward.

Fire Standards

The Fire Standards Board has been set up to oversee the identification, organisation, development and maintenance of professional Standards for fire and rescue services in England. The Board recently announced the launch of the Protection Fire Standard. The Standard, which was developed in parallel with the Prevention Fire Standard, also comes with an Implementation Tool to help self-assess a service against the Fire Standard. A gap analysis is underway to identify where BFRS meets or needs to undertake further work to fully meet this and other standards released. The full Standard can be viewed at Appendix 4.

The Fire Safety Act 2021:

After a series of attempts to amend the Fire Safety Bill, the House of Lords passed the unamended version of the Fire Safety Bill on 28 April 2021.

On 29 April 2021 the Fire Safety Bill received Royal Assent and became the Fire Safety Act 2021 (the Act), this is being viewed as a key step to deliver the Government's commitment to implement the Grenfell Tower Phase One Report recommendations.

On 30 September 2021, Lord Greenhalgh wrote to all chief fire officers regarding the expectation of the Home Office and the responsibilities each FRS has to their communities about the lessons learnt and the improvements made following the Grenfell tragedy. This letter highlights that each FRS must transparently show the progress made in meeting the Phase One Inquiry's recommendations and that these recommendations affect all services. The letter can be seen at Appendix 5.

The Act clarifies that under the Regulatory Reform (Fire Safety) Order 2005 (the Order), owners and/or managers of multi-occupied residential buildings (two or more sets of domestic premises) the Responsible Person (RP) must manage and reduce the risk of fire for the structure and external walls of the building. This includes cladding, balconies and windows and the entrance doors to individual flats, that open on to common parts. These areas were previously covered by the Housing

Act 2004 and enforced by Local Authority, Private Sector Housing. The Act can be seen at Appendix 6.

The Home Office are providing a Building Prioritisation Tool, which will enable RPs to undertake an assessment of their building portfolios and target assessment works at the potentially highest risk premises. This is due largely to an anticipated shortage of qualified and competent fire risk assessors, with the requisite knowledge and experience to undertake assessments of External Wall Systems (EWS).

Building Safety Bill

Appendix 7 provides an update on the progress to date and continuing work around the Building Safety Bill.

Financial implications:

Monitoring and reporting of grant expenditure continues to be undertaken by the Protection Group Commander and authorised by the Director of Finance and Assets.

All grants received are deemed as one-off allocations.

The additional grant received to support Recognised Prior Learning (RPL) and third-party accreditation requirements will be ring fenced to support initial and ongoing accreditation costs (as detailed above).

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

Risk management:

Although a comprehensive programme of building inspections is routinely scheduled through the RBIP, 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 RBIP 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 RP 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 RP 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 Order it is the responsibility of the RP, 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, BFRS continue to work closely with the other Thames Valley FRs on a variety of protection activities.

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

Both of these Home Office Protection programmes are standing agenda items for the NFCC South East Protection and Business Safety Group. This group is currently exploring the feasibility of a South East Fire Engineering (Level 6/7) resource.

Health and safety implications:

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

COVID-19 continues to be a factor in Protection activities, however, BFRS are currently operating as business as usual, cognisant of the virus.

The continued delivery of the activities above, will lead to a reduction of risk for residents in BFRS’s highest risk buildings and 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.

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

Consultation and communication:

Performance Monitoring Board (PMB) – 30 September 2021 –

Strategic Management Board (SMB) – 19 October 2021–

Background papers:

FA Cover Paper - Protection activity update, including Protection Policy Statement.

Appendix	Title	Protective Marking
1	BRR Update	
2	Social Media Safety Report Q2	
3	Competency Framework 2020	
4	Protection Fire Standards	
5	Lord Greenhalgh Letter	
6	Fire Safety Act 2021	
7	Building Safety Bill	