

EAST SUSSEX FIRE AND RESCUE SERVICE

Meeting	Scrutiny & Audit Panel
Date	5 June 2019
Title of Report	Internal Audit Report – Delivery of Business Safety
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Appendices Appendix A – Internal Audit Report

Implications

CORPORATE RISK	✓	LEGAL	✓
ENVIRONMENTAL		POLICY	✓
FINANCIAL	✓	POLITICAL	
HEALTH & SAFETY		OTHER (please specify)	
HUMAN RESOURCES	✓	CORE BRIEF	

PURPOSE OF REPORT To introduce the findings of the Internal Audit “Delivery of Business Safety”, the actions taken to address the findings of the report and the plan in place to ensure continued assurance of the Authorities’ responsibilities under the Regulatory Reform (Fire Safety) Order 2005 (the Order).

The report proposes the adoption of an assurance framework as detailed in the Business Safety Thematic Plan, to ensure maintenance of standards and the basis for continuous improvement in the delivery of Authorities’ statutory duties under the Order and the Fire & Rescue Service’s Act 2004.

EXECUTIVE SUMMARY The report provides “Partial Assurance” in respect of Delivery of Business Fire Safety. This opinion means that there are potential weaknesses in the system of control and/or the level of non-compliance is such as to put the achievement of the Services’ objectives at risk.

The report identifies number of areas of potential weaknesses;

- 6 high risk premises in the CRM database were identified that had not been inspected in accordance with agreed inspection frequencies.
- A number of premises within the CRM database were identified without a risk score, which could delay future inspections.

- The Business Safety Strategy including the Service's enforcement activities and duties to give fire safety advice under Section 6 of the Fire & Rescue Services Act 2004 had not been reviewed in line with policy every three years.
- There was no process in place to demonstrate staff competency in undertaking fire safety is being maintained.
- The 2017/18 Home Office returns on the number of inspections completed were found to be incorrect. Whilst the differences identified were low, any inaccuracies in published figures carry a reputational risk.
- Areas of noncompliance with the Regulators Code were identified during the audit.

The report and associated action plan demonstrate significant progress towards compliance with the report findings, with the Business Safety Thematic Plan identifying the following areas of development to ensure continued assurance of the Authorities' responsibilities under the Order.

- Develop an Assurance Framework to ensure a consistent and fair approach to enforcement activities in line with the Enforcement Concordat and Regulators Code reducing any unnecessary burdens on business.
- The Business Safety Thematic Plan details and prioritises our activities based on risk and encompass the learning and best practice identified locally and from other Fire & Rescue Services.
- The Service will continue to support the NFCC work streams and strategy to inform and influence the delivery of our protection activities.
- The annual assessment of risk will include combining occupancy type and vulnerability with incident data, partner intelligence and fire loss history which will ultimately result in the creation of local risk profiles through the use of commercially available databases such as Experian.

RECOMMENDATIONS

That the Scrutiny & Audit Panel:

- a) Adopt the findings of the report and acknowledge the actions taken to ensure compliance with the Authorities' statutory duties.
 - b) Support the introduction of the Business Safety Assurance Framework currently being produced.
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1. **INTERNAL AUDIT**

The internal audit was conducted by East Sussex County Council with the audit objective as defined in the Internal Audit Strategy and Annual Audit Plan for 2018/19 – "ESFRS has a statutory requirement to effectively and efficiently enforce all Fire Safety Legislation for which it has responsibility.

- The review assesses the adequacy of these arrangements to manage fire safety in order to deliver a reduction in risk through the effective enforcement of Fire Safety Legislation.
- To check compliance with local fire safety strategy, policy, education and the general service standards.”

The audit was undertaken between July and December 2018, with the final report delivered February 2019.

2. **AUDIT FINDINGS**

2.1 **Inspection Planning**

Unless commercial premises are subject to periodic inspection in accordance with the perceived risk to life within the premises, avoidable fires could lead to significant damage to property, loss of life and reputational damage.

2.1.1 **Actions**

Undertake a periodic review of the CRM database to ensure that all premises are inspected in accordance with the agreed inspection frequency.

The identified high risk premises have been inspected in line with the Services’ Risk Based Inspection Program.

2.1.2 **Implementation – June 2019**

Actions completed

2.2 **Inspection Planning**

Unless commercial premises are subject to periodic inspection in accordance with the perceived risk to life within the premises, avoidable fires could lead to significant damage to property, loss of life and reputational damage.

2.2.1 **Actions**

Undertake a periodic review of the CRM database to ensure that all premises are inspected in accordance with the agreed inspection frequency.

The premises reclassified as medium risk premises have been inspected in line with the Services’ Risk Based Inspection Program.

2.2.2 **Implementation – March 2019**

Actions completed

2.3 **Premises Without A Risk Score**

Unless all relevant premises records in the CRM database contain a risk score, there is a risk of some premises not being re- inspected. This could result in avoidable fires leading to injury and reputational risk.

2.3.1 **Actions**

Consider undertaking a periodic review of the CRM database to ensure that all relevant commercial premises contain a risk score.

A review of the CRM database has been undertaken to ensure all known premises are provided with an appropriate risk score.

2.3.2 **Implementation – June 2019**

Actions completed

2.4 **Classification of Commercial Premises**

Unless all premises in the CRM database contain an accurate premises classification, high risk premises could potentially be missed from the inspection program leading to avoidable fires and injury.

2.4.1 **Actions**

Ensure that all commercial premises in the CRM database contain an accurate premises classification and risk score, and are subject to inspection in accordance with the relevant inspection frequency.

A review of the CRM database has been undertaken to ensure all known premises are provided with correct classification, with all high risk premises identified and inspected in line with the service Risk Based Inspection Program. Further work is in progress to ensure all premises are correctly classified.

2.4.2 **Implementation – June 2019**

Actions in progress

2.5 **Data Input Errors**

Data input errors could result in high risk premises not being inspected in accordance with their risk and premises category. This could lead to avoidable fire and injury.

2.5.1 **Actions**

Consider undertaking a periodic review of data input quality and correcting any errors identified promptly.

A review of the CRM database has been undertaken to ensure all known premises are provided with an appropriate risk score and inspection frequency.

2.5.2 **Implementation – April 2019**

Actions completed

2.6 **Maintaining Competence**

Unless inspectors are able to demonstrate that they are maintaining competence in their role, training needs may not be identified and key steps in inspection and enforcement processes may be missed leading to avoidable fires, significant damage to property, loss of life and reputational damage.

2.6.1 **Actions**

All opportunities should be explored for inspectors to demonstrate that they are maintaining competence in their roles.

The staff appraisal process identifies the training needs of individuals in line the NFCC Business Safety Competency Framework (currently being revised as part of Hackitt Review).

Business Safety Inspectors who were trained under the earlier CFOA competency framework are being accredited through "Recognised Prior Learning" to meet the current competency framework to ensure compliance with the framework.

Business Safety are currently exploring a number options with regards to assessing and recording the maintenance of competence as part of the specialist technical references and associated Training Identification Needs (TIN).

2.6.2 **Implementation – September 2019**

Actions in progress

2.7 **Non-Compliance with the Regulators Code**

Non-compliance with national codes of practice leading to poor public perception and reputational risk.

2.7.1 **Actions**

Review the Regulators' Code and ensure that all provisions within the Code are being met.

Work is ongoing with regards to the identified areas of noncompliance, including the delivery of the customer survey recently launched by the communications team and satisfaction survey, establishing an assurance framework and the current upgrade of CRM to develop a dynamic risk based inspection program.

2.7.2 **Implementation – September 2019**

Actions in progress

2.8 **Review enforcement activities and duties to give fire safety advice**

Non-compliance with published service commitments may result in reputational risk.

2.8.1 **Actions**

The Fire Authority should review its enforcement activities and duties to give fire safety advice under Section 6 of the Fire & Rescue Services Act 2004 every three years, to ensure its continued effectiveness to deliver safer and more sustainable communities

The Services' Business Safety enforcement activities have been reviewed as part of the recently approved Safer Communities Strategy and associated Business Safety Thematic Plan, with an associated review of Business Safety policies in progress.

2.8.2 **Implementation – September 2019**

Actions in progress

2.9 **Reporting to the Home Office**

Whilst the difference between the figures reported and the number inspections actually undertaken is low, any reporting inaccuracies carry a reputational risk.

2.9.1 **Actions**

Ensure that all inspection paperwork is uploaded before running future reports for the Home Office.

The 5 audits not included within the 2017/18 Home Office returns have been brought forward and included with the 2018/19 Home Office returns, with a robust process established to prevent reoccurrence.

2.9.2 **Implementation – April 2019**

Actions completed

2.10 **Duplicate Premises Records**

Duplicate records within the CRM database could lead to inaccurate reporting and planning.

2.10.1 **Actions**

Review the CRM database and remove any duplicate records.

A review of the CRM database has been undertaken to remove all duplicate premises.

2.10.2 **Implementation – March 2019**

Actions completed

2.11 **Fire Safety Policies**

In the event that it is necessary to prosecute, incorrect procedures may be followed leading to evidence gathered being inadmissible in Court.

2.11.1 **Actions**

Review, update and finalise the Manual Note on PACE interviews and consider updating the Premises Audit Procedures.

All fire safety policies are currently being reviewed with the PACE Manual Note being prepared for formal consultation.

2.11.2 **Implementation – April 2019**

Actions in progress

2.12 **Public Register of Notices**

Unless the public register is audited periodically in line with agreed policy, entries on the register could remain for longer than necessary, resulting in complaints and reputational risk.

2.12.1 **Actions**

Review the public register every year in compliance with agreed policy

The Services' public register of notices displayed on the Services' website has been reviewed with all published notices in accordance with Service policy.

2.12.2 **Implementation – April 2019**

Actions completed

3. **CONCLUSIONS**

The report provides “Partial Assurance” in respect of Delivery of Business Fire Safety. This opinion means that there are potential weaknesses in the system of control and/or the level of non-compliance is such as to put the achievement of the Services’ objectives at risk.

The report and associated action plan demonstrate significant progress towards compliance with the report findings, with the Business Safety Thematic Plan identifying the requirement to establish an “Assurance Framework” to ensure continued assurance of the Authorities’ responsibilities under the Order.

An “Assurance Framework” is currently being developed to ensure quality assurance of the data recorded in the CRM database. The CRM upgrade project is progressing in line with the agreed project plan, with workshops currently being planned to identify the required enhanced functionality of the database, including mobile working.