

## HMFSI AUDIT AND INSPECTION POSITION STATEMENT FIRE SAFETY ENFORCEMENT

### Opening Position Statement as at January 2018:

No opening statements are available for these actions due to the addition of the Position Statement template to the Audit and Inspection process in 2022.

<b>Recommendation 1</b>	Fire Safety Enforcement is not fully transparent for duty holders or members of the public. The Scottish Regulators Strategic Code of Practice requires the Scottish Fire and Rescue Service to publish clear risk assessment methodologies and risk ratings and review these regularly.
<b>Action 1.1</b>	Fire Safety Enforcement Policy Framework detailing the methodologies to be published on the internet site. Work undertaken by Local Senior Officer areas with their Local Enforcement Delivery Plans will also be published here.
<b>Closing position statement at June 2021</b>	<p>The New Protection Framework for Scotland has been issued and published online to support transparency for Dutyholders and stakeholders. This supports the published Local Enforcement Delivery Plans created by Areas detailing their local delivery plans for the current year.</p> <p>Evidence to Support: -  <a href="https://ihub.firescotland.gov.uk/news/fse-protection-framework-for-scotland-7854/">https://ihub.firescotland.gov.uk/news/fse-protection-framework-for-scotland-7854/</a>  <a href="https://www.firescotland.gov.uk/your-safety/for-businesses/fire-safety-audits.aspx">https://www.firescotland.gov.uk/your-safety/for-businesses/fire-safety-audits.aspx</a></p>
<b>Recommendation 2</b>	Produce fire safety audit guidance which is clear and understandable for duty holders.
<b>Action 2.2</b>	Local Enforcement Delivery Plans (LEDP) to incorporate audit methodology and be published by Local Senior Officers once created for the forthcoming year.
<b>Closing Position statement at April 2020</b>	Local Enforcement Delivery Plan (LEDP) template detailing audit guidance and methodology has been produced and being used by Local Senior Officer (LSO) areas to plan forthcoming audit activity. In addition, a pre-audit letter has been created and should be issued prior to audits explaining full audit process to Duty holders.
<b>Recommendation 3</b>	Proactively make its fire safety audit procedure and guidance available on the SFRS website.
<b>Action 3.1</b>	Redesign internet site pages for "For Businesses" and incorporate guidance in an information library.
<b>Closing position statement at January 2021</b>	<p>Local Enforcement Delivery Plans have been finalised with areas and passed for publishing on a revised page for businesses on the SFRS website. The SFRS Internet site has been updated with guidance and Local Enforcement Delivery Plans for each Local Senior Officer area. This will be kept under review and additional guidance issued as necessary to maintain transparency.</p> <p>Evidence to Support: -  Local Enforcement Delivery Plan Template  Guidance and Local Enforcement Delivery Plans for each Local Senior Officer area available on the SFRS Internet site.</p>

**HMFSI AUDIT AND INSPECTION POSITION STATEMENT  
FIRE SAFETY ENFORCEMENT**

<b>Recommendation 4</b>	SFRS to improve its written communication with duty holders in line with the Scottish Regulators Strategic Code of Practice requirement to communicate effectively. The Service should also introduce changes to address the issues regarding letter content, listed in section 4.5 of the HMFSI report.
<b>Action 4.1</b>	Plan training events for all Local Senior Officer areas, emphasising the need for clear communications and avoidance of additional information that may be supplementary to any audits put on letters following visits or other reason for contact. Where recommendations are made by Fire Safety Enforcement Officers, explanations of why they are made should be given.
<b>Closing position statement at April 2019</b>	Training event carried out. Prevention and Protection (P&P) Directorate provides support as required. Letters have been drafted and new templates ensure clarity between any requirements and recommendations made. Feedback site created and duty holders informed.
<b>Recommendation 5</b>	The Service should ensure that its national priority-setting is followed locally. If the Prevention and Protection Enforcement Database (PPED) is to have any function as a scheduling tool it needs to be consistent with national policy, have the flexibility to be changed when policy changes, and contain a record of all known premises.
<b>Action 5.1</b>	Ensure statement of requirements for new enforcement database system is reflected when user testing is carried out promoting audit workloads for officers according to risk. Current system has information relating to framework premises and audit dates that must be transferred to new system when operational. As a catch all, Local Senior Officer areas must identify all Policy Framework premises and ensure the system promotes them for audit.
<b>Closing position statement at April 2019</b>	New Prevention and Protection Enforcement Database (PPED) System is now live and operational for recording Fire Safety Enforcement (FSE) activity. Information has been transferred successfully from the legacy system.
<b>Recommendation 5</b>	The Service should ensure that its national priority-setting is followed locally. If the Prevention and Protection Enforcement Database (PPED) is to have any function as a scheduling tool it needs to be consistent with national policy, have the flexibility to be changed when policy changes, and contain a record of all known premises.
<b>Action 5.2</b>	Ensure Local Senior Officers take accountability for identifying local risk and incorporating Directorate guidance (Core Audit Activity) into the Local Enforcement Delivery Plans.
<b>Closing position statement at July 2018</b>	Policy Framework and template Local Enforcement Delivery Plans developed and distributed. Statement of Requirements completed for new Prevention and Protection Enforcement Database (PPED) system.

**HMFSI AUDIT AND INSPECTION POSITION STATEMENT  
FIRE SAFETY ENFORCEMENT**

<b>Recommendation 5</b>	The Service should ensure that its national priority-setting is followed locally. If the Prevention and Protection Enforcement Database (PPED) is to have any function as a scheduling tool it needs to be consistent with national policy, have the flexibility to be changed when policy changes, and contain a record of all known premises.
<b>Action 5.3</b>	The methodology for the rescheduling of audits will be reviewed to determine whether there is a more appropriate means to prioritise risk. Following this review, the new Prevention and Protection Enforcement Database (PPED) system will reflect any changes and resources within Fire Safety Enforcement reviewed to ensure sufficient personnel are available in the right places to address local risk. This risk-based resourcing will be evidence led. (Linked to Recommendation 6).
<b>Closing position statement at June 2020</b>	Evidence to Support: - Prevention and Protection Enforcement Database 2 (PPED 2) system (Access restricted to users only) SFRS Gazetteer Reporting tool training document supporting local development of Local Enforcement Delivery Plans (LEDPs).
<b>Recommendation 6</b>	There is a disconnect between policy, the scheduling of fire safety audits and performance reporting and we recommend that Scottish Fire and Rescue Service uses the same system for both scheduling and reporting and that this should be based on relative risk scores using the categories and methodology used by the Scottish Fire and Rescue Service in the annual fire safety statistical bulletin.
<b>Action 6.1</b>	Scope the potential for categorising premises and risk bands and how risk is calculated. Any change to risk calculations will require extensive supporting evidence and a public consultation. Scope the possibility of reporting by risk levels exposed to risk bands where considered to remain an appropriate way of categorising risk.
<b>Closing position statement at April 2020</b>	Although this action is complete, further development work will continue with the National Fire Chiefs Council (NFCC) and other partner Fire and Rescue Services (FRS) to determine a consistent and national approach that is flexible to specific Fire and Rescue Services (FRS) across the country that will direct and inform a revised SFRS risk-based inspection programme. To monitor further developments, this action will be noted as an archived action and will be revisited by June 2021.  Evidence to support: - Statistical performance reporting by PDS due to be released for 2020. (Email from PDS confirming the action has been resolved) Local Enforcement Delivery Plan (LEDP) Template and completed delivery plans. Release of Prevention and Protection Enforcement Database 2 (PPED2) system in April 2019.

**HMFSI AUDIT AND INSPECTION POSITION STATEMENT  
FIRE SAFETY ENFORCEMENT**

<b>Recommendation 6</b>	There is a disconnect between policy, the scheduling of fire safety audits and performance reporting and we recommend that Scottish Fire and Rescue Service uses the same system for both scheduling and reporting and that this should be based on relative risk scores using the categories and methodology used by the Scottish Fire and Rescue Service in the annual fire safety statistical bulletin.
<b>Action 6.2</b>	Participate in the extensive review of FRS inspection programmes and associated activities to develop a bespoke Risk Based Inspection Programme (RBIP) and implement the outcome of a review of the SFRS Risk Rating Methodology (RRM) with the aim of simplifying the categories of levels of risk to align with the rest of the country.
<b>Closing position statement at September 2022</b>	<p>SFRS attended a further National Fire Chiefs Council (NFCC) workshop in June. Further discussion was held around Risk Based Inspection Programme (RBIP) models, relevancy of Fire Service Emergency Cover model (FSEC) codes, risk levels, impact of fire frequency and the weighting provided to scores on the audit form. Meeting arranged with Business Intelligence to look at our current approach and identify how fire frequencies used by the FSEC model can be updated to reflect modern fire frequencies. This information will assist in our new approach and will supplement the NFCC RBIP guidance which is due for consultation in October 2022.</p> <p>SFRS Senior Management Board have agreed to close this action. There is clear evidence that the recommendation has been given due regard and SFRS are actively engaged in the UK wide National Fire Chiefs Council (NFCC) Risk Based Inspection Programme (RBIP) process which, when complete, bring about a standard approach across the UK. The work is progressing and the NFCC work is due to complete at the end of 2023.</p> <p>Evidence to support: - Briefing note from 3 NFCC RBIP Meetings</p>
<b>Recommendation 7</b>	There is a substantial amount of enforcement effort made in respect of premises which have relatively adequate fire safety measures and/or have low levels of relative risk. The Service should place less emphasis on auditing such premises.
<b>Action 7.1</b>	Ensure templates for Local Enforcement Delivery Plans are distributed and support areas in their formulation for the forthcoming year. Support Prevention and Protection Managers through Local Performance Meetings and Prevention & Protection Managers meetings with reports demonstrating the resultant risk from audits where Fire Safety Enforcement Officers are being deployed.
<b>Closing position statement at July 2018</b>	Local Enforcement Delivery Plan templates have been produced and disseminated to Local Senior Officer Areas. Support given to Prevention and Protection Managers with local support meetings available upon request.

**HMFSI AUDIT AND INSPECTION POSITION STATEMENT  
FIRE SAFETY ENFORCEMENT**

<b>Recommendation 8</b>	The Service should place less emphasis on quantity (the use of personal fire safety audit targets) and place more emphasis on quality of work and effectiveness.
<b>Action 8.1</b>	Incorporate into training events the focus for quality of audit detail in the reports and look at ways that will allow more time to complete paperwork following audits such as mobile platforms.
<b>Closing position statement at March 2019</b>	Guidance given to areas to reduce the number of lower risk audits and this has been assisted by the recent House Multiple Occupancy (HMO) auditing procedure. New Prevention and Protection Enforcement Database (PPED) system will allow capability for mobile platforms.
<b>Recommendation 9</b>	The terminology used in the SFRS premises risk methodology needs to be changed to improve understanding and remove inconsistency. Specifically, the Service should abandon the use of risk band names and generic premises names – both of these currently allow misinterpretation or misunderstanding.
<b>Action 9.1</b>	Scope the potential for categorising premises and risk bands and how risk is calculated. Any change to risk calculations will require extensive supporting evidence and a public consultation. Scope the possibility of reporting by risk levels as opposed to risk bands where considered to remain an appropriate way of categorising risk.
<b>Closing position statement at March 2022</b>	<p>The National Fire Chiefs Council (NFCC) have indicated that Risk Based Inspection Programme (RBIP) work is still in its infancy and dependent upon a number of ongoing workstreams, namely development of the Community Risk Program, Definition of Risk Project and proof of concept model for dwellings/Prevention prior to determining its capability of use in Protection (non-domestic) buildings that will support any audit program. Early indications look at a potential for a revised risk methodology later in 2022, though it is anticipated preliminary guidance will be agreed and published by the Protection and Business Safety Committee towards the end of this year concentrating on higher risk premises. This can be used as part of any alternative for an SFRS revised program. The Prevention &amp; Protection Function are due to receive a presentation on the abilities of Community Risk Index Model that may also feed into a bespoke program for auditing for SFRS Protection teams. This action remains deferred until NFCC work allows progression.</p> <p>This action was merged with recommendation 6, action 6.2 in March 2022; the new action descriptions states: Participate in the extensive review of FRS inspection programmes and associated activities to develop a bespoke Risk Based Inspection Programme (RBIP) and implement the outcome of a review of the SFRS Risk Rating Methodology (RRM) with the aim of simplifying the categories of levels of risk to align with the rest of the country. As such this action was been marked as void.</p>

**HMFSI AUDIT AND INSPECTION POSITION STATEMENT  
FIRE SAFETY ENFORCEMENT**

<b>Recommendation 10</b>	The Service should continue to move towards the conversion of uniformed enforcement posts to non-uniformed, and introduce career progression opportunity for non-uniformed staff.
<b>Action 10.1</b>	Determine where Local Senior Officer areas cannot fill their current structure within Fire Safety Enforcement and consider alternative options to expand upon the non-uniformed cadre of officers.
<b>Closing position statement at June 2019</b>	A review has been undertaken and analysis of vacancies that can support delivery in areas. Local Senior Officer (LSO) areas are continuing to advertise like for like to maintain a blend, though have increased the ratio of non-uniformed to uniformed where attraction of posts have been difficult. This will remain dynamically reviewed and form part of the overall P&P review in the following year period, in line with competency and risk rating review.
<b>Recommendation 11</b>	Uniformed enforcement staff should maintain their operational competency within the relevance of their role map to add to the resilience of the Service and these staff should provide operational cover when needed.
<b>Action 11.1</b>	Confirm current position with Training and Employee Development. Look to develop a consistent policy and procedure for all non-operational uniformed staff to maintain their operational competence.
<b>Closing position statement at February 2019</b>	Training have now issued courses to initial tranche of Fire Safety Enforcement (FSE) staff and are continuing to design courses that will maintain operational capacity within FSE.
<b>Recommendation 12</b>	The Scottish Fire and Rescue Service should look to create a guidance framework that would allow a more formal approach to continuing professional development and this should include Fire Safety Enforcement staff.
<b>Action 12.1</b>	Enhance development of the E-Learning tool and communicate with Training and Employee Development regarding the provision of class-based training. Prevention and Protection Directorate will lead on specific training events to assist with Continuous Professional Development and knowledge building in specialist subjects such as fact finding, evidence gathering and consistent forming of Notices.
<b>Closing position statement at March 2019</b>	Fire Safety Enforcement (FSE) Continuous Professional Development (CPD) events delivered. A number of external CPD events offered to assist with staff development. Staff expected to undertake further study to achieve a qualification and to maintain their CPD and competence.

**HMFSI AUDIT AND INSPECTION POSITION STATEMENT  
FIRE SAFETY ENFORCEMENT**

<b>Recommendation 13</b>	The Scottish Fire and Rescue Service approach to the promotion of non-domestic fire safety through work other than inspections has been modest in comparison to active enforcement audit work. We recommend that the Scottish Fire and Rescue Service considers a more proactive approach to the use of campaign and awareness activity.
<b>Action 13.1</b>	Develop strategy on what is to be communicated and when. Further details to be provided on internet site as before and release communications on good news stories and actions taken by the service, such as those who have been prosecuted. Topics to include Unwanted Fire Alarm Signals, Fire Risk Assessments and an overview of Scottish Fire and Rescue Service enforcement and its delivery within communities.
<b>Closing position statement at September 2019</b>	Social media feeds established. Engagement sessions held with sectors including AirBnB, Scottish Association of Self Caterers and Colleges and Universities.
<b>Recommendation 14</b>	There is a policy void which offers some risk to the Service. The Service should strengthen and document its policy, and procedures where relevant, in respect of; the other legislation referred to in section 3; the determination of disputes; and Alterations Notices.
<b>Action 14.1</b>	Develop and publish procedure detailing the Enforcement, including for Alterations Notices and appeals procedures for Scottish Fire and Rescue Service and the disputes procedure in accordance with the Fire (Scotland) Act.
<b>Opening position statement at January 2018</b>	N/A
<b>Closing position statement at January 2022</b>	Details on procedures for disputes have been published on the 'For Businesses Page' of the SFRS internet. Following consultation with all Local Senior Officers, legal Service and Functional Management Team (FMT) and a meeting to sign off Enforcement Procedure the document is live and now available on SFRS iHub 14th January 2022.
<b>Recommendation 15</b>	The Service should introduce a protocol explaining its relationships and involvement in fire safety in major sports grounds and ensure that its staff follow this protocol and work in line with the responsibilities in Part 3 of the 2005 Act.
<b>Action 15.1</b>	Provide a consistent policy within Scottish Fire and Rescue Service for the support, if required, to Local Authorities in the inspection and adequacy of fire safety within sports grounds.
<b>Closing position statement at June 2021</b>	A Memorandum of Understanding (MoU) has been established and signed with Glasgow City Council regarding SFRS regulators in sports grounds. This work has established a template for all Local Senior Officer areas to liaise with their respective Local Authorities to agree a common approach in line with SFRS regulatory activities. COSLA have been approached to promote this as best practice and develop LA inspecting officers in their role. This does not affect attendance by SFRS at events for operational purposes.

**HMFSI AUDIT AND INSPECTION POSITION STATEMENT  
FIRE SAFETY ENFORCEMENT**

	<p>As a policy has now been set by the function and agreed through the FMT and Legal Services, the roll out of this will be undertaken by Local Senior Officers with responsibility for regulated sports grounds in their area. Not all areas will have these and is a matter for local knowledge and engagement to progress further. On this point, the recommendation is now considered to be complete.</p> <p>Evidence to Support: - Memorandum of Understanding (MoU) between SFRS and Glasgow City Council with respect to Fire Safety matters at Designated Sports Grounds and Regulated Stands within the City of Glasgow.</p>
<b>Recommendation 16</b>	<p>The Service should maintain a capability and capacity for investigating and reporting to the Procurator Fiscal Service on serious blatant breaches where the enabling approach to enforcement has not worked. The Service should actively pursue relevant cases when they arise. The Scottish Fire and Rescue Service Board should actively monitor the Service's performance in this regard and should receive regular reports on the number and outcome of cases considered and referred for prosecution.</p>
<b>Action 16.1</b>	<p>Develop further relationships with the Procurator Fiscal and support areas in reporting those who have breached the legislation following consideration of the Scottish Regulators' Strategic Code of Practice (ScoP).</p>
<b>Closing position statement at March 2019</b>	<p>Directorate personnel are engaged with the Procurator Fiscal (PF). Enhanced access to the reporting site of the Procurator Fiscal established.</p>