



An Inspector Calls!

Dealing With the Local Fire and Rescue Service



What Fire and Rescue Services Do

- ❑ Fire Authorities are the main agency for enforcing the Fire Safety Order and will:-
 - ❑ Target resources and inspections at premises that present the highest risk.
 - ❑ Continue to look into complaints regarding fire safety.
 - ❑ Investigate fires in poorly managed premises and may carry out targeted inspections.



What and Who is a Fire Inspector?

- **England and Wales – Appointed Inspector**
- **Scotland – Enforcement Officer**
- **Northern Ireland – Authorised Officer**



Powers of a Fire Inspector

- Check compliance
- Identify the responsible person(s)
- Demand relevant information / records required by the FSO
- Inspect and take copies of records
- Require any responsible person to help
- Take samples
- Dismantle or test any equipment or material which may cause danger



Powers of a Fire Inspector

An inspector must, if so required **produce to the occupier of the premises evidence of his authority.**



Why Me?

Part of the F&RS planned inspection regime:

Planned inspections – frequency depends but they may come round, either annually, every three years or if you are very good, every five years.

Also, you may have had a complaint made against you by:

- Member of the public
- Member of a family
- Disgruntled member of staff
- Another enforcing authority e.g. CQC, Environmental Health, HSE etc
- Operational fire crews after a fire or other call



What can they do under the law?

Carry out an audit and:

- State that the you comply (some F&RS use the term 'broadly compliant')
- Issue a minor deficiencies notice or similar (this is not a legislative action -this is an 'informal' notice)
- Issue and Enforcement Notice in which you have at least 28 days to comply or any other time the F&RS state.
- Issue and Alterations Notice
- Issue a Prohibition Notice



What can you do under the law?

- Carry out the work that is required by the F&RS in any notice issued
- Appeal to the Court within 21 days of the issue of any formal notice
- Ask for a determination by the Secretary of State



The Audit – what a Fire Inspector may do!

- They will turn up and want to sign in
- They will want to view all documentation
- They may ask any questions in relation to fire safety
- If they are happy with the paperwork they may choose to do a 25% inspection of the premises
- If they are not happy, they will continue to inspect the whole premises
- At the end of the inspection, they may ask to see the documentation again to cross reference with what they have discovered and/or inform you of the level of enforcement they intend to implement



How Fire Inspectors conduct themselves



The Regulators Code (Statutory) and
The Enforcement Concordat (voluntary):

Introduced in 1998 to promote good enforcement that brings benefits to business, enforcers and consumers with the following principles:

- Standards: setting clear standards.
- Openness: clear and open provision of information.
- Helpfulness: helping business by advising on and assisting with compliance.
- Complaints: having a clear complaints procedure.
- Proportionality: ensuring that enforcement action is proportionate to the risks involved.
- Consistency: ensuring consistent enforcement practice.**



What should you do?



- Be there on the day!
- Provide a quiet office or place to view all documentation.
- Have that documentation spread out on the desk or table.
- Be prepared for any questions they may ask in relation to fire safety.
- IMPORTANT** - Get their details, name contact etc. or a business card off them.



What should you do?



- Accompany them around the building on their audit – *do not delegate this to anyone else!*
- Ask questions of them as they will ask questions of you.
- Be **ASSERTIVE** without being aggressive, remember you are the expert in the field of what you do, they are not!
- Take notes as you walk around, make notes of their comments and ask them to clarify if you are not sure. *If they cannot clarify, note it! (In legal terms these are what they call contemporaneous notes).*



What should you do?

- Once the walkabout is complete, return to your office and check your notes with them so that you 'agree' on everything that they have 'picked up'.
- Ask them if there is anything else they wish to comment on before they leave.
- Ask them to fill in the Audit/Inspection page of your FRA and sign it. If they refuse then note that on the page with name of Inspector, date and time whilst they are there.
- Sign and date your notes, and attach the notes to the Fire Risk Assessment.



What should you do?



- If possible, carry out any actions or remedial work that has been mentioned or 'spotted' and mark these actions in your notes.
- Start actions and note what you have done for any 'larger' remedial work.
- Revisit your Fire Risk Assessment and decide if it needs updating or a new one carried out.
- Phone Bob!**



What should you do?

- If you receive an enforcement notice then act on it immediately.
- Any other letter – they use phrases like: ‘deemed to satisfy’, ‘minor breaches’, ‘broadly compliant’ etc. Keep on file preferably with a copy in the Fire Risk Assessment and complete any actions that you are asked to do.





Questions?



Case Study of a Prosecution The Serious Stuff!



Firm fined £40,000 over fire safety breaches including 'woefully inadequate' risk assessment and also £15,000 in costs.

Fire Risk Assessor fined and suspended jail sentence!





Questions?

