

PROTECTION STRATEGY AND UNDERPINNING RISK ANALYSIS

Integrated Risk Management Plan
2019-23





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» INTRODUCTION

Royal Berkshire Fire and Rescue Service is responsible for enforcing fire safety legislation in most premises in Royal Berkshire other than single private dwellings. Our role is to make sure the people responsible for the buildings are maintaining necessary fire standards. We do this through a number of activities including:

- Responding to statutory building consultations on plans for new buildings or on proposed alterations to existing ones;
- Carrying out fire safety audits of premises to determine whether the people who are responsible for fire safety standards are doing what is necessary;
- When standards are not being met, we advise on improvements and, where necessary, issue Enforcement Notices; and
- Where serious breaches in fire safety standards have occurred, we may take appropriate legal action against the Responsible Persons involved.

We use the term 'Protection' to mean our statutory duty to regulate and enforce fire safety legislation. We achieve this using the Regulatory Reform (Fire Safety) Order 2005 (RRO) and principles of good enforcement.

Underpinning this, the Fire and Rescue National Framework for England (2018), sets out that Fire and Rescue Authorities must have a 'locally determined risk-based inspection programme in place for enforcing compliance with the provisions of the Regulatory Reform (Fire Safety) Order 2005 in premises to which it applies'. The Framework requires that Protection resources should be targeted at 'those non-domestic premises where the life safety risk is greatest', and on 'non-domestic premises which are at risk from fire in order to mitigate loss to economic wellbeing'.



In addition to these duties, Fire and Rescue Services enforcing fire safety legislation are able to enter into partnerships under the Primary Authority Scheme with businesses, charities or organisations, which operate across more than one local authority area, with the fire and rescue service offering assured and tailored fire safety advice.

We also have a duty to comply with the Regulators' Code, which provides a flexible, principle-based framework for regulatory delivery that supports and enables regulators to design their service and enforcement policies in a manner that best suits the needs of businesses and other regulated entities. This formed part of a wider Government agenda, which sought to reduce burdens and support the growth of compliant businesses through the development of an open and constructive relationship between regulators and those they regulate, further underpinned by the Better Business for All agenda.





» ECONOMIC PROFILE OF ROYAL BERKSHIRE

The Royal County of Berkshire spans 486 square miles and has an estimated population of 911,400. It is home to major tourist attractions and historical buildings, such as Windsor Castle, and is a thriving area for business. The number of registered businesses has steadily increased since 2010, and many of these are in technology, information and communication sectors.¹ The information and communication sector makes up almost a fifth of Berkshire's registered businesses, which is almost double the national average.² Berkshire's economy generated output (GVA) to the value of £37bn in 2017.³

Royal Berkshire is home to the Slough Trading Estate, which comprises 486 acres of commercial property, provides 7.4 million sq. ft. of accommodation to 500 businesses and has a working population of circa 20,000 people. It is the largest industrial estate in single private ownership in Europe.⁴ Other areas of Berkshire also have a thriving business life with the three-year survival rate for businesses in Berkshire being higher than the national average.⁵ Berkshire's location also makes it a popular choice for businesses, with its proximity to London and excellent connections to other areas of the Country. No part of the County is further than 8.5 miles from the M4. Major infrastructure projects such as Crossrail and the expansion of Heathrow Airport will also have implications on the County.

Alongside economic growth, the population has also increased by an estimated 50,000 in the last eight years.⁶ The average salary in the County is £35,000, compared to the national average of £30,000.⁷ The average house price in Berkshire is greater than the national average.⁸ There is a significant amount of development underway, and in Reading alone there are 1356 houses currently under construction, which are due to be completed by 2024, with plans in place to build a further 3322 by 2029.

The attractiveness of Berkshire for businesses, and the rate of growth in the County, underpins the importance of establishing a risk-based Protection Strategy to both fulfil our statutory duties and ensure our available resources are targeted at the highest risks in the County.

¹ [Berkshire Functional Economic Market Area Study](#)

² [ONS UK Business count 2018](#)

³ [Thames Valley Local Enterprise Partnership Impact Report 2018-2019](#)

⁴ [Slough Trading Estate](#)

⁵ [Business Demography 2017, Office for National Statistics](#)

⁶ [2011 census population data \(mean of unitary authorities\)](#)

⁷ [ONS 2019 estimate](#)

⁸ [UK House Price Index 2019](#)



» REVIEW OF PROTECTION STRATEGY 2017-2019

In this section, we will review and evaluate our activity over the last two years, to inform our Protection Strategy 2020-2023.

In 2016/17, Royal Berkshire Fire and Rescue Service, on behalf of Royal Berkshire Fire Authority, consulted with the public on the Integrated Risk Management Plan '[Service Redesign](#)'. The consultation was the final stage in a series of consultations throughout 2016/17, to help us understand the views of the people of Royal Berkshire to shape the way we deliver services for you.

Our core service delivery functions of Prevention, Protection and Response fulfil our statutory duties to manage risk in Royal Berkshire. As part of the Service Redesign consultation, we shared with you three evidence bases for each of these areas, together with a number of evidence-based proposals for how we intended to delivery our services. The [Protection Evidence Base](#) included evidence related to the main areas of responsibility as outlined above, which included:

- Risk Based Inspection Programme
- Better Business for All
- Primary Authority Schemes
- Regulators' Code

In April 2017, the Fire Authority conscientiously considered the three evidences bases, together with the feedback received from the public consultation, and agreed the following proposals in relation to our Protection activity:

1. **We propose to focus our audits in the places people are most at risk and where fire safety standards are not being met; and**
2. **We propose to consider the impact major infrastructure projects planned in Royal Berkshire over the next five years may have on our fire safety specialists.**

These proposals, together with the Protection Evidence Base, have formed the basis of our Protection Strategy between 2017 and 2019. In 2018, following public consultation, Royal Berkshire Fire Authority adopted its [Corporate Plan and Integrated Risk Management Plan 2019-2023](#). In adopting this Plan, the Service committed to undertaking



a review of the Risk Based Inspection Programme to ensure that we are identifying and targeting our resources at the highest areas of risk. In undertaking that review, we have updated our Protection Strategy and underpinning risk analysis in support of the Corporate Plan and Integrated Risk Management Plan 2019-2023. This document sets out that Protection Strategy and underpinning risk analysis, together with an evaluation of Protection activity over the last two years.

Grenfell Tower Tragedy

Sadly, we are unable to consider our fire safety activity in the last two years without due consideration of the tragic events in the early hours of 14 June 2017, at a high-rise residential tower block in London. The consequences of the fire were so significant that the Government commissioned a public inquiry and an independent review into building regulations and fire safety.

The focus of our Protection activity was agreed in early 2017, prior to this unforeseen event. However, mindful of the emerging risk and as part of our commitment to learning and improving, Royal Berkshire Fire and Rescue Service took immediate steps to respond to the tragic event. Together with Royal Berkshire Fire Authority, a four-phased plan was agreed which enabled our immediate response to the tragedy, allowing us to learn from and respond to the emergent picture of risk associated with high-rise buildings and Aluminium Composite Material (ACM) cladding.

Supported by £600,000 of additional funding from Royal Berkshire Fire Authority, we have been working hard to ensure the safety of our residents and buildings across Berkshire, with an initial focus on ACM and high-rise buildings.

Our four-phased plan is summarised below:

- Phase 1: Initial inspection of all high-rise premises in Berkshire.
- Phase 2: Consolidation of initial work through a multi-agency approach.
- Phase 3: Respond to information released as part of the Public Inquiry and implement the learning.
- Phase 4: Delivering the new model to the people of Royal Berkshire.

In Phase 1, the Service established a specialist team to lead and co-ordinate work across the County. The team was further supported by colleagues across the organisation. In



addition, we recruited and trained additional Fire Safety Inspecting Officers. This allowed us, in the weeks following the tragedy, to inspect all 157 high-rise buildings in Berkshire. This work involved contact with over 4,700 residents where information and guidance was provided regarding how to avoid fire and what to do should one start. It ensured that our response teams visited all ACM clad buildings to update our site-specific risk assessments and tactical plans.

In Phase 2, we worked with building owners, Local Authorities and residents to ensure compliance with the Ministry of Housing, Communities and Local Government (MHCLG) guidance. Following a robust inspection process, the appropriate elements of the MHCLG interim measures have been implemented by the Responsible Person for the building. Our fire safety teams continue to work with Responsible Persons, alongside our partners in Local Authority Housing Teams and Building Control bodies throughout the transition phase of removing the cladding.

At the time of writing this document, we are now in Phase 3, responding to the learning from the public inquiry and working hard to ensure that we have in place the most up-to-date policy, practice and procedures to reduce risks associated with ACM cladding and high-rise buildings.

Inevitably, the impact of Grenfell Tower and the unforeseen work associated with our risk-based four-phased plan has had an impact on our Protection activity. However, the focus on the inspection of high-rise premises and the additional investment in fire safety specialists aligns with our Protection Strategy.

Protection Resources

Following the Service Redesign consultation, the Fire Authority agreed that over the next five years we would be required to consider the impact of major infrastructure projects on our fire safety specialists. In the last two years, a significant amount of work has been undertaken against this commitment.

As highlighted above, 10 Fire Safety Inspecting Officers were recruited. Whilst this investment was part of the initial response to the Grenfell Tower tragedy, there were also additional drivers for this recruitment. This was part of succession planning within our Protection function. We also recognised the challenges in recruiting fire safety specialists in a healthy private sector market. In recognition of this, we have put in place a Career



Grade Scheme for our Fire Safety Inspecting Officers linked to fire safety qualifications. This investment has been critical in ensuring the future resilience of our Protection function as well as helping us to meet local demand and meet the requirements of the Regulatory Reform Order.

We also recognised the need to develop a technical team to respond to the risks posed by larger, more complex premises. To support this, we have supported two members of staff under our Bursary Scheme to undertake a Masters in Fire Safety Engineering to develop our fire safety specialist capability. In 2019, we established an Investigation and Enforcement Hub with fire safety specialists in relation to fire engineering, fire safety enforcement and Primary Authority Schemes.

Alongside the investment in our fire safety specialist capability, in 2017 we undertook a review of our Service Delivery function to ensure our resources were effectively aligned to local risk. This led to the formation of our Service Delivery Hub Model in which we formed three Hubs for the West, Central and East areas of the County. These Hubs were aligned to Local Authorities to strengthen local partnership working and included dedicated Prevention, Protection and Response teams for Hub areas. The Hub model allows our staff to develop their understanding of risk at a local level and ensure resources are targeted accordingly. Each Local Authority area has a dedicated [Local Safety Plan](#), which sets out localised risk and how resources will be targeted to meet that risk. Within each Hub is a dedicated Protection team to respond to local risk in that area.

Risk Based Inspection Programme

Prior to 2017, we had aimed to proactively conduct fire safety audits in 1,800 premises each year. However, as part of the last Protection Evidence Base, an analysis of those inspections was carried out and found that 76% of the audits undertaken resulted in us carrying out no further action with the premises being deemed to be satisfactory or receiving informal advice. This meant that we were using our resources to visit a high number of premises with a good understanding of fire safety standards rather than effectively targeting those that posed the highest risk.

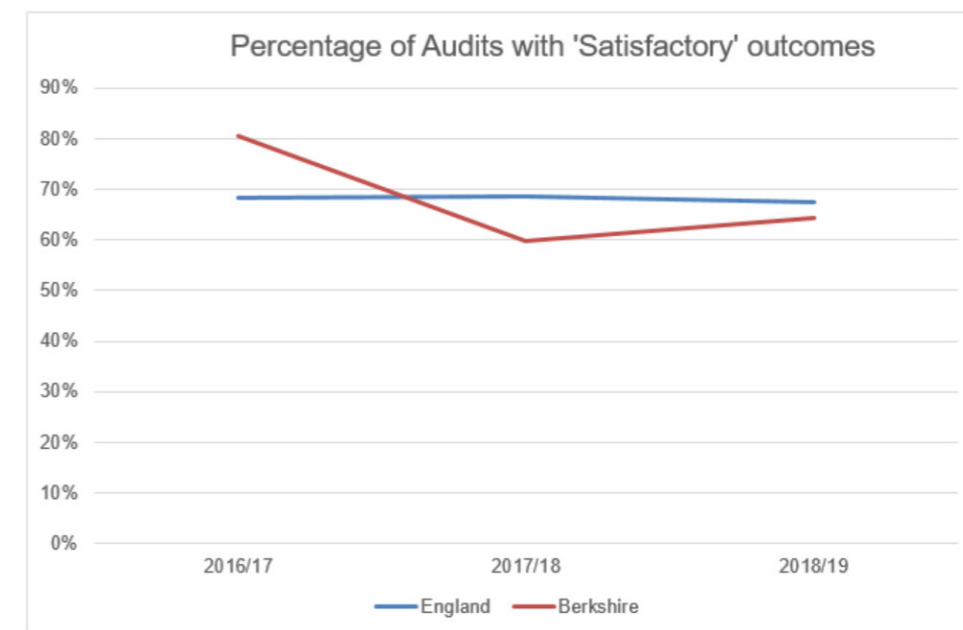
Following the Service Redesign consultation in 2016/17, it was agreed that we would aim to carry out 1,400 full fire safety audits per year. Although a reduction in the overall number of fire safety audits, the target was set on the basis that we would target places where people are most at risk and where the necessary standards are not being met.



Since April 2017, we have undertaken 2,817 fire safety audits. However, we have not yet reached our target of 1,400 fire safety audits per year. In 2017/18, our ability to undertake fire safety audits was impacted by the need to utilise our available resources to meet the emergent risk following the Grenfell Tower tragedy. In recruiting these new Fire Safety Inspecting Officers, we would not see an immediate impact on our ability to undertake fire safety activity due to the need for further training and development, but we were able to start to build the capacity and capability required to enable our delivery moving forward. In 2017/18, we completed 895 full fire safety audits and this rose to 1,129 in 2018/19. We increased our target in 2019/20 to 1,658 to compensate for the shortfall against the target in 2018/19. At the time of writing, we have seen 793 full fire safety audits completed in the first two quarters of 2019/20 and continue to monitor performance closely.

Positively, of those fire safety audits that have been completed during this period, we have seen an overall reduction in the number of satisfactory outcomes since 2016/17. In 2016/17, the number of fire safety audits with satisfactory outcomes was 80.6%, This reduced to 59.8% in 2017/18 and increased slightly on the previous year in 2018/19 to 64.2%. It is also worth noting that in 2018/19, the percentage of fire safety audit outcomes deemed satisfactory in England was 67%, meaning we are performing relatively well when compared to the national picture,⁹ as illustrated in Graph 1.

Graph 1 – Percentage of Audits with ‘Satisfactory’ Outcomes



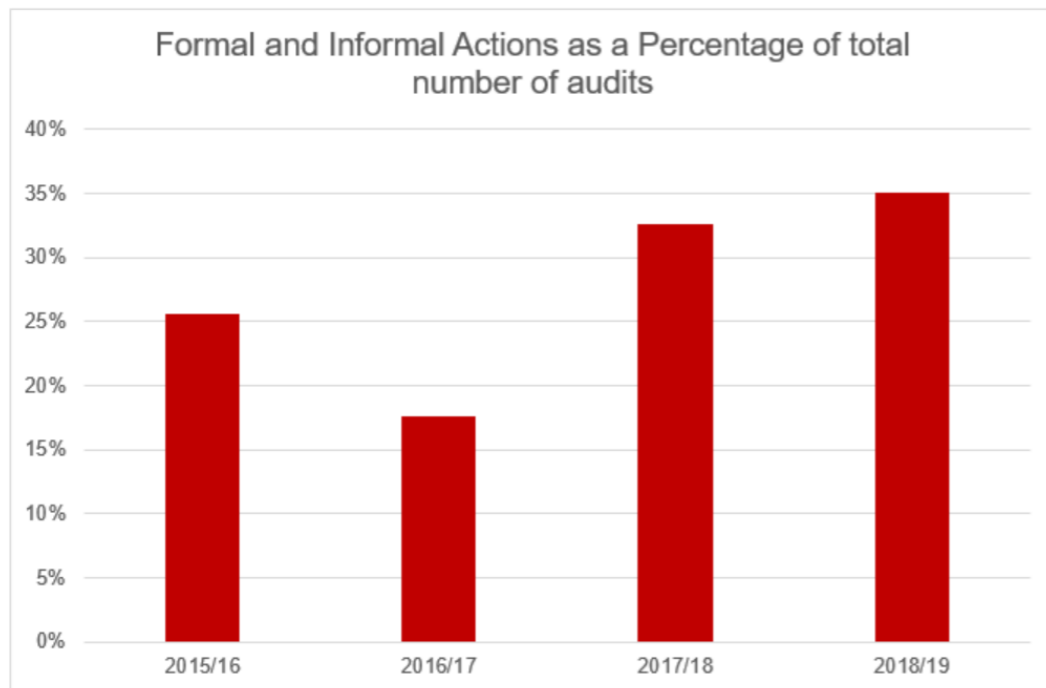
⁹ [Fire prevention and protection statistics, England, 2018/19](#)



As outlined under the Protection Resources section, a number of important changes have been taking place since 2016/17 to enhance our fire safety function and further improve our ability to target local risk.

Importantly, where there are unsatisfactory outcomes from audits, Formal and Informal activities should be undertaken to support the Responsible Person to take the required steps to ensure fire safety standards are met, or take relevant enforcement activity if appropriate to do so. Since 2016/17, the number of Formal and Informal activities undertaken, as a percentage of the total number of fire safety audits completed, has increased which is positive. This is illustrated in Graph 2. As the number of satisfactory outcomes reduce, it is important to see a correlation in the number of Formal and Informal activities undertaken to ensure appropriate steps have been taken to correct non-compliance.

Graph 2 – Formal and Informal Actions as a Percentage of Total Number of Audits



In undertaking a review of the last two years, it is evident that the Protection Strategy is working as intended and has refocused our activities on the premises people are most at risk and where fire safety standards are not being met. However, we recognise there are limitations with the current methodology for our Risk-Based Inspection Programme, which if we could mitigate, could see us target our resources more effectively. The methodology is currently based on national guidance and follows an assessment of the risk posed by generic types of premises and individual buildings. We believe we can further refine our understanding of risk by developing our underpinning methodology. We intend to do this by developing a methodology that calculates the risk associated with the property (as per current methodology) together with the risk associated with compliance. In developing this, we believe there is a correlation between compliance with fire safety standards and wider regulatory requirements. We intend to use data to help refine our understanding of the likelihood of compliance through the inclusion of a number of proxy data sets that allow us to identify premises most at risk of non-compliance. Whilst there are a number of national datasets related to compliance, we do face a challenge in being able to access this data in a usable form.

To test this assumption, we have undertaken an initial analysis of the premises we have audited in a specific period against Food Standard Agency scores. Where premises could be matched to their Food Standard Agency scores, we found a relationship between non-compliance with fire safety and food standard ratings. Those premises found to be non-compliant were more likely to have a low food standard rating. This is just one example of a data set that could be used. Other potential data sets include Energy Performance Certificates, Primary Authority Schemes and Housing Health and Safety Rating System. We plan to develop the methodology and identify appropriate data sets to be included. We also intend to include fire incident data in the methodology. This enables us to understand where incidents have already occurred in property types and will allow us to include this information as a risk factor in our overall calculation of risk.

Lastly, we also intend to explore the use of Experian Mosaic data in calculating property risk and whether this would enable us to refine our methodology further.

Using a refined methodology based on risk to property and risk of compliance, our Risk Based Inspection Programme will target those premises that are considered to be at 'very high' or 'high' risk. We also intend to inspect a sample of those deemed to be at





lower risk to ensure we are testing our methodology. We will evaluate any changes to our methodology at appropriate intervals to validate our assumptions and ensure that it is driving our resources to non-compliant premises.

Grenfell has taught us that an unqualified risk, in relation to building safety, is associated with the previous regime of certification, testing and sign off during and before the construction phase. As we learn more about the potential scale and impact of this risk, we may need to reprioritise those buildings, which we classify as highest risk. We may also need to significantly increase our Protection capability to respond to any such learning. Our Protection Strategy has always been underpinned by the acceptance that the our built environment has been constructed to a standard which will ensure that it will behave as designed in a fire situation. This acceptance has been built on the rationale that the design, testing, inspection and sign off process for our buildings has been fit for purpose. Unfortunately, the learning post Grenfell has taught us that this acceptance may no longer be sound. We now know some buildings, firstly ACM clad high rise buildings, do not behave as we would expect in a fire situation. If the failings related to this group of buildings is indicative of a fundamental and systematic failing of building, certification and the sign off regime, then we will have to revisit our resourcing and our Risk-Based Inspection Methodology.

Importantly, we recognise that the methodology underpinning the Risk-Based Inspection Programme cannot drive our Protection activity alone and it needs to be reinforced by intelligence-led ways of working. Our Hub Model is intended to bring our teams closer to local risk, allowing them to develop their understanding of the areas they serve and allow local intelligence to drive the identification of non-compliant premises such as unregistered Houses of Multiple Occupation. We intend to explore the ways in which we can improve how we gather local intelligence to inform our programme of inspections and response to local risk.

We also collate and map risk information by Lower Super Output Area, which are small areas designed to be of a similar population size, of approximately 1,500 residents or 650 households. This calculation includes socio-economic data, total incident risk, total deliberate fire risk and household and property risk within each Lower Super Output Area. By mapping this risk, it allows our Protection staff to see where community risk is greatest in a general sense by summing up risks in a relatively small area. Our Protection teams will be able to review their local risk maps for the areas of highest community risk and, together with the risk score produced through the Risk-Based Inspection Programme



methodology, be able to target both areas and individual premises that pose the greatest risk to people. The mapping of community risk is currently in development and it is intended to roll out this functionality to our Protection teams.

Better Business for All

The Protection Evidence Base developed in 2016/17, highlighted the need to support the Government's 'Better Business for All (BBfA)' agenda. BBfA aims to bring together businesses and regulators in local partnerships to identify the issues facing local businesses and provide support to them, with the intention of supporting economic growth. Within our Local Safety Plans, we have committed to working with local businesses to provide help and guidance to encourage self-compliance. This has seen a range of activities taking place since 2017. These have included:

- Engaging local businesses in support of 'Business Safety Week';
- Local business engagement through Pub Watch meetings;
- Small Business Fire Safety event aimed at supporting small, local businesses on fire safety responsibilities;
- Targeted campaigns at high-rise property types; and
- Talks to local businesses on fire safety responsibilities.

Our local Hubs will continue to support the BBfA agenda by offering advice and guidance to the business community in support of self-compliance. We also recognise this is against a national backdrop in which building regulations and fire safety is under review and we must balance our response to the BBfA agenda against the importance of appropriate regulatory activity.

Regulators' Code

In accordance with the Regulators' Code, and where it is appropriate to do so, we seek to reduce the regulatory burden placed on businesses. For example, when inspecting a property, if it is appropriate to do so based on risk, we inspect using the Short Audit Form to reduce unnecessary burden. We also undertake joint inspections with local authority partners to reduce the impact on businesses. Most notably, we have Memorandum of Understandings in place with each of the six unitary authority's housing teams, to ensure a joint approach is taken to the inspection of high-risk premises within Royal Berkshire.



Primary Authority Scheme

As stated above, fire and rescue services enforcing fire safety legislation are able to enter into partnerships under the Primary Authority Scheme with businesses, charities or organisations, which operate across more than one local authority area, with the fire and rescue service offering assured and tailored advice.

At the time of writing the last Protection Evidence Base, there were three partnerships in place with Berkshire. These partnerships were with Radian Housing Group, Universities' Partnership Programme and Ramsey Healthcare. All three partnerships are still active and working well.

Key benefits to regulators of the Primary Authority Scheme include¹⁰:

- Greater clarity over where responsibility lies;
- Supporting economic growth through stronger business relationships;
- Improving the consistency of local regulation and targeting resources on high-risk areas;
- Developing staff expertise via partnerships; and
- Protecting front line services through cost recovery.

Of particular note in the context of this Strategy is the ability to target resources at high-risk areas. Through our partnerships, we are working with organisations where there is an inherent risk in their property types associated with sleeping risk. In 2019, we also entered into a fourth partnership with Childbase Partnership. We intend to continue taking a risk-based approach to form partnerships under the Primary Authority Scheme.

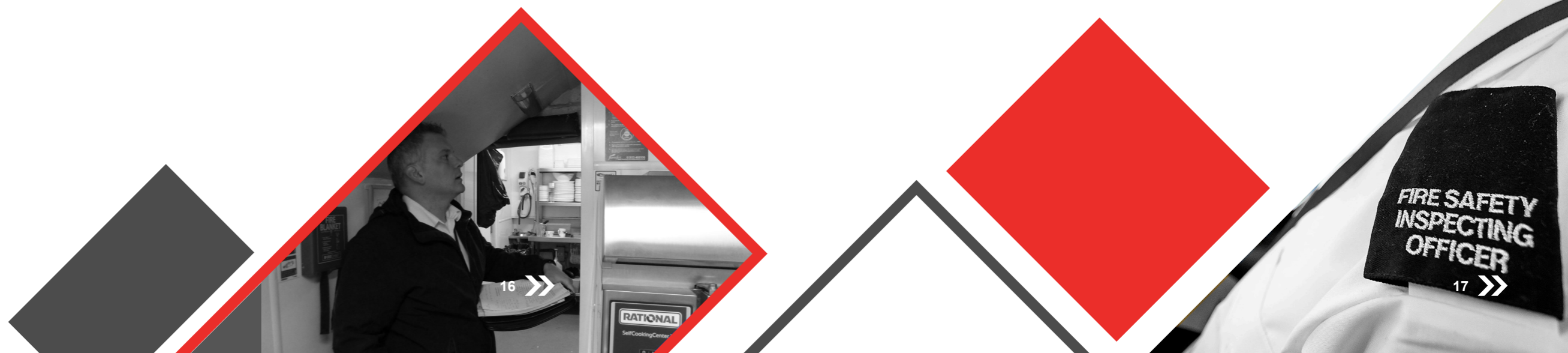
¹⁰ [Local Regulation: Primary Authority](#)



» PROTECTION STRATEGY 2020-2023

Moving forward, we intend to continue to deliver against the original proposals, as agreed in 2017, in the areas outlined in this document. However, we intend to refine our Strategy where we believe it can further mitigate local risk. To summarise:

1. **We propose to develop our Risk-Based Inspection Programme methodology to look at both risk of property and risk of compliance; and**
2. **We propose to continue to respond to changes in legislation and guidance related to building regulation and fire safety and ensure this is reflected in our policies, processes and ways of working.**





Royal Berkshire Fire and Rescue Service
Newsham Court, Pincents Kiln, Calcot, Reading, Berkshire, RG31 7SD
rbfrs.co.uk