



**Northern Ireland
Fire & Rescue Service**

COMMUNITY DEVELOPMENT AUDIT STRATEGY

**for the Implementation of
The Fire and Rescue Services
(Northern Ireland) Order 2006**

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1 Introduction

This Policy sets out the framework and principles which Northern Ireland Fire & Rescue Service (NIFRS) will follow when selecting premises to audit under The Fire and Rescue Services (Northern Ireland) Order 2006, hereafter referred to as the 2006 Order, and The Fire Safety Regulations (Northern Ireland) 2010, hereafter referred to as the 2010 Regulations. It follows the principles of the Chief Fire Officers' Association (CFOA) guidance for Community Fire Protection based in the CFOA Business Safety Strategy.

2 Policy

The aims of the Policy are to reduce risk and the impact of fire on:

- firefighters undertaking operational duties;
- the community;
- our heritage and environment;

and reduce;

- the loss of life and injuries through fire; and
- the commercial, economic and social costs associated with fire.

Consequently, our statutory duty to enforce fire safety law and promote fire safety will be based on risk, providing the community with value for money. Premises managed by public, commercial or voluntary organisations which present the highest risk in terms of fires attended, audit outcomes, societal risk and risk to Operational crews will be audited and inspected on a more frequent basis.

Premises considered to be lower risk will be audited primarily on a random sampling basis but also in response to complaints, or after a fire in the premises, to verify their lower risk classification and to confirm compliance with current fire safety law.

Specialist fire safety and operational personnel will engage in community risk reduction work, including technical fire safety activities appropriate to their level of expertise and their role. All personnel collect risk data about premises as part of their normal role through either the Standard Operating Procedure (SOP) 12 process or completing part A of the audit form. This data will enable targeting of our prevention, protection and response options effectively, efficiently and in a verifiable manner.

NIFRS has adopted the audit procedures developed through CFOA in partnership with the Department of Communities and Local Government (DCLG). These procedures will enable delivery of a risk based audit and inspection policy, aligned to the Government's current Integrated Risk Management Planning Guidance Note(s) (IRMP) and the 2006 Order/2010 Regulations guidance. Over time our Audit Strategy Policy will be adjusted to more accurately reflect local risks.

3 Inspection Routes

All audits undertaken by NIFRS will be initiated by one or more of the following inspection routes:

- following a fire incident;
- following identification by the False Alarm and Unwanted Fire Signals Policy;
- following a complaint; and
- selected for audit through a risk based audit inspection programme.

3.1 Post Fire Incident Inspections

All fires in premises where NIFRS has legislative responsibilities will be subject to post incident scrutiny. A fire should generally be taken as a failure to address the risks in the premises and, as a consequence of the fire NIFRS should generate a fire safety audit in the affected premises.

3.2 Following a False Alarm or Unwanted Fire Signal

An audit may be generated as a result of a premises being subject to action originating from the NIFRS False Alarm and Unwanted Fire Signals Policy.

3.3 Inspections Following Complaints

Complaints may be received from a variety of sources and Inspecting Officers will prioritise responses and consider the appropriate response dependent on the gravity of the complaint. An inspection of a premise may also be generated as the result a referral from NIFRS operational crews via the premises information update form, SC61a.

3.4 Risk Based - Assessing the Risk

The risk based audit inspection programme forms part of NIFRS' overarching integrated approach to risk management by prioritising the audit inspection of premises according to the perceived risk. NIFRS has concluded, after reviewing sample premises files across all FSEC categories that, for (FSEC) categories, the initial level of risk will be set as medium.

The potential for loss of life or serious injury, based on the fire frequency statistics for buildings taken from the Incident Recording System (IRF) data and the standard of fire safety management will be the major influences on the level of risk subsequently determined. This will allow for the alignment of fire safety within premises with the operational risks associated with those premises and where the risk level is increased, an increased number of fire safety audits will be undertaken to address this increased risk.

Whilst the risk to relevant persons will remain the prime influence, inclusion of premises in the audit inspection programme can be made for a number of other rationales, such as:

- property/business loss;
- loss of heritage;
- loss to the community;
- environmental damage; and
- firefighting operations.

Therefore, when assessing the risk, the risk based audit inspection programme will be influenced not only by life safety considerations but needs to consider outcomes from previous audit findings and any potential risk or loss to the community, at local or national level.

3.5 Risk Based Approach

A risk based approach to determining the necessary level of fire safety measures in all relevant premises lies at the heart of the fire safety provisions in the 2006 Order. The statutory responsibility for ensuring an adequate level of fire safety lies with the 'relevant person' for individual premises' usually the employer, owner or occupier, but this can be extended to a company that would have some responsibility, eg, a fire alarm company that has a maintenance contract with a business.

The NIFRS risk based audit strategy will be based on 4 fundamental principles:

- auditing premises based on the number of Fire Calls across each FSEC Category;
- auditing premises based on previous audit outcomes across each FSEC Category;
- auditing premises based on the loss to society (Societal Risk); and
- auditing premises based on Operational Risk to Firefighters.

3.6 Intelligence Led Inspections

There may be occasions when Fire Safety Managers wish to scrutinise Pharos to select a particular premises group with a specified risk rating for audit and inspection:

- due to a particular local issue, eg, a rise in the number of fires involving a specific premises type;
- to address an increase in complaints from this type of premises;
- to allay public concern following fire incidents; and
- to support a partner organization, eg, Local Council Licensing Officers.

This may be directed from NIFRS Headquarters or Area/District Headquarters. On all occasions, the Group Commander (Community Development) at NIFRS HQ will be informed in writing of the change in focus and its rationale.

3.7 Sampling Inspections

Sampling of premises that may be considered a 'lower life risk' should be carried out at the discretion of Area fire safety management when considering the resources available to complete the programmed inspections. This process will ensure that premises previously rated as lower life risk still justify their risk determination and help identify if ownership or use of such premises has changed. For example, it may be appropriate to audit shops in the pre-Christmas period.

3.8 Peak Activity Inspections

All future audits and inspections will be carried out under the 2006 Order and the associated 2010 Regulations and, where necessary, these should be programmed for periods when premises are experiencing their peak activity.

In recognition of the problems that may be experienced in auditing premises, eg, nightclubs or shopping centres during their peak activity period, Area Group Commanders (Community Development) retain the discretion to have either:

- a full audit carried out during the peak activity time; or
- a short inspection during the peak activity time for the premises, specifically examining occupancy and capacity, means of escape and means of securing the means of escape.

Furthermore, the Area Group Commanders (Community Development) may choose to have the short inspection completed by either Community Development or Operational personnel. If concerns are raised during a short inspection, it will be up to the Inspecting Officer/Supervisory Officer to determine at the time of inspection whether an audit needs to be carried out immediately or deferred to a more appropriate time. It should also be noted that the term 'peak activity' should not be reserved for any particular type of occupancy, eg, licensed premises or shopping centres cited above, but applies to all premises, as all premises will have periods of maximum occupancy/activity which may generate management issues not readily apparent at quieter times.

3.9 Joint Agency Inspections

Memoranda of Understanding (MOUs) have been drawn up with partner enforcing agencies (eg, Council Licensing Departments) and more are planned where a need has been identified (eg, NI Housing Executive). These MoUs detail the working arrangements between NIFRS and the respective partner agency. The combination of agreed protocols operated in conjunction with joint agency inspections will enhance the service that NIFRS gives to the public and build on the safety of the public in relevant premises.

4 Fire Safety Audit Programme

NIFRS has set out 4 criteria for selecting premises for audit. NIFRS will audit premises based on historical fire data and on the findings from previous audits. NIFRS will also audit premises based on their societal loss value, to reduce the impact of a fire on the public, and based on the risk to firefighters from fire while performing their operational duties. The number of audits that are completed on an annual basis will be fluid due to the availability of Inspecting Officers, the complexity of buildings audited and the outcomes generated by each audit.

4.1 Auditing Premises Based on the Number of Fire Calls Across Each FSEC Category

In January/February of each year, the Community Development Department at NIFRS HQ will be responsible for the completion of an annual organisational review of fire incident data from the previous calendar year across all seventeen FSEC Categories. The aim of this survey is to identify any increase/decrease in risk within each FSEC Category based on fire incident attendances in the previous year, ie, where an actual fire has occurred, to inform the risk based approach to audit inspections. For example, the number of fire incident attendance in the calendar year 2013 in FSEC Category 'A' will be compared with the number of fire incident attendance in the calendar year 2012 in FSEC Category 'A'. Comparison will be done both as a numerical difference and as a percentage difference.

Following the above annual organisational review, a report will be issued to each Area giving the above datasets at both organisational level and at Area level. This will allow all Areas to see if they are performing above or below the NIFRS average and also how they have performed compared with the previous year.

Where an Area shows an increase in the number of fire incidents within their Area compared with the previous year, this may support a rationale for that Area to increase the number of audits in that Category.

If an Area is showing a drop in all Categories, consideration could be given to maintaining the audits across each FSEC category at the present Area levels.

4.2 Auditing Premises Based on Previous Audit Outcomes Across Each FSEC Category

In January/February of each year, the Community Development Department at NIFRS HQ will be responsible for the completion of an annual organisational review of audit outcomes from the previous calendar year across all seventeen FSEC Categories. The aim of this survey is to identify any increase/decrease in risk within each FSEC Category based on an increase in higher tier compliance outcomes within the previous year to inform the risk based approach to audit inspections.

The higher tier compliance outcomes being monitored for comparison as part of an annual organisational review will be based on the number of Action Plans, Enforcement Notices and Prohibition Notices (compliance levels 3-5) issued within a particular category. For example, the number of higher tier compliance outcomes in the calendar year, 2013 in FSEC Category 'A' will be compared with the number of higher tier compliance outcomes in the calendar year 2012 in FSEC Category 'A'. Comparison will be done both as a numerical difference and as a percentage difference.

Following the above annual organisational review, a report will be issued to each Area giving the above datasets at both organisational level and at Area level.

Where an Area shows an increase in the number of higher tier compliance outcomes within their Area compared with the previous year, this may support an increase the number of audits in that category.

If an Area is showing a drop in all categories, consideration could be given to maintaining the number of audits or percentage of audits within that category across each FSEC Category at the present Area levels.

4.2.1 Auditing Premises Based on the Issuing of a Prohibition Notice

All premises which have had a Prohibition Notice served on them, whether or not subsequently rescinded due to the premises being 'broadly compliant' with the Order, will be audited within twelve months to ensure that the circumstances that gave rise to the Prohibition Notice have not reoccurred.

Where a Prohibition Notice has been issued and remains in force, NIFRS will carry out unannounced audits of those premises, ideally at 3 monthly intervals but in no circumstances should this exceed a 6 month period.

4.3 Auditing Premises Based on the Loss to Society (Societal Loss)

The Operational Risk Management Unit carries out analysis of the impact caused by the loss to society of premises across all seventeen FSEC Categories. This identifies where there is the potential for significant loss of life or significant loss to society through either business continuity or loss of heritage.

In January of each year, the Community Development Department at NIFRS HQ will liaise with their counterparts in the Ops Risk Policy Unit and prepare a report for each Area which will identify those premises which are deemed 'very high'- premises which would have a particularly significant loss to society if a fire were to occur in them. It is anticipated that this list will remain relatively static with only at most a few new 'very high' risk buildings being added onto the previous year's list.

Each Area can audit a number of premises from this 'significant societal loss' list.

4.4 Auditing Premises Based on Operational Risk to Firefighters

The Regional Control Centre (RCC) also keeps a database of premises that pose an increased Operational risk to firefighters. These premises are identified by Operational crews through Operational Risk Assessment using SOP 12 and, once identified, site specific risk assessments are carried out. Typical premises within this category include Control of Major Accident Hazards (COMAH) sites, radiation risks, Hazardous Material (HAZMAT) sites, high-rise buildings and premises where there are convoluted or intricate means of escape.

In January of each year, the Community Development Department at NIFRS HQ will liaise with their counterparts in RCC and prepare a report for each Area which will identify those premises which pose an increased operational risk to firefighters. Once again, it is anticipated that this list will remain relatively static with only a relatively small increase in the number of premises being added each year based on what the operational crews have add to this database via RCC in the previous calendar year.

As an organisation, NIFRS has taken the decision to sample audit premises within this category to ensure that fire safety compliance is to the forefront of the site management in order to reduce the operational risk to firefighters.

Each Area will audit 10% of their Area database on an annual basis from the list of premises/sites that pose 'an operational high risk to firefighters.'

4.5 Inspection Priorities

Where resources are an issue, priority shall be given in line with Table 1 below.

Priority	Premises	Explanation
1	Fire safety complaints.	Complaints about specific premises from members of the public.
2	Referrals from NIFRS Operational personnel.	Referrals from NIFRS Operational personnel regarding fire safety concerns observed when visiting premises. Referrals are made using a SC61(a) Premises Information Update Form.
3	After the fire audits.	After a fire in a premises, the premises will be audited.
4	A risk based inspection programme.	<p>Premises will be sampled, using on a risk based inspection programme across each of the FSEC categories.</p> <p>This will focus on:</p> <ul style="list-style-type: none"> • sleeping accommodation detailed in Groups A and B of the below listed FSEC Risk Groups (Table 2); • premises types with a history of fire incidents; and • premises types with a trend for poor fire safety management, based on evidence from previous audits.
5	Premises that pose a high operational risk to firefighter safety.	The relevant premises within COMAH, British Agricultural Standards Inspection Scheme (BASIS) and Notification and Marking of Sites (NAMOS) sites, and premises granted an Explosives Licence by the Department of Justice.
6	Premises that are considered to have a very high societal loss impact	Premises where, should a fire occur, there is the potential for significant loss of life or significant loss to society through either business continuity or loss of heritage.

The Group Commander (Community Development) at NIFRS HQ should be advised on a monthly basis of any resource issues impacting on audit targets (eg, temporary promotions, Officers not trained to Stage 1 of the CFOA Competency Framework for Business Fire Safety Regulators).

Table 2

Risk Groups (derived from the IRMP Note 4 and 17 FSEC categories)				
Groups	Group A	Group B	Group C	Group D
FSEC Code	Sleeping Unfamiliar	Sleeping familiar & Licensed premises	Public unfamiliar	Workplace familiar
A	Hospitals			
B	Care Homes			
C	HMO			
D		Flat		
E	Hostel			
F	Hotel			
G		Converted flat		
H	Other Sleeping			
J			Further education	
K			Public buildings	
L		Licensed premises		
M			School	
N			Shop	
P			Other public building	
R				Factory
S				Office
T				Other workplace

5 Audit Targets

The total number of audits to be completed by NIFRS will be based on the full establishment figure of Community Development Officers (District and Area Watch/Crew Commanders who have a 50% Community Development remit will not be taken into this calculation). Each Area will be allocated a time based target from NIFRS HQ to be completed within the requisite financial year based on the full establishment figure for their Area. The time based target will incorporate all protection activities (Audits, Building Control consultations, Fire Investigations and Licensing Consultations); this time based protection activity target is currently set at 50% of the total time available for Inspecting Officers to carry out Community Development activities under the 2006 Order.

The relevant Group Commander (Community Development) will be responsible for compliance with the percentage targets stated above.

6 Audit Types

NIFRS is now in the process of assimilating information gathered in Part A of the audit form into its future risk calculations for societal risk and consequently all Community Development Inspecting Officers will use this form as the only means of collating audit data.

There is scope when doing peak activity inspections such as pre-Christmas shop checks that the audit form can be completed without completing Part A as the information in Part A will have already been gathered as part of the audit on the common areas of the shopping centre. In this scenario, as indeed for all premises, the full audit document must be completed where an action plan or enforcement action is considered.

7 Supporting Guidance

This Policy should be read in conjunction with:

NIFRS Enforcement Policy G:\Document Management System\DMS\Policies\Policies\Fire Safety Enforcement Policy.pdf

NIFRS Audit and Inspection Principles G:\Community Development\CD DMS\The Fire & Rescue Services (NI) Order 2006\Guidance\FSE1 - Audit & Inspection Principles - October 2010.pdf

NIFRS Audit and Inspection Procedures G:\Community Development\CD DMS\The Fire & Rescue Services (NI) Order 2006\Guidance\FSE2 - Audit & Inspection Procedures - October 2010.pdf

This document will be reviewed within 36 months from the last review date.

Chair, Committee Members.

Thank you for the opportunity to discuss the Bill with the Committee this morning.

My name is Alan Walmsley and I am currently the acting Assistant Chief Fire and Rescue Officer for the Community Protection Directorate with Northern Ireland Fire & Rescue Service (NIFRS). Accompanying me today are Group Commanders Kevin O'Neill and Eamon Gallagher based in Fire & Rescue Service Headquarters and Western Area Command, Londonderry, respectively. These officers act as lead officers within NIFRS for the implementation, management and enforcement of fire safety legislation within Northern Ireland.

The introduction of the Fire Safety Regulations (Northern Ireland) 2010 brought Northern Ireland in line with the rest of the United Kingdom and introduced fire safety legislation which was based on risk assessment, as opposed to the previous prescriptive approach. Prior to this change in legislation, NIFRS was responsible for fire safety enforcement across approximately 3,500 premises through the previous Fire Certification process. Following the introduction of the new legislation, NIFRS became responsible for approximately 70,000 relevant premises which necessitated a move to a risk based auditing strategy. (Attached as supporting evidence).

Within this risk based audit strategy, NIFRS has identified 17 different categories of premises, one of which includes Houses of Multiple Occupation (HMOs). Since the introduction of the new legislation, NIFRS has carried out approximately 17,000 audits across all 17 categories. On average, every year, NIFRS carries out approximately 3,000 audits, taking enforcement action, including prosecution when necessary.

NIFRS wishes to inform the Committee that the Officers who complete these fire safety audits across Northern Ireland are part of the Community Development Department. These same Officers also have a dual responsibility for delivering community fire safety education in relation to protecting our community from the danger of fires in domestic properties.

NIFRS welcomes the review of the legislation in relation to the governing of HMO premises and in broad terms are supportive of the contents of the Bill. However, there are a few areas that we would respectively seek further clarification.

In our initial response to the Committee we raised no objection to the wider definition of an HMO being used in the proposed Bill; however, we would highlight to the Committee that the definition as defined within clause 1 of the Bill does not include buildings controlled or managed by Housing Associations or buildings that have been converted into self-contained flats.

NIFRS would be in agreement with the concerns raised by Northern Ireland Local Government Association (NILGA) and Belfast City Council, on the 22nd October 2015, regarding the potential increase in fire safety risk created by self-contained flats being excluded from the definition in the Bill.

We would also support NILGA and Belfast City Council's request in respect of clause 8 that landlords who live outside the jurisdiction are required to appoint a manager or agent who lives within Northern Ireland. This would provide NIFRS with a contact for the HMO within the province that carries the responsibilities associated with Articles 25 and 26 of The Fire and Rescue Services (Northern Ireland) Order 2006.

We would also seek further clarification in relation to any impact that the Bill will have on the current protocols between Northern Ireland Housing Executive (NIHE) and NIFRS in regard to the monitoring and regulation of the required fire safety standards within HMOs.

Since November 2013, NIHE has informed us of all 2,154 Notices issued in relation to either newly registered HMOs or HMOs that have been audited by them as part of their inspection regime. This equates to an average of just under 100 Notices per month.

Under the current protocols, NIHE notify and progress all fire safety issues with the HMO owner. NIFRS currently monitors all HMO Notices issued by NIHE and when that notice identifies a fire safety contravention of a serious nature, such as a breach in fire safety compartmentation or a defective fire alarm system, NIFRS will audit the premises and take the required action.

Analysis would indicate that NIFRS is required to take action on approximately 5% of Notices received due to the serious nature of the fire safety contraventions identified by NIHE.

NIFRS has taken enforcement action and issued Prohibition Notices on a number of HMOs on the basis of this joint working arrangement which broadly speaking is working extremely well.

The Bill proposes a Licensing Scheme which will amend the current protocols. It is our understanding that through clauses 13, 53 and 58 of the Bill, the monitoring and regulation of all fire safety measures within HMOs will now fall solely under NIFRS. This is reinforced by Article 48 of The Fire and Rescue Services (NI) Order 2006. The draft HMO Bill excludes the ability of any Statement of Remedial Work or any Hazard Notice issued under the Bill to reference any aspect of fire safety measures that fall within The 2006 Order.

It is our interpretation that under the proposed arrangements contained in the Bill, Councils will now simply report to us that there is a fire safety contravention in an HMO. The Council will no longer notify the HMO owner or follow up on any fire safety contravention, which is the current practice.

NIFRS, under this draft Bill, will therefore be required to act and audit all HMOs referred by District Councils which will result in a duplication of workload due to those HMOs being audited by both the Council and NIFRS for contraventions, many of which may be of a minor nature. This potential additional workload will have a significant impact on how we currently implement our risk based audit strategy and will also have an impact on the time available for Community Development Officers to target other aspects of their role, such as fire safety education relating to domestic premises.

NIFRS would acknowledge the concerns raised by NILGA and Belfast City Council on 22nd October 2015 regarding our ability to take on this additional workload without a closer examination of our existing resources.

NIFRS would also highlight concerns it has regarding the concentration of HMOs within the Greater Belfast area, which it believes represents 64% of the total number of HMOs for Northern Ireland, and the particular impact this additional workload will have on Community Development Officers within Eastern Area Command (Belfast).

NIFRS has noted the previous request for the creation of a special working group to progress the introduction of the Bill and NIFRS would respectfully request to be involved with such a group to discuss fire safety elements.

That concludes our presentation and we are content to take any questions from the Committee.