



Service Standards for Business Fire Safety

FS2-013

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Cornwall Fire and Rescue Service, Protection
(Business Fire Safety)

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Comprehensive Impact Assessment Record					
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1. Introduction

This document explains our commitment to customer service and the standards to which the Business Fire Safety (Protection) Team and Service delivery in Cornwall Fire and Rescue Service will adopt. We are committed to providing you with an efficient, professional and helpful service and this document tells you how we aim to do that and what standards we will meet.

Business Fire Safety is delivered by Service Delivery and supported by the Business Fire Safety Team. The Area Manager for Service Delivery is responsible for the provision of Fire Safety, Petroleum management and Explosives inspections.

Our fire safety role and enforcement apply to the following legislation and areas:

- Health and Safety at Work etc. Act 1974 (HASWA)
- Regulatory Reform (Fire Safety) Order 2005
- Explosives Acts 1875 as amended by Explosives Regulations 2014
- The Petroleum (Consolidation) Regulations 2014
- Consultative work under licensing and building regulation legislation and partnership working with housing agencies, Public Health and Planning

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2. How we communicate

We will use language that is easy to understand

We will publish guidance and information in a clear, accessible, concise format, using media appropriate to the target audience and written in plain language for the audience.

We will also consult with those we regulate in relation to the guidance we produce to ensure that it meets their needs.

We will use plain language that is easy to understand when we speak with you. If requested we will explain important information and documents to ensure you understand.

If requested we can communicate and provide information using different methods, these include:

- Large print, CD, Braille
- Alternative language

- Alternative document type (e.g. Word or pdf)
- Arranging access to interpreters to help with translating

Please tell us if you need something explained differently, or if you have special needs, so we can help you.

The request for information using different methods does not apply where immediate enforcement action is required to prevent or respond to a serious breach or where providing such an opportunity would be likely to defeat the purpose of the proposed enforcement action.

Responding to questions and requests for advice, we will:

- Acknowledge your enquiry or concern within 3 working days
- The aim to respond to all questions or requests for fire safety advice within 10 working days
- If we can't respond within 10 working days, we'll tell you when you can expect to receive a response

Treating you with dignity and respect

We will treat you with dignity and respect and take account of your needs when you contact us. We ask that you treat our staff with the same courtesy and respect and take account of other people around you. Our Equality and Diversity Framework explains our policy on equality and diversity.

Our officers will:

- Be respectful and polite
- Be fair and consistent
- Take full account of what people say to us
- Establish the facts and communicate accurately, promptly and in plain language
- Explain fully the reasons for decisions, and
- Treat people with respect and not discriminate on any improper ground

Continued...

Your responsibilities when communicating with us

Cornwall Council has a zero tolerance with regard violence, aggression and unacceptable behaviour towards staff or partners working on our behalf.

Although these circumstances are very rare, our staff would not be expected to stay in situations where they:

- Feel threatened, either verbally or physically
- Fear for their own safety or that of colleagues or members of the public

Please be aware that your behaviour can affect other members of the public. They may be upset by abusive language or behaviour. If you shout, they may hear what you say and, unlike our staff, they don't have to keep what you say confidential.

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3. Confidentiality

If you wish to make a complaint about the fire safety concerns in a business's premises (e.g. report overcrowding or a blocked fire escape), and you provide us with your contact details to assist in our investigation we will keep your identity confidential unless there is an operational or legal reason for disclosure.

We will investigate and will deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking firm enforcement action when necessary.

We will ensure that your information is only accessed for legitimate purposes by relevant staff. We will process your information fairly and lawfully, in line with the Data Protection Act 1998.

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4. Staff and qualifications

All auditing Business Fire Safety Officers have completed the mandatory fire safety courses at the Fire Service College, and are qualified or working towards the Edexcel BTEC Level 4 Certificate (Fire Auditors) and Level 4 Diploma in Fire Safety (Fire Inspectors).

For further details on the qualification requirements of staff please refer to our Delegation of Powers FS2-015 policy.

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5. Fire safety advice and guidance

We want to work with you to help your business to be compliant and successful and it is important to us that you feel able to come to us for advice when you need it.

We recognise that your business will receive advice and inspections from other organisations, and we will do our best to ensure that you receive the consistent, good quality co-ordinated advice.

Where you are part of a Primary Authority Partnership Scheme, we will consult with your Primary Authority Partner before giving advice to ensure it is consistent with your Primary Authority.

Where you need advice that is tailored to your particular business or premises we will:

- Seek to fully understand the nature of your request
- Discuss with you what is required to achieve compliance
- Provide advice that supports compliance and that is the best way forward (best value)
- Provide clear advice that can be easily understood and implemented
- Distinguish legal requirements from suggested good practice
- Ensure that any verbal advice you receive is confirmed in writing if requested
- Acknowledge good practice and compliance
- Further information and guidance is available at:
- www.cornwall.gov.uk/businessfiresafety
- Follow us on Twitter - <http://twitter.com/CornwallFRS>
- Follow us on Facebook - <https://www.facebook.com/CornwallFRS>

If you cannot find the information you need on our website or you require specific advice you can contact us at:

- Email: csadmin@fire.cornwall.gov.uk
- Tel: 0800 3581999 (24 hours)
- Tel: 01726 223620 (9am-5pm)

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6. Our risk based approach

The Risk Based Evidence Profile (RBEP) is produced each year to provide Cornwall Fire and Rescue Service with a comprehensive understanding of risks facing the service. The information is then used to create a Risk Based Inspection Program (RBIP) to ensure we target our resources at auditing premises based on risk.

Our visits to premises for regulatory purposes are made on the basis of assessment of risk according to premises type and use. For this purpose the Authority will use the evidence based methodology provided by the Department for Communities and Local Government supplemented by other evidence including:

- Historic regulatory compliance data for the premises and/or the premises operator
- Assessment of compliance data for the business sector as a whole
- Ongoing fire data on a local and national basis
- Local intelligence
- Intelligence supplied by other regulatory bodies

We monitor and support compliance in a number of different ways including through inspections.

- Inspections will be prioritised based on risk; our focus will remain on premises providing sleeping accommodation such as Hotels, Care Homes and Hospitals, Petroleum and Explosive storage sites
- The RBIP will include re-inspections with the frequency determined by the risk rating from the previous inspection
- We will seek risk data from other agencies and incorporate this in our RBIP
- We will sample some of the lower-risk premises to check for compliance
- There will be flexibility in order to respond to performance data and react to local and national trends where necessary
- Service Delivery and the service will use local knowledge to identify local risks and inform the RBIP

To clarify we will audit your premises;

- If your premises is on our inspection programme

- Following a fire
- Following any enforcement action
- Following a complaint
- As part of our random sampling
- More than 3 false fire alarms in a 12 month period (if the fire service are called)
- In response to a local or national trends
- Following a referral from another agency regarding fire safety concerns

The Authority's overall RBIP takes account of the need to sample small numbers of premises in most risk categories in order to continually test the methodology used.

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7. Fire Safety Auditing and Enforcement

We carry out all our activities in a way that supports those we regulate to comply and grow:

- We ensure that information, guidance and advice is available to help you to meet legal requirements
- We carry out inspections and other activities to check compliance with legal requirements, and we target these checks based on risk and where we believe they are most needed
- We deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking firm enforcement action when necessary
- We provide a range of services to support businesses in meeting their statutory fire safety responsibilities
- We will be transparent about our actions and our performance

Our services will be delivered in accordance with the requirements of the [Regulators' Code](#).

We will give you notice that we intend to visit unless we believe that an unannounced visit is more appropriate or necessary to determine whether the law is being complied with. We will always aim to time our visits to avoid busy periods unless attending at those times is necessary to check compliance with the law (e.g. following a fire, following receipt of an allegation of fire risk or due to how the premises are operated we need to

attend at specific times, such as in entertainment venues and similar premises).

When we visit you our officers will:

- Explain the reason and purpose of the visit
- Inform you if we are investigating you
- Identify themselves by name when dealing with you, and provide you with contact details
- Present their Authority issued identification card and warrant card
- Exercise discretion in front of your customers and staff
- Seek to gain an understanding of how your business operates
- Provide details of how to discuss any concerns you may have
- Have regard to your approach to compliance, and use this information to inform future interactions with you
- Explain to you (or your representative on site) any fire safety deficiencies found, why they cause concern and what can be done to address those deficiencies, explaining the different options that may be available
- Agree timescales, expectations and preferred methods of communication with you
- Provide information, guidance and advice to support you in meeting your statutory obligations, if required

Note: We do not charge for undertaking regulatory fire safety audits.

Responding to non-compliance

Where we identify any failure to meet legal obligations, we will respond proportionately, taking account of the circumstances, in line with our Enforcement Procedure FS2-004.

We deal proportionately with breaches of the law as set out in our Enforcement Procedure, including taking firm enforcement action when necessary. Where action needs to be taken to remedy any failings we will:

- Explain the nature of the non-compliance
- Explain the nature of the risk
- Consult with third parties such as a Primary Authority Partner if applicable

- Discuss what is required to achieve compliance, taking into account your circumstances
- Clearly explain any advice, actions required or decisions that we have taken
- Seek to agree timescales that are acceptable to both you and us, in relation to any actions required
- Explain what will happen next, especially if you do not make improvements
- Provide you with our contact details (business card)
- Keep in touch with you, until the matter is resolved
- If we take formal enforcement action we will also:
 - Provide in writing details of how to appeal against any advice provided, actions required or decisions taken, including any statutory rights to appeal (and how to complain about our conduct)
 - Contact you before any enforcement notice or improvement notice expires to check and discuss progress
 - Ensure that you are kept informed of progress on any outstanding issues
 - Keep in touch with you, until the matter is resolved

It may be appropriate to agree temporary measures to mitigate some of the risk. This should be agreed with the Responsible Person and a contemporaneous note made. Failure to agree to this may lead to a Prohibition Notice being served.

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8. Appeals

We are open and transparent and always willing to discuss with you, the reasons behind our actions. If you have any questions, you should contact the auditing or enforcement officer who you have been dealing with.

Please contact us on:

- Email: csadmin@fire.cornwall.gov.uk
- Tel: 0800 3581999 (24 hours)
- Tel: 01726 223620 (9am-5pm)

When we issue a statutory notice (Enforcement Notice, Prohibition Notice, Improvement Notice), you will have a statutory right to appeal of 21 days from when the notice is served.

Important: An appeal must be made within 21 days from the date shown on the notice, and the appeal must be made at the Magistrates' Court for the area in which the premises is situated. Failure to comply with enforcement action or a statutory notice may result in prosecution.

For more information on appeals please refer to our policy Appeals, Challenges and Complaints FS2-014.

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9. How we deal with your fire safety concerns

Reporting an urgent fire safety concern

If you feel there is an immediate risk to life by fire, due to fire safety concerns in a business premises please call **0800 3581 999**.

Where we receive an allegation of fire risk that appears to pose immediate risk to life we aim to have an officer attend the premises within 3 hours regardless of the time of day or night.

We will investigate and will deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking enforcement action when necessary.

Reporting an non-urgent fire safety concern

If you wish to report a non-urgent (not an immediate risk to life) fire safety concern in a business's premises, please contact us on;

- Tel: 0800 3581 999 (24 hours)
- Tel: 01726 223620 (9am-5pm)
- Email: csadmin@fire.cornwall.gov.uk or go to
- Web: www.cornwall.gov.uk/fireofficer and complete the online form

We will acknowledge your concern within 3 working days, and aim to investigate all fire safety concerns within 7 working days.

For fire safety concerns, we will investigate and will deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking enforcement action when necessary.

All fire safety concerns are treated with confidence, although non-personal information may be released under the [Freedom of Information Act 2000](#).

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10. Working with other regulators

We work closely with other regulators and council services including (among others):

- Planning
- Building control or approved inspectors
- Licensing authorities
- Housing authorities

Planning

The Fire and Rescue Service is a non-statutory consultee for planning applications however due to a partnership agreement, Cornwall Fire and Rescue Service are consulted for both residential and commercial developments with regard to;

- The provision of water supplies for firefighting, and access for firefighting appliances
- The proximity of proposals to fire stations (major developments that would significantly increase the life risk and may require the fire authority to reassess its fire cover)
- Emergency evacuation requirements (e.g. high risk developments such as explosives stores, petrol stations, chemical storage that may require risk planning)

Development Management case officers from Cornwall Council Planning Enterprise Service will assess if Cornwall Fire and Rescue Service need to be consulted in instances where the development or location falls outside the scope of the automatic consultation process.

We will:

- Seek to accommodate all formats of an application in the first instance
- Pass comments with regard to the points made above
- Contact the relevant building control officer directly if there is any fire safety compliance issues or to discuss the application

- Report any concerns or objections with the building application, to Building Control Services

Building control or approved inspectors

Whenever a building application is made under the Building Regulations 2010 that is also covered under the Regulatory Reform (Fire Safety) Order 2005, Cornwall Fire and Rescue Service are consulted to assess compliance.

The Building Act 1984 requires building control to consult with the fire authority on matters relating to structural fire precautions, means of escape and securing the means of escape on premises to which the Regulatory Reform (Fire Safety) Order 2005 applies.

Cornwall Fire and Rescue Service are only consulted on the fire safety aspect of Building Regulations; we are not the lead authority on Building Regulations

We will:

- Seek to accommodate all formats of an application in the first instance
- Pass comment with reference to Approved document B or BS:9999 or BB100 or HTM documents or other document(s) to ensure buildings will be compliant with the Regulatory Reform (Fire Safety) Order 2005 when complete and occupied
- If required contact the relevant building control officer directly if there is any fire safety compliance issues or to discuss the application
- Detail any concerns or requirements with the building application, to Building Control Services within Cornwall Council or to the approved inspector within 21 days of the application being received.

Licensing authorities

The Licensing Act 2003 requires the Licensing Authority (the Licensing department in Cornwall Council) to consult with the Fire Authority (Cornwall Fire and Rescue Service) on matters relating to public safety (fire safety).

The Licensing Act 2003 is legislation that applies to premises which are used for the sale or supply of alcohol, providing regulated entertainment, or late night refreshments.

For new and existing license applications, we will:

- Conduct ourselves as detailed in section '6. Fire Safety Auditing and Enforcement'

- If necessary, gather additional information required to determine if the license application or the temporary events notice, and premises is compliant under the Regulatory Reform (Fire Safety) Order 2005
- Conduct a fire safety audit if deemed necessary
- Contact the license applicant directly if there is any fire safety compliance issues
- Report any concerns or objections to new license applications, to the licensing authority within the 28 day deadline of the application being received (this does not apply to a temporary event notice)

Private sector housing

Fire safety within the home is an extremely important issue, especially in mixed use premises (commercial and residential), especially where unrelated occupiers who live independently from one another, and share common areas of the same building e.g. purpose build flats, bedsits and houses in multiple occupation (HMOs). The laws covering these types of properties are the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

Cornwall Fire and Rescue Service have a legal duty to enforce the Regulatory Reform (Fire Safety) Order 2005 which applies to any place with the exception of the places listed in article 6 of the order.

We will:

- Conduct ourselves as detailed in section '6. Fire Safety Auditing and Enforcement'
- Report any fire safety concerns or any suspected unlicensed HMOs to the Private Sector Housing team

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11. Fees and charges

We will not charge for general fire safety advice unless the level of advice and help required amount to a consultancy service or is under a Primary Authority Partnership Scheme in which case we will expect as a minimum to recover our costs.

To request a copy of our fees and charges please contact the Service Support Team on;

- Email: SSTadmin@fire.cornwall.gov.uk
- Tel: 01872 323748 (Mon-Fri 9am to 5pm)

12. Customer service compliments, comments or complaints

What is a compliment, comment or complaint?

A compliment is praise from a customer for a service or any aspect of a service delivered by the Cornwall Fire and Rescue Service or by someone acting for Cornwall Fire and Rescue Service.

A comment is an issue or view expressed by a customer, such as a suggestion on how we might improve our services or a request for further information or guidance. Comments may cover a broad range of issues including areas where the service is unable to classify as a complaint.

A complaint is an expression of dissatisfaction, however made, by one or more members of the public about the service's action or lack of action or about the standard of service.

Delivering the best service

We have high expectations of all our staff, and hope you find us professional, accessible and competent. Sometimes things go wrong and it will help us to improve services if you let us know when we could have done better.

If you have a complaint, the first thing to do is to let us know that you are unhappy by contacting the officer concerned. In most cases, we will be able to address your dissatisfaction so that you don't feel that you need to take it further.

Contact us on:

- Tel: 01726 223620 (9am – 5pm)
- csadmin@fire.cornwall.gov.uk

For information about appeals, challenging our advice, actions or decisions, please refer to our policy Appeals, Challenges and Complaints FS2-014.

If you need to take it further, we manage complaints about our service through our corporate complaints procedure.

- www.cornwall.gov.uk/complaints

We also use customer satisfaction surveys from time to time but we would welcome your feedback at any time. We would also like to know when you have received an especially good service. Compliments are important to us because we can learn from what we are doing right and build on it.

13. How to contact us

Address:

Cornwall Fire and Rescue Service
St Austell Fire Station
Carlyon Road
St Austell
Cornwall
PL25 4LD

Email:

csadmin@fire.cornwall.gov.uk

Tel: 0800 3581999 (24 hours)

01726 223620 (9am to 5pm)

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