



"An Excellent Authority"

Policy PROPOL04

Community Fire Protection Policy

Document Control

Description and Purpose

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Active date	Review date	Author	Editor	Publisher
09/2013	25/09/2014	GM Guy keen	AM Myles Platt	
Permanent	X	Temporary	If temporary, review date must be 3 months or less.	

Amendment History

Version	Date	Reasons for Change	Amended by
1.02	22/03/2011	John Ennis	Reviewed as per Retention Policy
1.03	30/03/2012	John Ennis	Reviewed as per Retention Policy
2.01	20/09/2013	Guy Keen	Departmental Review/Revised National Framework

Risk Assessment (if applicable)

Date Completed	Review Date	Assessed by	Document location	Verified by(H&S)

Equalities Impact Assessment

Initial	Full	Date	Reviewed by	Document location
		16/07/2013	Wendy Kenyon	

Civil Contingencies Impact Assessment (if applicable)

Date	Assessed by	Document location

Related Documents

Doc. Type	Ref. No.	Title	Document location	
001		Regulatory Reform (Fire Safety) Order	CLG	2005
002		Regulators Compliance Code:	CLG	2007
003		MFRS IRMP 2012/15	MFRS	2012
004		National Framework Document	CLG	2012
005		SI CFP Risk Based Strategy	MFRS	v1.0 2013

Contact

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target audience

All MFRS	X	Ops Staff	X	Fire Protection	X	P and P staff	X		
Principal officers	X	Senior officers	X	Non uniformed	X				

Relevant legislation (if any)

As Above

COMMUNITY FIRE PROTECTION POLICY

Number – [this will be allocated by Strategy and Performance Function]

1. Policy Introduction and Background

The purpose of this policy is to outline the Community Fire Protection (Protection) work which enables Merseyside Fire and Rescue Authority (the Authority) to meet its statutory duty under relevant legislation and the Government's expectations and requirements as set out in The Fire and Rescue National Framework for England¹ (the National Framework). This Policy directly supports the Service's mission 'Safer, Stronger Communities, Safe Effective Firefighters' by directing resources to ensuring the appropriate levels of Fire Protection and Firefighter safety are met and where necessary enforced according to the standards required in the relevant fire safety legislation. This includes a responsibility to direct resources in order to influence standards of fire safety in the built environment in order to actively support the Service's mission.

The Authority has delegated the responsibility for implementing this Policy to the Deputy Chief Fire Officer who in turn has committed the delivery of this function to the Area Manager of Prevention and Protection. The Area Manager presides over the District Managers who retain responsibility of the delivery of Protection services at District level and the Protection Manager who will be responsible for managing the central policy support, fire engineering and the quality assurance for the function of Community Fire Protection.

2. Policy Explanation

The legislative onus upon the Authority falls in three distinct categories:

1. Legislation that the Authority has a responsibility to regulate (see Appendix A);
2. Legislation that the Authority has a responsibility to consult upon (see Appendix B); and
3. Legislation that the Authority's regulators are required to comply with (see Appendix C).

The Government has a duty under The Fire and Rescue Services Act 2004 to produce the National Framework and keep it current. Fire and rescue authorities must have regard to the National Framework in carrying out their duties and in respect of Protection it directs authorities to:

".. deliver effective and proportionate ... Protection activities" (p7)

".. produce an integrated risk management plan that identifies and assesses all foreseeable fire and rescue related risks that could affect its community" (p25)

The integrated risk management plan (IRMP) must:

".. demonstrate how ... Protection ... activities will best be used to mitigate the impact of risk on communities, through authorities working either individually or collectively, in a cost effective way"; and

"set out its management strategy and risk based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better

regulation set out in the Statutory Code of Compliance for Regulators², and the Enforcement Concordat³" (p25)

Therefore the Service's IRMP adopts a risk based approach to directing resources in order to meet the Government's expectations for Protection and the statutory obligations placed upon the Authority. The IRMP also sets out the Service's mission, its financial objectives and value for money principles which add further context to this Policy. Consequently all work streams that fall out of this Policy will be prioritised according to a combination of statutory requirement and risk assessment to take account of the risk from fire to 'relevant persons', the Community of Merseyside and MFRA personnel. Equality and diversity will be a cross-cutting theme throughout all areas to ensure that vulnerable groups enjoy the same levels of Fire Protection. The Service will record, monitor and demonstrate outcomes monitor and manage performance and conduct management reviews including comparison with peers.

For legislation that the Authority has a statutory duty to regulate, resource will be allocated according to risk based inspection frequencies utilising national guidance on risk categorisation, local risk information, intelligence from local and national fire trends and consideration of the potential impact upon the community (loss of life, serious injury, damage to the local economy, the environment including heritage). The risk based inspection frequencies are set out in the Service's Risk Based Strategy for Protection.

3. Policy Implementation

The Authority will meet its statutory duty to enforce the provisions of fire safety legislation whilst having regard to the Regulators Compliance Code² and the Enforcement Concordat³; therefore will:

- Promote a positive and proactive approach to compliance by educating and informing stakeholders on their responsibilities;
- Respond proportionately to regulatory breaches;
- Adopt a robust approach to challenging poor fire safety management;
- Prevent unjustifiable demand upon MFRS operational response; this will include criteria for responding to unwanted fire signals.

Part 2, section 6 of the Fire and Rescue Services Act 2004⁶ places a statutory duty upon MFRS to promote fire safety, by providing information and advice on matters relating to Community Fire Protection. To fulfil this requirement the Service will commit resource to:

- Working with partners and stakeholders to campaign and promote the adoption of fire safety interventions and the enhancement of fire safety knowledge;
- Local, regional and national collaboration with our peers in the fire and rescue service, the fire industry and business and commerce;
- Adopt a risk based approach to providing relevant advice on matters of fire safety, via a first line enquiries facility using Fire Service Direct, signposting to national guidance and where the risk requires through the intervention of MFRS officers;

- Information and communication technology to maximise the efficiency and performance of the Protection Department and the accessibility of fire safety information to all our partners and stakeholders.

For legislation that the Authority has a statutory duty to consult upon resource will be allocated in line with the Service's Risk Based Strategy for Protection⁵.

The requirements of the legislation placed upon the Authority's regulators are specifically detailed in the Service Instruction, the Community Fire Protection Risk Based Strategy for Protection.

***NB Legislation/ Orders/ Statutory Instruments/ Guidance coming into force after this Policy is published, will be applicable.**

Appendix A Legislation that the Authority has a Statutory Duty to Regulate

Fire and Rescue Services Act 2004, part 6, sections 44 and 45.
Available at <http://www.legislation.gov.uk/ukpga/2004/21/contents>

Regulatory Reform (Fire Safety) Order 2005. Available at
<http://www.legislation.gov.uk/uksi/2005/1541/contents/made>

The Fire Precautions (Sub-surface Railway Stations)(England) Regulations 2009. Available at
<http://www.legislation.gov.uk/uksi/2009/782/contents/made>

Fireworks Act 2003 (and statutory provisions of the 2003 Act):
Available at <http://www.legislation.gov.uk/ukpga/2003/22/contents>

Fireworks Regulations 2004. Available at
<http://www.legislation.gov.uk/uksi/2004/1836/contents/made>

Consumer Protection Act 1987. Available at
<http://www.legislation.gov.uk/ukpga/1987/43>

Health and Safety at Work Etc Act 1974. (and statutory provisions of the 1974 Act): Available at <http://www.hse.gov.uk/legislation/hswa.htm>

Petroleum Act 1928. Available at
<http://www.legislation.gov.uk/ukpga/Geo5/18-19/32>

Petroleum-spirit (Motor Vehicles, etc) Regulations 1929. Available at
<http://www.legislation.gov.uk/uksro/1929/952/contents/made>

Manufacture and Storage of Explosives Regulations 2005. Available at
<http://www.hse.gov.uk/explosives/forms/exguide.pdf>

The Dangerous Substances and Explosive Atmosphere Regulations 2002. (DSEAR). Available at
<http://www.legislation.gov.uk/uksi/2002/2776/contents/made>

Public Health Act 1961. Available at
<http://www.legislation.gov.uk/ukpga/Eliz2/9-10/64>

Construction (Design and Management) Regulations 2007. Available at
<http://www.legislation.gov.uk/uksi/2007/320/contents/made>

The Dangerous Substances (Notification and Marking of Sites) Regulations 1990. Available at
<http://www.legislation.gov.uk/uksi/1990/304/contents/made>

Appendix B Legislation that the Authority has a Statutory Duty to Consult Upon

Fire and Rescue Services Act 2004, part 2, section 6. Available at <http://www.legislation.gov.uk/ukpga/2004/21/contents>

The Building Regulations 2010. Available at <http://www.legislation.gov.uk/uksi/2010/2214/contents/made>

Town & Country Planning Act 1990. Available at <http://www.legislation.gov.uk/ukpga/1990/8/contents>

Licensing Act 2003. Available at <http://www.legislation.gov.uk/ukpga/2003/17/contents>

County of Merseyside Act. Not available online.

Safety of Sports Grounds Act 1975. Available at <http://www.legislation.gov.uk/ukpga/1975/52>

The Dangerous Substances (Notification and Marking of Sites) Regulations 1990. Available at <http://www.legislation.gov.uk/uksi/1990/304/contents/made>

Appendix C Legislation that the Authority's Regulators are required to Comply With

Regulatory Enforcement and Sanctions Act 2008. Available at:

<http://www.legislation.gov.uk/ukpga/2008/13/contents>

Enterprise and Regulatory Reform Act 2013. Available at:

<http://www.legislation.gov.uk/ukpga/2013/24/contents/enacted>

References

1. The Fire and Rescue National Framework for England, July 2012, CLG. Available at <http://www.communities.gov.uk/documents/fire/pdf/nationalframework>
2. Regulators Compliance Code: Statutory Code of Practice for Regulators, Department for Business Enterprise and Regulatory Reform, December 2007. Available at <http://www.berr.gov.uk/files/file45019.pdf>
3. Enforcement Concordat: Good Practice Guide for England and Wales, Department of Trade and Industry, June 2003. Available at <http://webarchive.nationalarchives.gov.uk/+http://www.berr.gov.uk/files/file10150.pdf>
4. Merseyside Fire and Rescue Service Integrated Risk Management Plan 2012/15: Merseyside Fire and Rescue Service. Available at http://www.merseyfire.gov.uk/asp/pages/IRMP/pdf/IRMP_2012-15_Published_Edition.pdf
5. Service Instruction: Community Fire Protection Risk Based Strategy, Merseyside Fire and Rescue Service, July 2013.
6. Section 6 of the Fire and Recue Services Act 2004. Available at <http://www.legislation.gov.uk/ukpga/2004/21/section/6>

