

For Publication

Bedfordshire Fire and Rescue Authority
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REPORT AUTHOR: DCFO DAVE NORRIS

SUBJECT: FIRE PROTECTION STATISTICS – NATIONAL BENCHMARKING COMPARISON

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Background Papers: None

Implications (tick ✓):

LEGAL		FINANCIAL	
HUMAN RESOURCES		EQUALITY IMPACT	
ENVIRONMENTAL		POLICY	
CORPORATE RISK	Known	OTHER (please specify)	
	New		

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To present a comparative analysis of national fire protection statistics, as published by the Home Office, against local Bedfordshire Fire and Rescue Service (BFRS) performance for the period up to the end of March 2020.

RECOMMENDATION:

That Members note the content of the paper and comment on the implications for the future strategy of the Service.

1 Background

- 1.1 The current Community Risk Management Plan (2019-2023) seeks to ensure the Service is more data driven and evidence based in our decision making, a key enabler for our mission to provide outstanding fire and rescue services that help make Bedfordshire safer. Protecting people and property when fires happen is one of the 6 key aims of the CRMP.
- 1.2 We believe giving staff better access to data and information will help broaden their awareness and insight of the risks within our diverse communities and how we are performing and thereby support our strategic aim of empowering our staff to take greater ownership for delivering performance improvements at the local level.
- 1.3 Benchmarking performance across teams within our Service and with other fire and rescue services (FRS) is an important aspect of this approach within the CRMP. This report utilises the range of fire and rescue service related protection statistics published by the Home Office to inform a comparative analysis against our own performance to both justify the current strategy and inform the strategic direction going forward. Please note, the national statistics used in this report mostly cover the period up to March 2020. We will update the report once the 2020/21 financial year national data is published later in 2021.
- 1.4 Fire protection refers to FRSs' statutory role in ensuring public safety in the wider built environment and involves auditing and, where necessary, enforcing regulatory compliance, primarily but not exclusively in respect of the provisions of the Regulatory Reform (Fire Safety) Order 2005 (FSO).

2 Fire Safety Audits

- 2.1 A fire safety audit is a planned visit by an FRS to carry out a comprehensive assessment of the level of compliance with the requirements of the FSO in a particular premises. The FSO requires a 'responsible person' for a workplace or premises to which the public have access to carry out and regularly review a fire risk assessment to ensure that the general fire precautions are adequate and appropriate, to reduce the risk from fire to employees and other relevant persons to as low as reasonably practicable. The FSO applies to the majority of non-domestic premises and the communal areas in residential buildings.

2.2 It is a matter for each FRS to determine how many audits they carry out per year, but they must have a locally determined risk-based inspection programme and management strategy in place for enforcing the FSO. For England as a whole, since 2010/11 there has been a general decline in the number of fire safety audits that FRSs complete with 43 per cent fewer completed in 2019/20 compared with 2010/11.

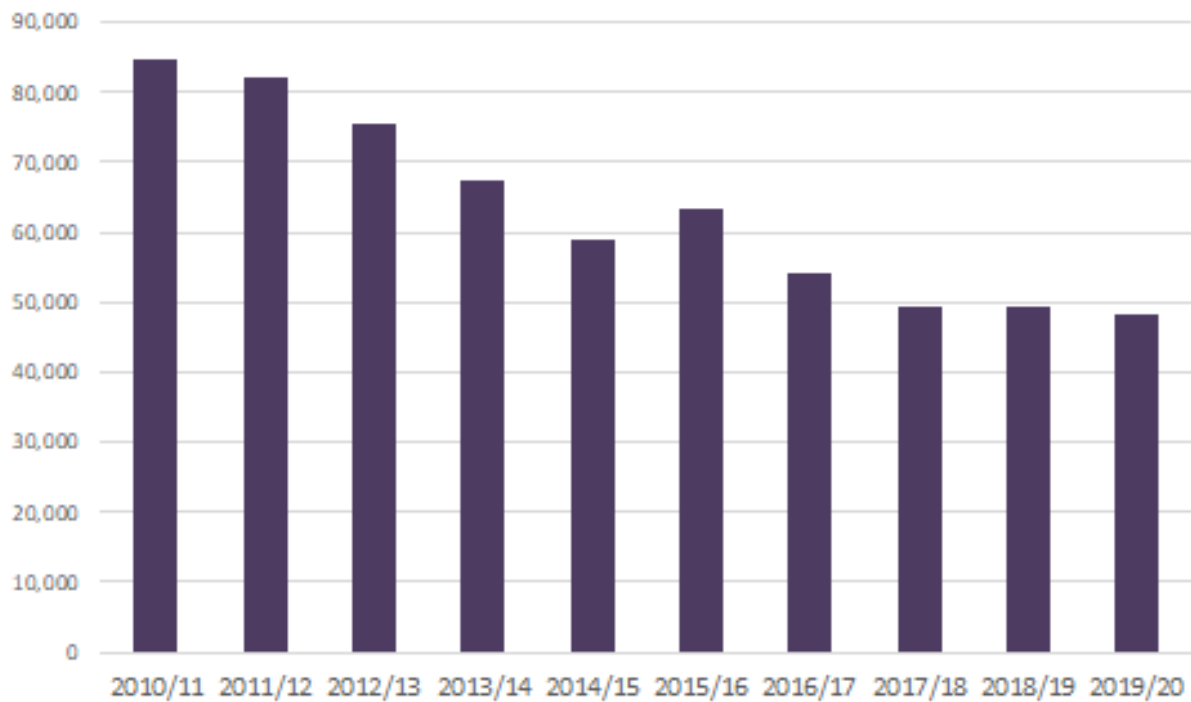


Figure 1. Number of Fire Safety Audits, England, 2010/11 to 2019/20

2.3 In 2019-20 BFRS undertook a total of 1,434 fire safety audits, which was a significant increase on the year before (920). In 2019-20 the total number of known premises to which the FSO applies in Bedfordshire was reported as 19,758. Some key benchmarking against national (England) returns is shown in Figure 2 below.

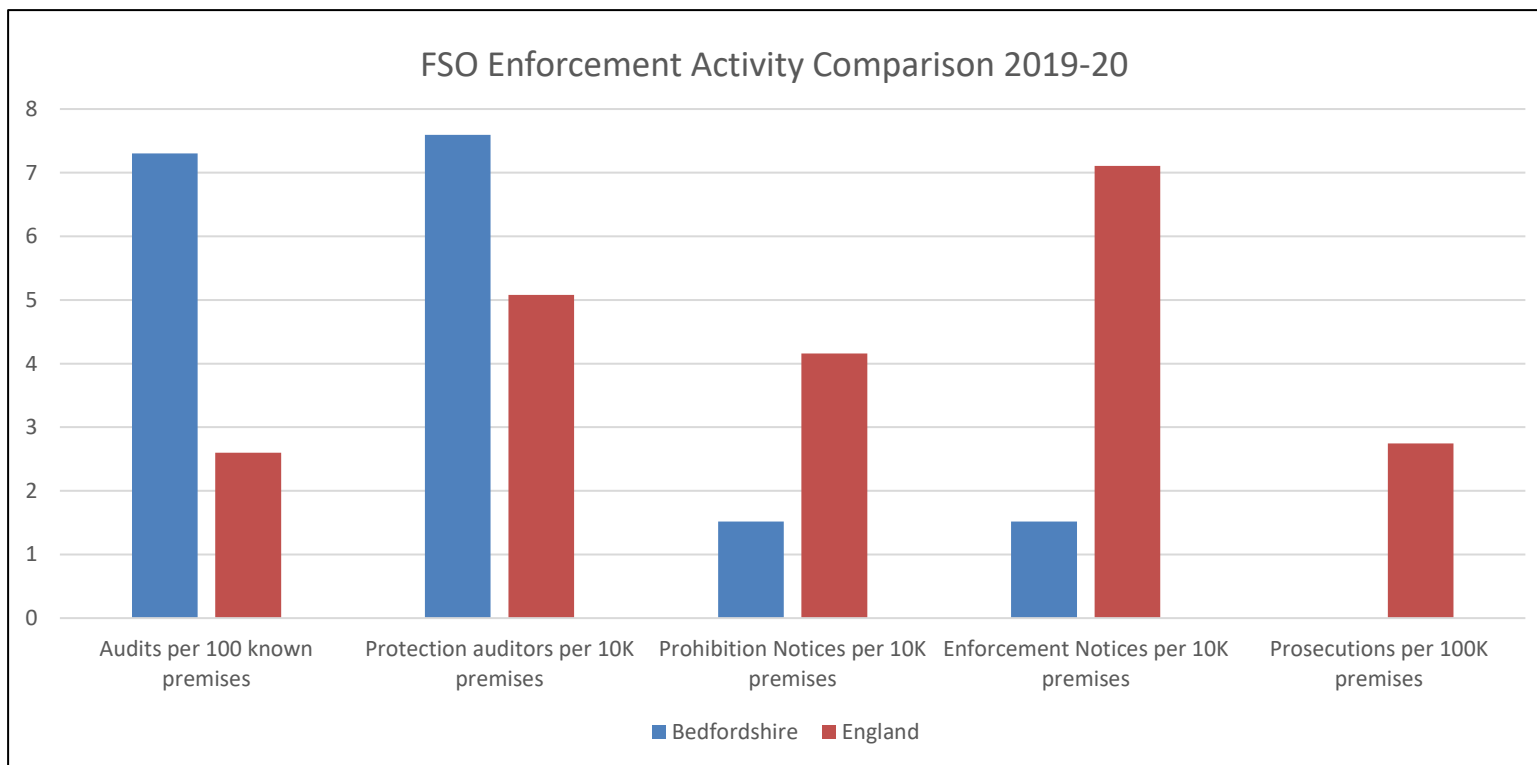


Figure 2. FSO Enforcement Activity Comparison 2019-20

2.4 From Figure 2 it can be seen that the number of audits undertaken per 100 known premises was significantly higher than the national average. This was in part due to the use of operational staff to undertake basic audits of low risk premises. Following the adoption of the latest NFCC Competency Framework for Fire Safety Regulators (published February 2020) operational staff do not meet qualification requirements to undertake fire safety audits. Operational staff now undertake basic fire safety checks instead. There has also been a significant loss of specialist protection team staff through retirements and for other

reasons. As a consequence, the number of audits completed in 2020-21 was significantly lower (408 compared to 1,434). The Service is investing in specialist training (Level 3 Fire Safety Certificate) for a cohort of operational staff to enable them to undertake audits and is recruiting new specialist protection team members, however, due to the time taken to achieve competence, there will be a lag before numbers of audits completed start to rise significantly.

- 2.5 In BFRS the premises fire safety arrangements were deemed to be satisfactory in 72% of audits undertaken in 2019-20, this compares to the England average of 66%. In Figure 2 it can be seen that proportionally fewer statutory notices were served compared to the England average. This is in part due to the high number of audits carried by operational staff on low risk premises, where few significant deficiencies were identified. There were no prosecutions brought by BFRS during 2019-20. Whilst the lack of prosecutions has been commented on by HMICFRS, this largely reflects the national picture with only 52 prosecutions in England during 2019-20. In our joint inspections with local housing authorities BFRS has undertaken a number of inspections that have led to prosecution. However, these prosecutions have been brought by the housing authority under the Housing Act and associated regulations (as the recognised lead for enforcement in these types of premises) and as such are not reflected in the fire safety return which is concerned with prosecutions brought under the FSO.

3 Statutory Consultations

- 3.1 Building control bodies are responsible for checking for compliance with the requirements of the Building Regulations. The Regulations are concerned with building work and with material changes of use (which may give rise to requirements for building work) and the requirements for fire safety will apply to most buildings. Where a building control body is formally engaged in checking the compliance of building work with the Building Regulations and the building in question is to be put to a use to which the Fire Safety Order applies, or will apply after completion of the work, there are statutory requirements to consult the fire safety enforcing authority at certain stages of the process.
- 3.2 In 2019-20 BFRS responded to 480 Building Regulations consultations a reduction from the previous year (543). The number of Building Regulations consultations per 10,000 known premises was 243, slightly lower than the England average of 268. The average time taken per consultation was 1.80 hours which is consistent with the England average of 1.78 hours. The recent losses of experienced staff is starting to create difficulties in meeting the statutory timeframe (15 days) for responding to such consultations.

4 Primary fires in non-domestic buildings

4.1 One of the key national indicators for assessing risks presented by buildings to which the FSO applies is the number of primary fires in non-domestic buildings (FIRE0306). Non-domestic buildings include; factories, offices, shops, hotels, care homes and most other classes of commercial building. Primary fires are the more serious fires affecting people or property. Figure 3 shows that both locally and nationally the number of fires in non-domestic buildings has been steadily falling over the past ten years. The number of fires in 2020-21 at 94 is the lowest figure on record for Bedfordshire. Reductions both locally and nationally in 2020-21 may in part be due to effects of the pandemic.

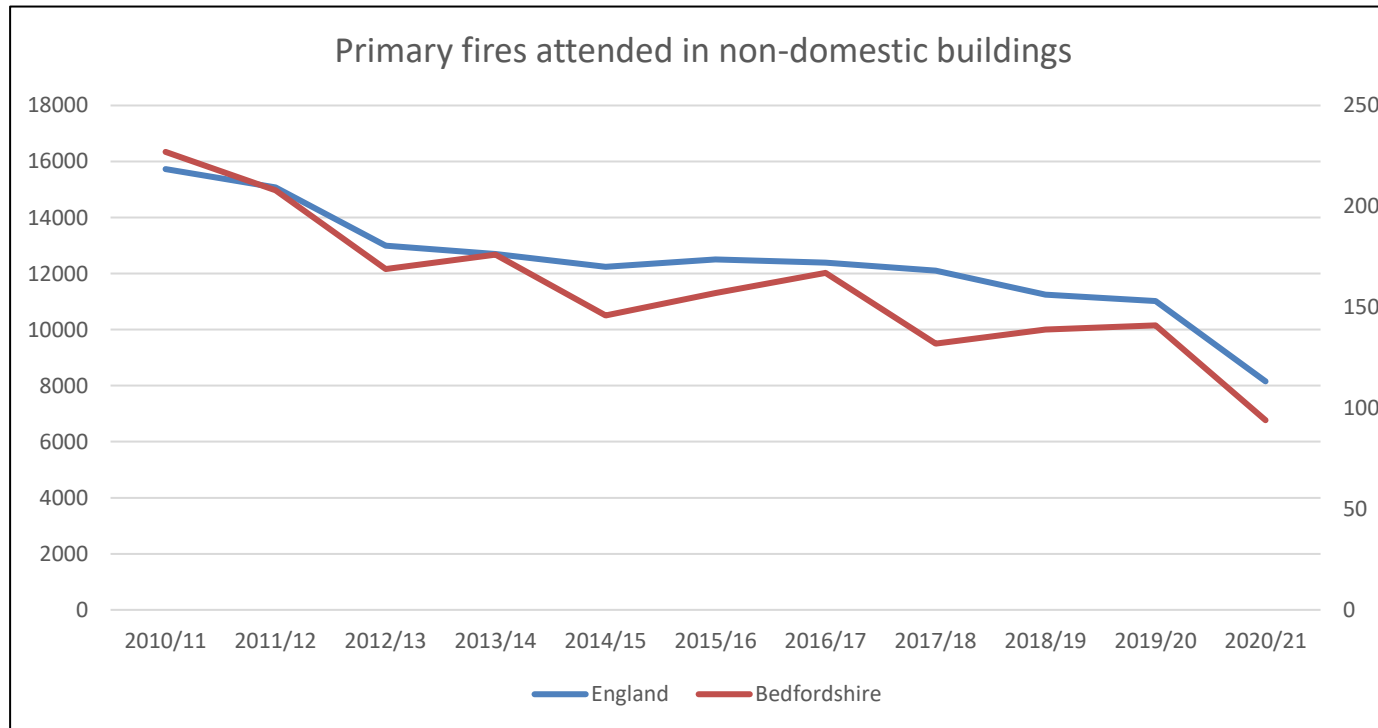


Figure 3. Primary fires attended in non-domestic buildings

- 4.2 In 2020-21 the Bedfordshire rate of primary non-domestic building fires per 100,000 population was 13.78 which is lower than the England average of 14.42. This is an improvement upon the previous year where the Bedfordshire rate was above average (20.89 compared to 19.59). Bedfordshire figures for 2019-20 may also be distorted by the high number of fires attended at HM Prison Bedford, which accounted for just over a quarter of the total. In 2020-21 fires at HM Prison Bedford accounted for 16% of the total. BFRS is not the FSO enforcing authority for HM Prison Bedford which falls under the jurisdiction of the Crown Premises Fire Safety Inspectorate.
- 4.3 It should be recognised that primary non-domestic building fires is only a partial measure, the FSO applies to the common areas of domestic buildings comprised of multiple private dwellings (e.g. blocks of flats or Houses in Multiple Occupation). Following the Grenfell Tower tragedy, the focus of attention and protection resources is moving more towards this type of premises. However, currently national published data tables do not enable benchmarking of fire data in this area.

5 Fatalities and injuries in non-domestic buildings

- 5.1 The Home Office currently does not publish national statistics on fatal and non-fatal casualties for the category of fires in non-domestic buildings. This makes benchmarking in this area more difficult. However internal statistics are available and it is possible to determine some information at a national (England) level from other published data tables. The annual number of fatalities in non-domestic buildings is very low compared to dwellings. In England during 2020-21 there were 8 fire deaths in non-domestic buildings compared to 186 fire deaths in dwellings (itself an all-time low). There have been no fire deaths in non-domestic buildings recorded in Bedfordshire during the twelve-year period for which Incident Recording System records are available (from 2009-10).
- 5.2 Fire injuries are also comparatively low in non-domestic buildings compared to dwellings. In England in 2020-21 there were 563 non-fatal casualties in non-domestic buildings compared to 4,877 in dwelling fires. In Bedfordshire in 2020-21 there were 6 non-fatal casualties in non-domestic buildings compared to 38 in dwelling fires. With such low numbers (in statistical terms), and the natural fluctuation these are subject to, comparison of trends with previous years or rates compared to national averages is unlikely to be particularly meaningful in terms of insight gained.
- 5.3 As set out at 4.3 above, the FSO also applies to the common areas of certain domestic buildings (dwellings). The risk of fire deaths or injuries in these types of premises is significantly higher than in non-domestic buildings, but currently published data tables do not enable benchmarking of fire data in this area. This is also a more complex area, the FSO does not apply to the single private dwellings within such buildings (e.g. individual flats within apartment blocks). It only applies to the building shell and internal common areas. The responsible person also has less ability to control fire risks within the private dwelling areas.

Reducing fire risk in these types of premises involves a holistic approach by the FRS involving both prevention and protection activity.

6 Investment during 2020-21

- 6.1 Whilst this paper provides a benchmark for performance during 2019-20, it is also worth considering the fire protection change agenda that significantly gained impetus during 2020-21. In 2020-21 the Government launched the Building Risk Review process specifically targeting inspections of high rise residential accommodation. A grant of £60,000 was provided to support this work. The Government also provided a further £101,000 grant aimed to support an uplift in protection competence and capability.
- 6.2 Members should be reassured that this funding is being put to use to support a permanent and sustainable increase in protection team resources, including creation of new posts and training to enable increased use of operational staff.

7 Conclusion

- 7.1 The comparative analysis shows that in terms of primary non-domestic building fires performance is improving, with the number of fires at an all time low (albeit the pandemic may to some extent be a factor in this). For 2019-20 BFRS compares favourably in terms of rates of audits and numbers of auditors. However, 2020-21 saw the onset of a swathe of changes to the legislative building safety framework that will result in increased demand in future. The Service has also had a high turnover in specialist protection staff that is creating some difficulties in the short-term.
- 7.2 The comparative analysis shows that in 2019-20, compared to England average rates, BFRS was issuing fewer statutory notices under the FSO and fewer prosecutions. Mindful of this, there is a focus within the protection team on ensuring that formal enforcement is considered as an option and used where it is appropriate and proportionate.

8 Recommendation

- 8.1 That Members note the content of the paper and comment on the implications for the future strategy of the Service.

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DEPUTY CHIEF FIRE OFFICER