

Merseyside Fire and Rescue Service

Equality Impact Assessment Form

Title of policy:	Fire Protection Risk Based Strategy <i>(Including the Community Fire Protection Policy and associated Risk Appendices)</i>
Department:	Prevention and Protection
Date:	26.2.13 updated 16.7.13

1: What is the aim or purpose of the policy

This should identify “the legitimate aim” of the policy (there may be more than one)

The purpose of the strategy is to detail fire protection risk based strategies as required by the duties placed upon Merseyside Fire and Rescue Authority (the Authority) through fire safety legislation and national government expectations as detailed in the Community Fire Protection Policy (the Policy).

The risk based strategy acts as a parent document for the Community Fire Protection (CFP) risk based inspection/audit programmes which are included as appendices to the strategy SI; Fire safety Audit Programme, Petroleum Licencing Inspection Programme, Explosives Licences Programme, Sub-Surface Railways Inspection Programme, Building and Control and Planning consultation and Peak Hours Inspection Strategy.

The aims and objectives of the policy are to :

- To detail the rationale and risk profile behind the Protection risk based strategy;
- To identify the programmes of Protection activities required to mitigate the risk on communities through a risk based approach to enforcing the Fire Safety legislation (as detailed in the Policy) in line with the Authority’s Integrated Risk Management Plan (IRMP) and the associated preventative, protective and response arrangements;
- To prioritise all work streams that fall out of the Policy according to a combination of statutory requirement and risk assessment which take account of the risk from fire to relevant persons, the Community of Merseyside and MFRA personnel;
- To detail the statutory requirements of Better Regulation which the Authority is required to adhere to in the performance of its CFP duties;
- To ensure equality and diversity will be a cross-cutting theme

throughout the Programmes such that vulnerable groups enjoy the same levels of Fire Protection.

- To detail the Performance Management responsibilities and relevant Local Performance Indicators (LPIs).

The policy contributes to the mission of MF&RS Safer and Stronger Communities – Safe Effective Fire fighter and ensures that the Authority’s statutory fire protection duties are discharged efficiently and effectively to respond to both predictable and unpredictable workloads.

Each District office is set a Local Performance Indicator target of **8** audits per officer per month (pro-rata to availability).

The Community Fire Protection policy sets out how Merseyside Fire and Rescue Authority delivers protection work in order to meet its statutory duties under the Fire Services Act 2004, the regulatory reform Order 2005 and the various other fire safety legislation.

2: Who will be affected by the policy?

- The diverse communities of Merseyside within each local authority.
- MFRA staff.
- All premises other than single private dwellings are considered under the Regulatory Reform (Fire safety) Order 2005 and other relevant fire safety legislation.

3. Monitoring

Summarise the findings of any monitoring data you have considered regarding this policy. This could include data which shows whether the policy is having the desired outcomes and also its impact on members of different equality groups.

What monitoring data have you considered?

Historical Data used to identify risk is obtained from the incident recording system (IRS) and the protection information management system provided by Sophtlogic. Equality Impact Assessments for each local area will be considered when targeting risk

The MFRS report “ Non Domestic properties Fire report 2008 ” provides some analyses of data by incidents from 2004 to 2009

What did it show?

There are over 35,000 known premises which fall under the legislation. As the premises gazetteer comes on line, early indication shows that there are as many premises again that fall under the legislation.

Provides a summary of the types of fire incidents by district and business type and helps to profile the likelihood of a fire occurring in different business communities

<p>Equality monitoring information for each local area will be considered when targeting risk</p>	<p>, the top 3 being - Industrial and commercial properties 22. 5% of fires, retail 21.6% education 8% of Fires for the 4 year period covered by the report.</p> <p>Other key points in the report relevant to Equality are :</p> <ul style="list-style-type: none"> • The Places of Worship property type saw the highest proportion of incidents with no smoke alarm. 84% (37 out of 44) did not have a smoke alarm in the vicinity of the fire. <p>30 to 40 year age group are most likely to be affected and injured by a fire.</p> <p>Males have a significantly higher proportion of fire injury.</p>
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4: Research

Summarise the findings of any research you have considered regarding this policy. This could include quantitative data and qualitative information; anything you have obtained from other sources e.g. CFOA/CLG guidance, other FRSs, etc

What research have you considered?	What did it show?
<p>Various fire safety legislation</p>	<p>MFRA has a duty under various pieces of legislation (as detailed in the policy) to enforce and consult upon matters pertaining to fire safety.</p>
<p>The Statutory Code of Compliance for Regulators, and the Enforcement Concordat.</p>	<p>Enforcement activities should be robust and proportional to risk. The code sets out more detailed principles to which the authority is required to have regard. Failure to comply with the act or code may constitute grounds for judicial review.</p>

<p>National CFOA Guidance for Risk profiling.</p> <p>Fire and rescue National Framework for England 2012</p>	<p>The better regulations executive five principles of good regulation provide the basis for MFRA risk based approach to enforcement which will forge new relationships between the authority and business owners. Guidance shows that a combination of historic fire data, business intelligence, CFOA practice briefs, local knowledge and the outcome of equality impact assessments for each geographical area will inform MFRA when planning its inspection and engagement plan.</p>
<p>5. Consultation</p> <p><i>Summarise the opinions of any consultation. Who was consulted and how? (This should include reference to people and organisations identified in section 2 above)</i></p> <p><i>Outline any plans to inform consultees of the results of the consultation</i></p>	
<p>What Consultation have you undertaken?</p> <p>Consultation with other FRS under the CFOA communities of Practice.</p> <p>North West Regional Task group</p>	<p>What did it say?</p> <p>The targeting and profiling of risk and the impact of prosecution and enforcement should be in line with CFOA guidance and consistent in terms of risk.</p> <p>Equality Impact are formerly recognised and discussed</p>

6. Conclusions

Taking into account the results of the monitoring, research and consultation, set out how the policy impacts or could impact on people from the following protected groups? (Include positive and/or negative impacts)

(a) Age

This policy will positively affect those older people as they are amongst those who are most likely to suffer from poor fire safety provisions in their accommodation / workplace – particularly those in the private landlord sector , for example nursing homes and sheltered accommodation*.

Therefore the Policy will reduce the risk to persons in this protected group through the enhancement of suitable and sufficient levels of fire safety in the built environment covered by the various pieces of fire safety legislation.

Regular monitoring and review of the audit process will identify the impact, including enforcement and prosecution, on communities and individuals of a particular age and subsequent consultation will enable MFRA to carry out targeted fire safety education and awareness to business around ensuring older employees/customers are considered when developing fire risk assessments and training.

*The Fire Safety Order only applies to common areas in sheltered accommodation.

(b) Disability (including mental, physical and sensory conditions)

The Policy will have a positive impact upon this protected group who tend to be at higher risk of death and or injury from fire. Therefore the Policy will reduce the risk to persons in this protected group through the enhancement of suitable and sufficient levels of fire safety in the built environment covered by the various pieces of fire safety legislation. Regular monitoring and review of the audit process will identify the impact, including enforcement and prosecution, on communities and individuals of a particular disability.

The audit inspections will assess businesses procedures, equipment and training for safe evacuation of disabled people and those members of the public who may have difficulty egressing from a building independently including those with sensory and mobility impairments in the event of a fire.

Where a responsible person does not make provisions for the safe evacuation of disabled people from its premises, this may be viewed as discrimination under Equality Act 2010 (DDA). It may also constitute a failure to comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005

Public bodies have an additional duty under the Equality Act, called the Public Sector Equality Duty (PSED), which from January 2011 requires them to proactively promote the equality of disabled people. This will require public bodies to do even more to ensure that disabled people do not face discrimination by not being provided with a safe evacuation plan from buildings.

(c) Race (include: nationality, national or ethnic origin and/or colour)

This policy will positively affect this group as they are amongst those who are most likely to suffer from poor fire safety provisions in their accommodation/ workplace – particularly those in the private landlord sector and in small businesses (e.g. restaurants, farming, factory work and manual labour work) and those on minimum wage. In summary those who are most vulnerable in society.

MFRA have identified certain groups, for example, South Asian families who have had a higher percentage of enforcements than other ethnic groups due to the nature of their business and their cultural approach to safety and risk. This has resulted in a planned increase in engagement and education from prevention and protection staff to raise awareness and reduce risk with this group and will continue over the life of this policy. The audit and inspection strategy is aimed at reducing the risk to persons in this protected group through the enhancement of suitable and sufficient levels of fire safety in the built environment covered by the various pieces of fire safety legislation.

Regular monitoring and review of the audit process will identify the impact, including enforcement and prosecution, on communities and individuals of a particular race.

(d) Religion or Belief

As with (C) above MFRA have identified certain religious groups, for example, South Asian families, predominantly Muslim and Sikh who have had a higher percentage of enforcements than other religious groups due to the nature of their business- i.e. takeaways and restaurants with accommodation. This has resulted in a planned increase in engagement and education from prevention and protection staff to raise awareness and reduce risk.

The Policy will have a positive impact upon this protected group by reducing the risk to persons in this protected group through the enhancement of suitable and sufficient levels of fire safety in the built environment covered by the various pieces of fire safety legislation.

Regular monitoring and review of the audit process will identify the impact, including enforcement and prosecution, on communities and individuals of a particular religion or belief. Further consultation and engagement with community faith groups is important to ensuring fire safety and fire legislation education and awareness campaigns are conducted effectively.

(e) Sex (include gender reassignment, marriage or civil partnership and pregnancy or maternity)

The Policy will have a positive impact upon this protected group by reducing the risk to persons in this protected group through the enhancement of suitable and sufficient levels of fire safety in the built environment covered by the various pieces of fire safety legislation. Regular monitoring and review of the audit process will identify the impact, including enforcement and prosecution, on communities and individuals of a particular sex.

(f) Sexual Orientation

The Policy will have a positive impact upon this protected group by reducing the risk to persons in this protected group through the enhancement of suitable and sufficient levels of fire safety in the built environment covered by the various pieces of fire safety legislation. MFRA will analyse the register to identify potential geographical locations where enforcement and prosecution is taking place and whether particular groups from within those areas are identified. Local knowledge and engagement with partners will assist in MFRA in identifying protected groups within specific geographical areas.

Regular monitoring and review of the audit process will identify the impact, including enforcement and prosecution, on communities and individuals of a particular sexual orientation.

(g) Socio-economic disadvantage

This policy will positively affect this group as they are amongst those who are most likely to suffer from poor fire safety provisions in their accommodation / workplace – particularly those in the private landlord sector , those in the small business sector (e.g. restaurants, farming, factory work, labouring) and those on minimum wage as stated under the comments in (a).

Currently those workers and families who own and work in takeaways and restaurants and reside in those properties have been subject to enforcement and prosecution. The trend is that they are located in the more deprived wards of the County as identified via post code. MFRA will promote fire safety awareness to the groups via the website and active engagement and safety campaigns.

The Policy will have a positive impact upon this protected group by reducing the risk to persons in this protected group through the enhancement of suitable and sufficient levels of fire safety in the built environment covered by the various pieces of fire safety legislation. Regular monitoring and review of the audit process will identify the impact, including enforcement and prosecution, on communities and individuals of a particular socio-economic disadvantage.

7. Decisions

If the policy will have a negative impact on members of one or more of the protected groups, explain how the policy will change or why it is to continue in the same way. If no changes are proposed, the policy needs to be objectively justified as being an appropriate and necessary means of achieving the legitimate aim set out in 1 above.

The Strategy , Policy and associated appendices are designed to target risk and prevent death injury and property loss for all members of the community. Impact on different communities and protected groups will be monitored as part of the performance management frame work and the review of Equality Impact assessments.

Regular monitoring and review of the audit, enforcement and prosecution activities of MFRA will highlight any impact upon a particular protected group more than others. Trends will be monitored via equality impact assessment and scrutiny to identify and respond to proportionally to that impact.

8. Equality Improvement Plan

List any changes to our policies or procedures that need to be included in the Equality Action Plan/Service Plan.

The Diversity and Consultation Manager recommends that the following actions are part of the implementation plan for delivering and monitoring the risk based strategy and community fire protection policy. These activities can be included as part of the Equality and Diversity Priorities Action Plan for 2013-15 if the required once fully approved.

Recommendations	Responsibility of	Completed by
To review the risk based strategy(and policy and associated appendices) during its first year of operation in relation to the 9 protected equality groups to establish if there are any further needs in relation to : <ol style="list-style-type: none">1. Staff training or educational awareness for staff involved in completing the Audits to enable them to fully understand any E and D impacts that the audits may present.2. Assessing the risks based strategy during its first year of use to establish if	AM Myles Platt / GM Guy Keen / Wendy Kenyon	

<p>appropriate risks are taken into account for those businesses that are particularly involved with vulnerable at risk groups such as the elderly and the disabled.</p> <ol style="list-style-type: none"> 3. To engage with partner agencies /community groups who work closely with those vulnerable groups(Aged, disabled and ill health) at risk to advise and educate them about the importance of protection and the inspection in business so that they may cascade down through to their members. 4. To consult with partner agencies who provide guidance and advice to businesses/owners within the protected groups who are most likely to have poor fire protection procedures in place and low levels of fire safety and risk assessments. 5. Continue to target fire safety campaigns for the business community groups at most risk. 6. Monitoring and analysing fire incidents data relevant to Equality and Diversity impacts should be reviewed further and carried out annually where possible to enable this policy and strategy to be monitored effectively. 		
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9. Equality & Diversity Sign Off

The completed EIA form must be signed off by the Diversity Manager before it is submitted to Strategic Management Group or Authority.

Signed off by: **Date:**

For any advice, support or guidance about completing this form please contact the DiversityTeam@merseyfire.gov.uk or on 0151 296 4422

The completed form should be emailed to the Diversity Team at the above address for inclusion on the Diversity Action Group Agenda