

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	PERFORMANCE & SCRUTINY COMMITTEE		
DATE:	23 JULY 2015	REPORT NO:	CFO/064/15
PRESENTING OFFICER	DCFO GARRIGAN		
RESPONSIBLE OFFICER:	PHIL GARRIGAN	REPORT AUTHOR:	GM GUY KEEN
OFFICERS CONSULTED:	SM CHRIS HEAD, WM DAVE MARTIN,		
TITLE OF REPORT:	PERFORMANCE AGAINST NEW AFA PROTOCOL		

APPENDICES:	APPENDIX A:	UWFS DATA 2010 - 2015
	APPENDIX B:	IMPACT ASSESSMENT
	APPENDIX C:	EQUALITY IMPACT ASSESSMENT
	APPENDIX D:	DRAFT SERVICE INSTRUCTION 0039

Purpose of Report

1. To update Members on the performance of the new Automatic Fire Alarm (AFA) Policy since its introduction in October 2012.
2. This report will be considered by the Performance and Scrutiny Committee on 23rd July 2015 and Members will be updated on any comments or recommendations arising from that Committee's scrutiny of this item.

Recommendation

3. That Members;
 - a. Note the progress of the new AFA Policy in improving the Services performance in reducing Unwanted Fire Signals (UwFS);
 - b. Note the rationale and approve the risk assessment that underpins the protocol;
 - c. Note the targeted approach to be adopted in relation to prolific offenders which it is envisaged will contribute to further improvements in performance.
 - d. Consider whether it would be appropriate to undertake a review, to explore the experience of other Fire and Rescue Authorities who have adopted a charging policy in respect of the potential for such to positively influence repeat offenders of UwFS and the financial impact to those Authorities.
 - e. Consider any additional recommendations arising from the Performance and Scrutiny Committee's consideration of this report.

Introduction and Background

4. In the 12 months leading up to 1st November 2012 Merseyside Fire and Rescue Authority (MFRA) attended 5394 Unwanted Fire Signals (UwFS) (Appendix A.).
5. To reduce this burden and thereby enable MFRA to maintain appliance availability for operational response, operational training, prevention and protection activity and preparedness work, the Authority adopted a risk based response to UwFS.
6. Prior to implementation MFRA ran a comprehensive consultation and communication exercise. As a result of stakeholder feedback MFRA implemented the new protocol in 2 stages in order to allow responsible persons sufficient time to adjust their arrangements.
7. **Stage 1: 1st November 2012:** Appliances no longer attended non domestic premises on activation of an Automatic Fire Alarm (AFA) system during daytime hours unless a backup call had been received. Attendance to incidents at night time remained unchanged.
8. **Stage 2: 1st November 2013:** Stage 1 of the day time policy was extended to night time so that Appliances did not attend non domestic premises during night time unless a backup call was received. Sleeping risk premises such as hospitals, hotels and hostels were exempted from Stage 2.
9. The consultation and communication exercise was repeated prior to the implementation of Stage 2 and Protection officers continue to take opportunities to refresh stakeholders awareness of the current AFA protocol and the rationale that supports it, for example through a presentation by the Head of Protection at the NHS Estates and Advisory Group on 24th April 2015.
10. Performance at both stages of the Protocol was very positive (Appendix A.).
 - a. **Stage 1** Reduction of 50.43% to 2674 Incidents in the 12 month period up to 1st November 2013 compared to the same period in the previous year.
 - b. **Stage 2** Reduction of 21.05 % to 2111 Incidents in the 12 month period up to 1st November 2014 compared to the same period in the previous year.
11. Current performance has seen an expected marginal increase in UwFS from 1st November 2014 to 31st March 2015 of 7.35% compared to the same period the previous year. This was to be expected given the increase in Careline systems over the period and still represents a reduction of 60.1% compared to the same period before the Policy was introduced.
12. Protection officers have reviewed the dip in performance and can confirm that the marginal increase is a result of external factors (see paragraph 18) and are not as a result of any relaxation or complacency by MFRA.

13. Actions taken to date to resolve these increases are described later in this report.

National and Regional Influences

14. Our UwFS Protocol has received significant interest from Tyne and Wear, West Midlands and the Isle of Man Fire and Rescue Services, resulting in a number of visits to Merseyside.
15. Chief Fire Officers Association (CFOA), North West Region Protection Task Group recognises the unprecedented success of the MFRA protocol within the region and is actively exploring a common regional response to AFA actuations based on the Merseyside model.
16. The 2014 CFOA Guidance for the Reduction of False Alarms and UwFS's is the latest publication issued by CFOA to support the reduction of the significant number of UwFS across England and Wales.
17. The MFRA Protocol is generally consistent with the CFOA Guidance, in all but 3 areas:
 - c. Call filtering process
 - d. Investigation of an alarm during an emergency call
 - e. Providing Feedback to Fire Alarm Monitoring Organisations (FAMOs)
18. An Impact Assessment Report detailing a full breakdown of the consistency of the revised MFRA protocol (SI 0039) against the new CFOA Guidance is provided at Appendix B.
19. Full compliance with the CFOA guidance would significantly compromise the effectiveness of the current AFA response protocol and would have a substantial negative effect on UwFS performance.

Performance Issues

20. As cheaper Fire Alarm Systems become available and the number of premises with AFA systems increases due to requirements to comply with current legislation and the increase in the use of Careline systems as local authorities' encourage more independent living, then the number of calls from these systems will also increase. Combined with older systems becoming less reliable the number of AFA calls received by MFRS and the number of UWFS we attend will also increase.
21. Analysis of top offenders since 1st November 2014 shows that the largest premises type is sheltered accommodation. Of the top 10 Offenders in this period 6 were Sheltered Accommodation accounting for 48% of UWFS.
22. Due to complex nature of underlying reasons for high level of AFA Actuations in top offender premises, progress has proved to be slow. Liverpool Protection Department are currently working with one of the top offender's; Concert

Square 34 Wood Street Liverpool to reconfigure their alarm system to reduce UWFS.

23. District Protection Departments currently target repeat offenders and look to provide advice in reducing UWFS.

Improving Performance

24. It is proposed to standardise the process of targeting repeat offenders across Merseyside with a three step approach:
 - Step 1. Informal letter and meeting to discuss issues and suggest improvements. If no improvement is made move to:
 - Step 2. Audit of premises under Fire Safety Order, issue of Action Plan. If no improvement is made move to:
 - Step 3. Consider, where appropriate Enforcement Action under the Regulatory Reform (Fire Safety) Order 2005.
25. At a point in the future the Authority may wish to consider extending the current protocol of not responding to additional types of sleeping accommodation between the day time hours 07:30 – 19:30 (currently Hotels; Hospitals and Hostel's) to include Sheltered Housing Schemes where the Fire Safety Order 2005 applies and the Responsible Person has overall control of the premises and a legal responsibility to comply with the Order. This option has been reviewed by Protection Officers during the preparation of this report and consequently is not recommended at this point as fire safety risks clearly outweigh the perceived benefits.
26. Alternatively the Authority may choose to consider reviewing it's position to charging premises for attendance at UWFS under the Fire and Rescue services Act 2004 (FRSA) as amended by the Localism Act 2011. A review could consider the experience of other Fire and Rescue Authorities who have adopted a charging policy and the potential for such to positively influence repeat offenders of UwFS. Any review could also explore the evidence from those Authorities that have adopted a charging model, to consider whether aspects of the Authorities perceived rationale for not charging are borne out in experience. That is, the cost associated with setting up a charging system and the time taken to recover the debt would pose a financial risk to the Authority.

Equality and Diversity Implications

27. An Equality Impact Assessment has been completed and is at Appendix C to this report.

Staff Implications

28. Targeting of repeat offenders through the use of Protection Officers does not create any staff implications as this would not extend beyond the normal expectations of their role.

29. Reducing time spent on attending UWFS releases operational personnel to complete risk critical training and Prevention / Protection roles

Legal Implications

30. After consideration of QC reports commissioned by other FRS in respect of AFA protocols, it can be confirmed that there are not likely to be any legal liabilities placed on MFRA as a consequence of the AFA Protocol (although there can be no absolute guarantee that a challenge will not be made – as everyone has a right to do so) provided that MFRA ensure a risk assessment and rationale behind its own decisions are published.
31. A detailed rational and risk assessment are detailed in Appendix D to this report.

Financial Implications & Value for Money

32. Research shows that from mobilisation to an appliance booking available again, takes on average 22 minutes per UwFS. Assuming four persons per appliance this equates to 1.4 'staff' hours of lost productivity per appliance per UwFS. From 1st November 2014 to 31st March 2015 MFRS have responded to 876 UwFS, 60 more incidents compared to the same period the previous year when the Service attended 816 incidents. These 60 incidents result in a total of $1.4\text{hrs} \times 60 = 84$ hours of lost productivity per Appliance.

Risk Management, Health & Safety, and Environmental Implications

33. Service Instruction 0039 Risk Based Response to Automatic Fire Alarm Actuations including updated Risk Assessment is added as Appendix D.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

34. Based on the risk assessment attached to this report at Appendix D, the existing protocol provides a better allocation of resources to protect against risks to the community and to firefighters than could be obtained if the Authority was to comply fully with the new CFOA guidance.
35. Targeting of repeat offenders through a formal process would look to achieve further reductions in UWFS and reduce the impact on business continuity through disruption caused by false alarms. This in turn would reduce risk to firefighters and the public by reducing the number of appliance movements on the roads of Merseyside and providing greater Appliance availability to emergency incidents.

BACKGROUND PAPERS

CFO/015/12 Unwanted Fire Signals

GLOSSARY OF TERMS

AFA	Automatic Fire Alarm
UWFS	Unwanted Fire Signal.
MFRA	Merseyside Fire and Rescue Authority
MFRS	Merseyside Fire and Rescue Service
CFOA	Chief Fire Officers Association