



West Yorkshire
Fire & Rescue Service

Safer Communities Protection Strategy

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1 Introduction and scope

Our ambition is to make West Yorkshire Safer. This strategy sets out the Fire Protection measures that will allow us to work towards that ambition and how West Yorkshire Fire and Rescue Service (WYFRS) will carry out its statutory duty to enforce the fire safety law.

The strategy also supports our aim to reduce risk and vulnerability in all our communities. We will do this by providing an excellent Fire Protection team that focuses on the highest risks, and adapt as the risks change. We will also endeavour to support businesses and responsible persons who want to comply with fire safety law and make their premises safe, by providing advice and education.

We will ensure the Fire Authority's statutory Fire Protection duties are carried out efficiently and effectively in order to reduce the number of fires and the effect they have.

The responsibility for this strategy sits with the Senior Fire Protection Manager, who is supported by the Fire Protection team.

2 Achieving our aims

The way we inspect premises in West Yorkshire is determined by our Risk Based Inspection Programme (RBIP). This allows us to demonstrate we are meeting our enforcement responsibilities in respect of the Fire Safety Law. The programme allows us to focus our resources on buildings (premises) that present the greatest risk in the event of fire, and we can demonstrate how we have identified poor compliance with fire safety law.

Audits and inspections of premises are carried out to:

- Ensure compliance with the Fire Safety Order and therefore, the safety of occupants.
- Ensure compliance with other fire safety law including those for Petroleum and Explosives.
- Assist and support organisations to comply with their legal responsibilities.
- Give advice on appropriate standards of fire protection and offer sources of information for the Responsible Person.
- Gather risk information that can inform our operational fire crews about the risk in a building. This allows us to allocate our resources appropriately ensuring we can achieve accurate community risk management planning (CRMP).

We will use national tools and models when we carry out audits and inspections for a consistent approach throughout the service and to make sure that our decisions are transparent and auditable.

We are a statutory consultee for the Building Regulations. This gives us an opportunity to consult and advise on appropriate fire safety measures to be considered at plan submission and building stage, to ensure the safety of occupants and to make sure the right firefighting facilities are provided should a fire occur.

3 What we will deliver

3.1 Enforcement of the Regulatory Reform (Fire Safety) Order 2005

The overall purpose of enforcing authorities like West Yorkshire Fire & Rescue Authority (WYFRA), is to make sure that those responsible for upholding their legal duty (duty holders) are managing and controlling their compliance effectively to prevent harm. The term 'enforcement' applies to all dealings between enforcing authorities and those on whom the law places duties (employers, the self-employed, employees and others).

The appropriate use of enforcement powers, ranging from advice to formal enforcement (including prosecution) is important to secure compliance with the law.

The purpose of enforcement is to:

- Ensure that duty holders act immediately to deal with serious breaches of the law;
- Promote and achieve sustained compliance with the law;
- Ensure that where necessary, we take appropriate action against duty holders.

We use a number of ways to secure compliance with the law and to ensure a proportionate response.

Fire Protection audits are completed using the National Fire Chiefs Council (NFCC) model and the type of enforcement action we take is subject to the principles set out within the Enforcement Management Model (EMM). The intended outcome of an audit is to make sure people are kept safe through compliance with the Fire Safety Order and in turn, this links to our organisational aim to make West Yorkshire safer.

3.2 Supporting business and advice

We aim to reduce the risk to the community of West Yorkshire by providing advice.

Good fire safety standards will reduce the risk to people occupying a building should it become involved in fire. Providing timely and accessible advice to those willing to comply is more likely to result in a safer and more prosperous community. Advice is sometimes given as part of an audit (as detailed above) or where advice is requested, it will be given over the telephone, by email or by signposting to relevant guidance documents.

The Responsible Person for a premises must ensure they carry out a Suitable and Sufficient Fire Risk Assessment. There may also be occasions where specialist or professional advice will be required beyond that given by WYFRS.

We will assist businesses and other Responsible Persons by:

- Following the principles of better regulation set out in the Regulators Code and the Enforcement Concordat.
- Setting out our priorities and planned interventions.
- Using enforcement action, in accordance with our enforcement policy and within the principles of proportionality, accountability, consistency, transparency and targeting.

- Using an Enforcement Management Model (EMM) to determine the appropriate level of enforcement. Any enforcement action should be consistent and proportionate to the fire safety risks and the seriousness of the breach.
- Taking account of national 'earned recognition' guidance when planning inspection programmes.
- Providing fire safety advice to businesses.
- Supporting and recognising Primary Authority Scheme (PAS) Partnerships.
- Operating systems within WYFRS to train, appoint, authorise, monitor and maintain a competent workforce.

3.3 Consultations

There is a statutory duty for the WYFRS to consult on the application of Building Regulations. Through effective consultation with 'building control bodies' we will respond to consultations with recommendations to make sure buildings are adequately protected from the effects of fire, as required by the Building Regulations. In order to facilitate the consultation process the 'building control body' will take the co-ordinating role with WYFRS and, where appropriate, with other regulatory bodies. Any recommendations and advice given will be channelled through the 'building control body' to the applicant. Consultations will comply with the current national 'Building Regulations and Fire Safety Procedural Guidance' document. Once a building is occupied and in use the Regulatory Reform (Fire Safety) Order 2005 will apply in most cases.

Before serving an enforcement notice under the Fire Safety Order, which would require a person to make an alteration to the premises, the West Yorkshire Fire Authority will consult with other relevant enforcing authorities.

3.4 Joint protocols

WYFRS has the prime responsibility for enforcing 'general fire precautions' in places other than domestic dwellings (homes). In some cases, other enforcing authorities may have responsibilities for certain fire precautions under more specific legislation. In these cases, we have effective and agreed consultation procedures with those relevant statutory authorities, such as the Local Authorities in relation to the Housing Act 2004.

Consultation arrangements and 'Joint Protocols' are applied consistently throughout West Yorkshire. Where possible, national guidance and agreements are used.

WYFRS promotes and recommends the installation of sprinkler systems or other Automatic Water Suppression Systems (AWSS) in all premises. Their inclusion will support our aim of 'Making West Yorkshire Safer'. Protocols have been developed with Local Education Authorities to install AWSS in new build schools or major refurbishments.

3.5 Petroleum and explosives

WYFRS (as the Licensing Authority) is responsible for enforcing all or some of the provisions of the following legislation, which impose controls on the safe-keeping of explosives and petroleum-spirit. In relation to the relevant legislation, the term 'safe' means safe from the risks of fire and explosion.

- The Explosives Regulations 2014 (ER14)
- Consumer Protection Act 1987
- Fireworks Act 2003
- Fireworks Regulations 2004
- Petroleum (Consolidation) Regulations 2014
- Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR)
- The Carriage of Dangerous Goods by Road Regulations 1996
- Public Health Act 1961, Section 73

Under the provisions of the Explosives Regulations 2014, the Petroleum (Consolidation) Regulations 2014 and the Fireworks Regulations 2004, the Authority has a statutory duty to grant, renew, transfer and vary licenses and registrations.

The Authority uses all the relevant and approved codes of practice and guidance documents to make sure that sites storing explosives or petroleum-spirit are designed, constructed, maintained, operated and decommissioned to achieve a recognised standard of safety. Where the design of a site does not fall within the scope of current guidance, a third-party certification and accreditation will be sought.

3.6 Licenced premises

WYFRA is a “Responsible Authority” as defined within the Licensing Act 2003 (the Act). The overall responsibility for licensing functions under the Act is the Local Authority (council). Responsible Authorities must be notified of applications for the grant, variation or review of a ‘premises license’ or ‘club premises certificate’.

We will examine license applications and the applicant will be advised of their responsibilities under the Regulatory Reform (Fire Safety) Order 2005, which is the legislation for achieving satisfactory standards of general fire precautions in licensed premises. Applicants are referred to national guidance on how to comply.

3.7 Reduction of false alarms and unwanted fire signals

WYFRS seeks to reduce false alarms and unwanted fire signals, which impact on our resources and can contribute to fire safety issues.

Our aim is to:

- Reduce the number of unwanted fire signals attended by WYFRS.
- Provide the most appropriate response to an unconfirmed automatic fire alarm actuation.
- Recover costs for attendances at persistent false alarms.

3.8 Site Specific Risk Information

Operational fire crews will carry out visits to premises to collect operational information about risk. During this visit they will also consider Fire Protection and ask questions about the general fire precautions in the premises. This may result in crews giving basic fire safety advice, or it could mean a referral to our specialist Fire Protection Inspectors.

The Operational Risk Management Team develop an annual re-visit programme that determines which premises will receive a Site-Specific Risk Information visit. This is a risk-based method based upon the requirements of PORIS (Provision of Operational Risk Information System) and includes factors such as firefighter safety, environmental impact, heritage, community, societal and economic loss.

4 How we measure success

We will measure success through:

- Implementing and adhering to the Fire Protection Fire Standard
- Quality assurance processes
- Ensuring we continue to adopt national guidance and best practice where appropriate
- Feedback we receive from HMICFRS inspections

5 Competency and quality assurance

A competent workforce is at the heart of this strategy. We recognise the importance of training and development in the successful delivery of our Fire Protection work. We are committed to continuous professional development providing competence-based training in line with the NFCC competency framework.

Any WYFRS personnel completing Fire Protection duties, whether they are operational officers or specialist Fire Protection Inspectors, will receive the correct level of training and development required for the work they undertake.

Our quality assurance, monitoring and management procedures ensure that we continuously improve the service we provide to the communities of West Yorkshire and develop the skills and abilities of our staff in the performance of their roles.