



## PREVENTION AND PROTECTION

### FIRE SAFETY ENFORCEMENT (PROTECTION)

#### FRAMEWORK FOR SCOTLAND 2021

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1.0	Issued as FSE Policy Framework	GM Dave Latto	14/12/2017
2.0	Reviewed and updated; renamed FSE Protection Framework for Scotland	GC Chris Getty	20/05/2021



**SCOTTISH**  
**FIRE AND RESCUE SERVICE**

Working together for a safer Scotland

# PREVENTION AND PROTECTION

## FIRE SAFETY ENFORCEMENT (PROTECTION)

### FRAMEWORK FOR SCOTLAND 2021

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# 1. INTRODUCTION

## 1.1 Setting Direction

- 1.1.1 This Framework sets out the principles, policies and priorities for the delivery of fire safety enforcement (Protection) across Scotland. It will create a foundation to help improve fire safety outcomes in our businesses and organisations throughout Scotland. It will build upon our continued good partnership arrangements with the Scottish Government, Local Authorities and other key stakeholders to ensure activities are focused on those premises where life safety in relation to fire is considered most at risk.
- 1.1.2 In order to effectively manage service delivery within the Protection section, specific plans and good practice will be developed both locally and strategically, that will provide more detailed information and guidance on areas of responsibility. This Framework will indicate where and how Protection contributes to the priorities and outcomes detailed in the [SFRS Strategic Plan 2019–2022](#)<sup>1</sup>.
- 1.1.3 The SFRS recognises that delivering integrated and improved local outcomes requires effective partnerships and information sharing between organisations in the public, business and voluntary sectors. The discipline of Protection is regarded as specialist and highly skilled and demonstrates a good example of where cooperation and engagement between partners and businesses must be continuously refined to achieve desired results, safer communities and best value.
- 1.1.4 The discipline of Fire Safety Enforcement has been rebranded and now known as Protection to allow for inclusion of officers regardless of role, who are committed to delivering our regulatory responsibilities and managing business and organisational fire safety across Scotland.

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<sup>1</sup> SFRS Strategic Plan 2019-2022 - [https://www.firescotland.gov.uk/media/1476819/SFRS\\_Strategic\\_Plan\\_2019\\_22\\_V1.0.pdf](https://www.firescotland.gov.uk/media/1476819/SFRS_Strategic_Plan_2019_22_V1.0.pdf)

## 2. CORPORATE STRATEGY

### 2.1 Fire and Rescue Framework for Scotland

2.1.1 As stated previously, this Framework is firmly embedded in national and strategic planning through its support of the [Fire and Rescue Framework for Scotland 2016](#)<sup>2</sup> as well as the SFRS's [Strategic Plan](#). Notwithstanding this, it is important to note that the SFRS makes a contribution to the Scottish Government's purpose in "creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth".

2.1.2 [Scotland's National Performance Framework](#)<sup>3</sup> supports this purpose and sets out National Outcomes. The Protection and Protection Function through its delivery of enforcement activities, engaging with partners and educating businesses supports six of the eleven national outcomes:

- We live in communities that are inclusive, empowered, resilient and safe;
- We have a globally competitive, entrepreneurial, inclusive and sustainable economy;
- We are well educated, skilled and able to contribute to society;
- We value, enjoy, protect and enhance their environment;
- We have thriving and innovative businesses, with quality jobs and fair work for everyone;
- We respect, protect and fulfil human rights and live free from discrimination.

2.1.3 [The Fire and Rescue Framework for Scotland 2016](#) highlights the purpose of the SFRS, which is 'to work in partnership with communities and with others in public, private and third sectors on Prevention, Protection and Response, to improve the safety and well-being of people throughout Scotland'. This will assist us in ensuring our focus is firmly on Working Together for a Safer Scotland.

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<sup>2</sup> The Fire and Rescue Framework for Scotland 2016 – <https://www.gov.scot/publications/fire-rescue-framework-scotland-2016/>

<sup>3</sup> Scotland's National Performance Framework – <https://nationalperformance.gov.scot/>

## **2.2 SFRS Strategic Plan**

2.2.1 This Framework sets the direction to be taken in order for SFRS to be able to return positive results and to achieve our aims, as reflected in the [Strategic Plan](#). Through the identification and delivery of priorities set out in the [Fire and Rescue Framework for Scotland](#) and by contributing towards the objectives contained within the SFRS Strategic Plan, we are confident that our journey in working with our partners and the communities of Scotland will achieve positive outcomes.

2.2.2 Through this Framework, we specifically aim to support the following SFRS strategic objectives:

- We will work with our partners to ensure targeted prevention and early intervention are at the heart of what we do to enhance community safety and wellbeing (Strategic Outcome 1, Objective 1.1);
- We will enforce fire safety legislation in a risk-based and proportionate manner, protecting Scotland's built environment and supporting economic growth (Strategic Outcome 1, Objective 1.2);
- We will evaluate and learn from our prevention and protection activities and analyse data to ensure our resources are directed to maximise community outcomes (Strategic Outcome 1, Objective 1.3);
- We will strengthen performance management and improvement arrangements to enable robust scrutiny, challenge and decision making nationally and locally (Outcome 4, Objective 4.4).

## **2.3 Prevention and Protection Function**

2.3.1 Having been incorporated within the Service Delivery Directorate, the Prevention and Protection (P&P) Function can integrate more closely alongside Operations (Ops) on matters relating to firefighter safety and community risks within the built environment. Following the initial outcomes from the Grenfell Inquiry, the importance of cross-functional working has

been key in ensuring that information sharing and policy development continue to improve upon safety within our communities and for our staff.

- 2.3.2 Protection teams have historically worked closely with other functions and this Framework continues to support and encourage expansion of those working relationships. The outcomes and findings from fire incidents through our Fire Investigation teams play an important part in evidence gathering not only to support Police Scotland, but also to inform and support investigations by appointed persons under Part 3 of the Fire (Scotland) Act 2005 (FSA).
- 2.3.3 SFRS Fire Engineers are a highly skilled function that ensure buildings remain safe from fire, with new and innovative designs being proposed which often fall outwith normal building standards guidance. They support Protection officers through giving advice and guidance as necessary and ensure that buildings are inherently safe from fire at a design stage, which is then reinforced at occupation stage by our Protection teams.
- 2.3.4 Some premises types that provide limited care or fall within boundaries of occupancy types, such as supported living accommodation, and other buildings that share domestic and non domestic occupancies often require collaborative working between Community Safety Engagement and Protection teams.
- 2.3.5 The above demonstrates the unique interspersed and partnership approach within the P&P Function to reduce community risk and improve local outcomes both in a proactive and reactive manner. To further enhance P&P delivery, the principles set out within this Framework will form a benchmark for further integration through additional training and sharing experiences in Protection activity. This will support regulatory capacity in gathering evidence for investigations, enhance information provision to our partners within the built environment and ensure provision of risk critical information available to Incident Commanders at incidents.

### **3. FIRE SAFETY LEGISLATION AND STATUTORY REQUIREMENTS**

#### **3.1 Statutory Responsibilities – Fire (Scotland) Act 2005 as amended**

3.1.1 The SFRS enforces [Part 3 of the Fire \(Scotland\) Act 2005](#)<sup>4</sup> and in this respect, discharges its duties in line with national guidance to the majority of relevant premises in Scotland.

3.1.2 Regulatory responsibilities for the SFRS include:

- promoting fire safety;
- providing advice and guidance on fire prevention and fire safety measures including means of escape; and
- enforcing fire safety duties in relevant premises.

3.1.3 Successful application is dependent on developing good practice and supporting the outcome based approach which is integral to the Scottish Government's National Performance Framework.

3.1.4 A risk based approach to determining the necessary level of fire safety measures in all relevant premises lies at the heart of the fire safety provisions within Part 3 of the Fire (Scotland) Act 2005. It should be noted, however, that the statutory responsibility for ensuring an adequate level of fire safety within relevant premises lies with dutyholders, who may be the employer, manager, owner and/or occupier.

#### **3.2 Building (Procedure) (Scotland) Regulations 2004**

3.2.1 The SFRS is a statutory consultee to local authority building standards verifiers under Regulation 11 of the [Building \(Procedure\) \(Scotland\) Regulations 2004](#)<sup>5</sup>

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<sup>4</sup> Part 3 Fire (Scotland) Act 2005 – <https://www.legislation.gov.uk/asp/2005/5/part/3>

<sup>5</sup> Building (Procedure) (Scotland) Regulations 2004 – <http://www.legislation.gov.uk/ssi/2004/428/contents/made>

3.2.2 The Regulation directs the verifier to consult SFRS for their comments on building warrant applications which meet the following criteria:

- non domestic residential buildings;
- non domestic, non residential buildings where the design is not in accordance with the guidance issued by the Scottish Ministers;
- domestic buildings with a storey height over 18 metres; and
- domestic buildings with a storey height over 7.5 metres up to 18 metres where the design is not in accordance with guidance issued by the Scottish Ministers.

3.2.3 The verifier will also consult where an application for an amendment to warrant is received for the above categories or for other amendment applications which, if granted, results in a design not in accordance with Technical Handbook guidance and which brings it within the criteria listed above.

3.2.4 The SFRS will review applications which meet the above criteria and will, as a minimum, provide comment on those aspects of the design for which a view has been specifically requested by the verifier. Where applicable, the SFRS will also comment on any aspects of design which do not follow Technical Handbook guidance and have the potential to present issues in respect of the enforcement of [Part 3 of the Fire \(Scotland\) Act 2005](#), as amended and the [Fire Safety \(Scotland\) Regulations 2006](#). In addition to those legislative considerations, the SFRS will review and, where appropriate, make comment on any aspects which may have an impact on firefighter safety and other operational matters, such as requirements for fire service vehicle access, facilities for firefighting and water supplies.

3.2.5 A dedicated, centralised team within the P&P Function incorporating Fire Engineers will be responsible for managing this process to ensure a consistent, competent and timely response can be made. This team will

liaise closely with the Operations Function on matters relating to fire service access and water supplies.

- 3.2.6 Submissions which incorporate fire engineering solutions will be subject to consultation and prior to making comment, the SFRS will review them comprehensively and holistically, given their potential impact on firefighter safety, operational firefighting tactics and enforcement.

### **3.3 Advice and Guidance**

- 3.3.1 Technical guidance on fire safety matters has been made available through [sector specific guides](#) published by the Scottish Government. Although their application by dutyholders is non-statutory, they provide guidance which assists them in ensuring adequate fire safety measures are achieved within their premises. SFRS recognise the content contained within the guides and consider them whilst undertaking protection and fire engineering activities.

- 3.3.2 Protection teams are appointed to enforce the duties laid out within the FSA and, whilst cognisance is to be taken of sector specific guidance, the adequacy of measures provided within a building will ultimately be measured against the FSA and supporting Regulations.

- 3.3.3 In order to prevent areas of conflict, other than where required as part of their role within the SFRS and for SFRS premises only, no SFRS personnel shall:

- Undertake or review fire safety risk assessments for dutyholders;
- Undertake training provision for dutyholders in relation to fire safety duties under the FSA;
- Draft fire safety policy and procedures on behalf of dutyholders;
- Act as design engineers where specifications are sought for within design proposals; and
- Appear in court on behalf of dutyholders in any prosecution brought by a third party, including another enforcing authority under health and safety or fire

safety legislation, except as an expert witness for the crown or when required to do so as warranted or cited by the court.

- 3.3.4 If requested for advice on selecting a fire risk assessor, Protection teams will promote the use of competent fire risk assessors by directing enquiries to the [SFRS website](#), as promoted by the Scottish Government. No officer shall make a personal recommendation of an individual or company.
- 3.3.5 In maintaining the high standards of service delivery within the Protection Function and to continue to promote consistency, LSO areas and Protection teams shall comply with the principles laid out in this Framework and adhere to guidelines set by the Service Delivery Directorate through service policy and procedures. Whilst the responsibility for identification of risk and targeted protection activity lies solely with LSOs, the structure and framework provided for effective Protection delivery should be maintained and resourced in accordance with direction set by the Head of Prevention and Protection.
- 3.3.6 SFRS will seek to support dutyholders and improve business fire safety by offering information and advice on what may be necessary to comply with the Act. Protection teams will, when requested to do so or during the course of auditing relevant premises, provide advice that is appropriate to the premises and its use and will do so by referring to nationally recognised guidance and standards. Individuals, businesses and other undertakings will be encouraged to integrate fire prevention and fire safety measures within normal working practices, and be adaptable to changes in risk by undertaking regular reviews of their fire safety risk assessments.

#### **3.4. Partnerships**

- 3.4.1 The SFRS will continue to develop and expand partnership working arrangements in order to promote and encourage fire safety compliance. Partnership working also ensures that the information SFRS provides can be targeted specifically to meet the needs of individual industries or organisations.

3.4.2 Key partners include, though are not limited to:

- Building Standards Division of the Scottish Government;
- Building Research Establishment (BRE);
- NHS Scotland;
- Care Inspectorate;
- Scottish Prison Service;
- Scottish Business Resilience Centre;
- Business Engagement Forum;
- Local Authority Verifiers;
- Local Authority Building Standards Scotland (LABSS);
- Edinburgh University;
- Glasgow Caledonian University.

3.4.3 By maintaining close links with other UK Fire & Rescue Services through NFCC (Protection Policy and Reform Unit) and by using the knowledge and expertise of our partners and other enforcement agencies, we will ensure adherence to national guidance in our Protection activity.

## 4. ENFORCEMENT PLANNING AND DELIVERY

### 4.1 Principles of Enforcement

4.1.1 The [Scottish Regulator's Strategic Code of Practice](https://www.gov.scot/publications/scottish-regulators-strategic-code-of-practice/)<sup>6</sup>, the [Enforcement Management Model](http://www.hse.gov.uk/enforce/emm.pdf)<sup>7</sup> (EMM) sets best practice for regulatory authorities in Scotland which SFRS will adhere to. These principles are incorporated into all national fire safety Protection guidance and procedures. The Strategic Code also promotes an approach whereby regulators seek to understand those they regulate, including taking into account economic and business

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<sup>6</sup> Scottish Regulators' Strategic Code of Practice – <https://www.gov.scot/publications/scottish-regulators-strategic-code-of-practice/>

<sup>7</sup> HSE Enforcement Management Model – <http://www.hse.gov.uk/enforce/emm.pdf>

factors appropriately (for example, in terms of costs, processes and timescales).

4.1.2 The Scottish Regulators Strategic Code of Practice sets out the following high level approaches to regulation:

- Adopt a positive enabling approach in pursuing outcomes that contribute to sustainable economic growth;
- In pursuing their core regulatory remit, be alive to other interests, including relevant community and business interests; taking business factors appropriately and proportionately into account in their decision making processes; and protecting public health and safety;
- Adopt risk and evidence based protocols which help target action where it is needed and help to ensure the achievement of measurable outcomes;
- Develop effective relationships with those they regulate and have clear two-way communication in place;
- Customise their approach depending on the nature of the sector they are regulating and the desired outcomes. This includes a commitment to advise and support for those who seek to comply, allied with robust and effective enforcement when justified;
- Recognise, in their policies and practice, a commitment to the five principles of better regulation: regulation should be transparent, accountable, consistent, proportionate and targeted only where needed;
- Pursue continuous improvement in regulatory practice based on the principles of better regulation.

4.1.3 To ensure effective delivery and maintain the high standards expected by stakeholders, SFRS personnel will adopt any Code of Ethics as laid out by the P&P Function and provide a courteous and efficient service. Activities should be coordinated to minimise unnecessary overlaps and time delays in communications with dutyholders. In addition to actively working with businesses and organisations to advise and assist in achieving compliance,

personnel will provide single points of contact locally and encourage businesses and dutyholders to seek advice and information where needed.

- 4.1.4 The application of these enforcement principles will form the basis of our approach in delivering our Protection activities and regulatory responsibilities. By following the above principles, we will ensure that we maintain and develop our relationships with dutyholders.

## **4.2. Equality and Human Rights**

- 4.2.1 The SFRS understand that to effectively deliver the 'Protection Framework for Scotland' we must consider Equality and Human Rights implications. The Framework directly relates to all three arms of the General Equality Duty around the need to have due regard in eliminating discrimination, advancing equality of opportunity and fostering good relations. This includes considering individual and collective needs around the protected characteristic(s) to determine risk and the approach that is taken through audit processes. In this vein, this Equality Impact Assessment and the equalities information therein, should be considered throughout all Protection policy, guidance, plans, training and their implementation. The EIA can be accessed [here](#).

## **4.3 Risk Based Approach**

- 4.3.1 SFRS takes an enabling approach to regulation by encouraging businesses and organisations to assume the responsibility for compliance in order to meet their legal requirements, enhance safety and subsequently support economic growth.
- 4.3.2 Where there are failures in compliance, SFRS will utilise their powers under the FSA to ensure adequate fire safety measures are provided and maintained. This approach is informed by the principles of proportionality in applying the law and securing compliance and will provide stakeholder feedback. This will be reflected within the SFRS Fire Safety Enforcement

Audit Procedure and Guidance document and any other policies or procedures which relate to the fire safety enforcement and, where necessary, the fire engineering functions.

4.3.3 The delivery of Protection activity will be prioritised around 4 key areas:

- The impact of life safety in the event of fire;
- Emerging intelligence, e.g. through operational activity or partner communications;
- The risk based methodology outlined within this document;
- Post fire audit and analysis.

4.3.4 As risk can change, there must be close liaison between the P&P Function and LSO Areas to ensure Protection activity is appropriately targeted. Themes identified should be agreed with the Function to ensure that guidance and support can be given and any trends or issues identified locally can be informed to wider LSO Area P&P teams.

4.3.5 SFRS will ensure that action is targeted where it is most needed and, in support of this, SFRS will take an evidence based approach utilising all available risk information, including previous audit activity. The audit programme shall provide a degree of flexibility to enable priorities to be modified where post fire analysis or locally identified trends indicate an increased risk in accordance with above, however, the core enforcement activity identified by the Function and Service Delivery will be maintained as the primary focus for LSO areas.

4.3.6 The emphasis shall be on the prevention of fire incidents occurring, or from escalating significantly to the extent that poses any risk to life. In preventing fires and securing compliance with the Act, officers will aim to avoid bureaucracy and the imposition of unnecessary costs on dutyholders.

4.3.7 In order to assist in identifying potential risk types, increase awareness within lower risk premises and to provide any focus for future audit activity, LSO

Areas may undertake structured Operational Reassurance Visits (ORV) in line with SFRS policy. This will provide an initial generic overview of fire safety compliance to protection teams whilst capturing local operational intelligence and firefighter safety issues for responding crews.

- 4.3.8 SFRS will be receptive to any intelligence received from external partners/agencies, members of the public or operational crews. Fire safety complaints and considered intelligence shall be investigated and where appropriate, the premises audited at the earliest opportunity.
- 4.3.9 LSO areas will analyse previous audit outcomes, ORV data, fire activity and other intelligence to identify and determine premises types demonstrating an increased risk which may have not previously been covered within their local audit programme (e.g. factories, warehouses, offices). This evidence will be used to populate part of each LSO Area Local Enforcement Delivery Plan for the forthcoming year.
- 4.3.10 Through the enforcement model currently in place, the Function will support local P&P Commanders to determine the premises types or themes and assist areas in identifying resources as appropriate through peripatetic or other direct support as needed.
- 4.3.11 SFRS will analyse all available historical audit data, including engagement from dutyholders in reducing risk. Based on this assessment, SFRS may extend the timescales between planned audits in premises outwith core activity in accordance with the confirmed Management Compliance Level (MCL) following the most recent audit.
- 4.3.12 SFRS' membership of the Scottish Business Engagement Forum (BEF) will provide a vehicle to involve the business and wider fire community in the shaping of FSE policy, relevant procedures and doctrine. In this regard, we will ensure a standardised and consistent approach is taken to regulation, whilst assisting the business community in contributing to Scotland's economic growth.

## 4.4 Audit Programme

4.4.1 In undertaking our statutory duties in respect of Part 3 of the Fire (Scotland) Act 2005 (as amended), SFRS will implement a risk based methodology and establish a programme to audit relevant premises, prioritising premises that present the greatest risk to life safety.

4.4.2 Local Enforcement Delivery Plans (LEDPs), incorporating P&P Functional guidance and Service Policy, must be developed by LSO areas to include premises which constitute core audit activity (see below) and those identified through local or national risk information gathering as having high levels of non-compliance or an increasing number of fire incidents by premises type. LEDPs should also allocate resources to thematic audits based on local needs and national campaigns, e.g. non core activity or business safety week. The LEDP shall be set out by each LSO Area, using the risk based methodology for the delivery of enforcement activities by our Protection Officers for the forthcoming fiscal year. This LEDP will be subject to regular review during the year and be adaptable to meet local needs as new risks emerge and SFRS further develops its enforcement strategies.

4.4.3 LEDPs are a key part of working towards achieving national strategic objectives, therefore core audit activity must include provision to:

- Ensure all Care Home Services, Hospitals, Private Hospitals and Hospices which provide inpatient care are audited annually;
- Ensure newly registered Care Home Services are audited within seven working days of becoming operational;
- Undertake annual audits of Hotel and Hostel premises where previous activity has identified a calculated risk level of “medium” and above **and** an MCL of 3 or more until improvements have been demonstrated and an MCL of 2 or less achieved;
- Ensure all significant sleeping risks not having previously been audited are included within any audit program to determine its relevant risk rating;

- Undertake annual audits of all other premises where previous activity has identified a calculated risk level of “High” or “Very High” and an MCL of 3 or more until improvements have been demonstrated;
- Audit Houses in Multiple Occupation (HMO) in line with the SFRS HMO Auditing Policy;
- Ensure relevant premises identified as having had a fire, or other significant fire safety event, will have an audit undertaken at the earliest opportunity to determine whether the incident was initiated due to inadequate fire safety measures or a failure within the fire risk assessment process;
- Undertake an initial or follow up audit as a result of meeting the criteria within Stage 3 of the SFRS UFAS Procedure.

4.4.4 To support positive outcomes through LEDP activity, Protection teams will continue to monitor and work in conjunction with dutyholders where areas of non-compliance have been identified and action plans requested, to ensure appropriate methods of resolution are being undertaken. Where necessary, the proportionate use of all available enforcement powers under the FSA shall be used to seek formal compliance of fire safety legislation.

4.4.5 LSO areas shall gather evidence and prepare reports that will allow, through the P&P Function, for the reporting to the Crown Office and Procurator Fiscal, any contraventions of Enforcement, Alterations and/or Prohibition Notices that have been served in order to secure legislative compliance. Such processes will also be taken to ensure those who have failed in their duties and put relevant persons at risk of death or serious injury in the event of fire, are subject of a report in a timeous manner. The P&P Function will provide support in this regard and be a conduit between the LSO area and Legal Services though the final decision whether to submit any report will remain with the head of Prevention and Protection on behalf of the Director of Service Delivery.

## **4.5 Structure of Protection and Fire Engineering**

- 4.5.1 The delivery of Protection activities will be achieved using a blended resourcing model. Using this model, the management structure is connected from the Director of Service Delivery, through the Head of Prevention & Protection Deputy Assistant Chief Officer (DACO) and the Service Delivery DACOs to Service Delivery Prevention and Protection leads and Local Senior Officers (LSOs) who offer flexible peripatetic Protection teams with the capability to deploy to any geographic location in Scotland.
- 4.5.2 Any peripatetic deployment, including timescales and resource requirements, should be agreed between the relevant LSO Areas with notification given to the P&P Function. These deployments can provide a flexible approach to support unpredicted local circumstances and manage identified risk. This will allow LSOs to ensure that LEDPs and the core audit programme outlined within this document are delivered and in line with service policy.
- 4.5.3 The P&P Function, led by a National Protection Manager, will give direction by developing policy and providing support to all protection officers across Scotland, ensuring consistency for compliance of our statutory duty for enforcement contained within the Act.

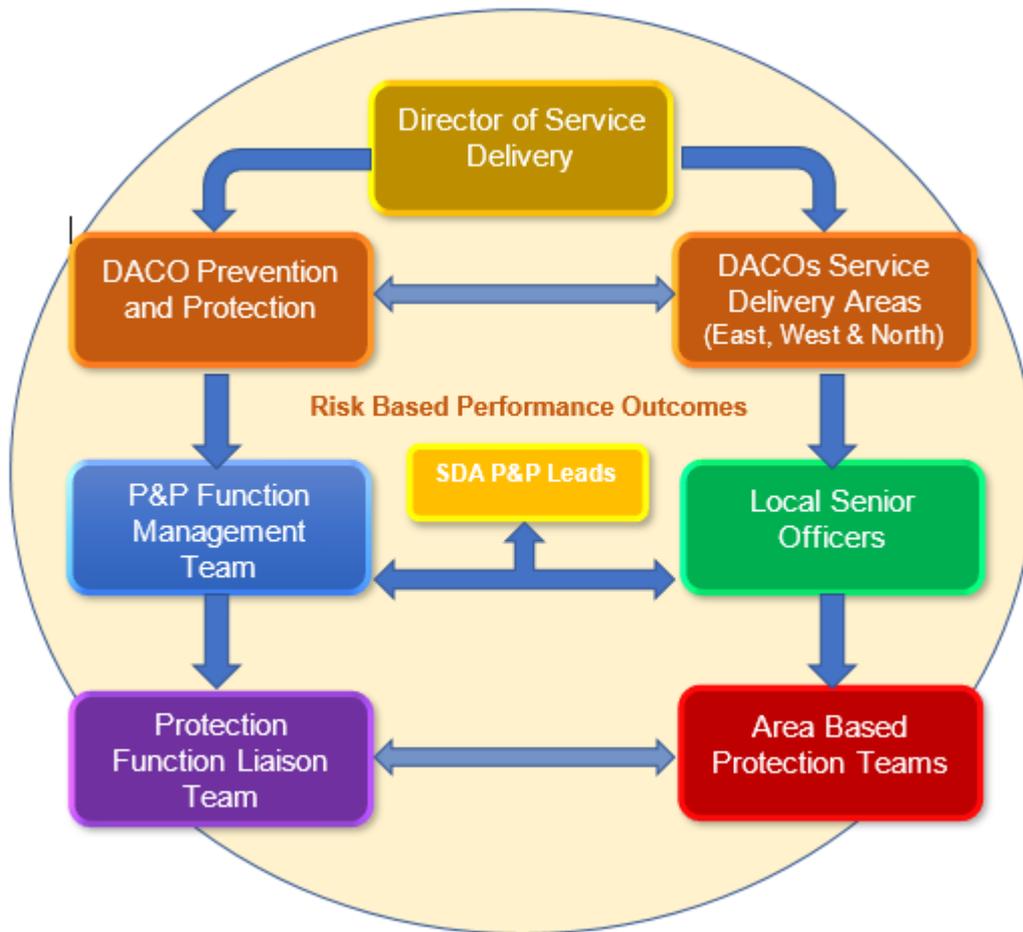


Figure 2 details the structure of governance for Protection arrangements

## 4.6 Promoting Fire Safety in Relevant Premises

4.6.1 SFRS will continue to promote regulatory compliance within relevant premises in Scotland through local and national engagement activities. Appropriate platforms will be sought to ensure that key messages based upon evidence of non compliance and identified risk are communicated to dutyholders and information and support can be offered where requested.

4.6.2 Where available, SFRS will utilise both media and internal business communications to maintain a high profile with those having responsibility for fire safety and to raise their awareness of the need to ensure their fire safety risk assessment is appropriately reviewed.

## **5. TRAINING AND CONTINUOUS PROFESSIONAL DEVELOPMENT**

### **5.1 Workforce Development**

5.1.1 SFRS will offer a development pathway for all Protection officers and will provide necessary training and guidance to ensure that the competence of each officer is achieved and maintained. This shall be done through initially undertaking a structured educational program and continued with a series of technical awareness sessions, supported with attendance at external CPD events when appropriate and available.

5.1.2 The development of an SFRS Competency Framework will outline the requirements for development and competence which SFRS Protection officers will be expected to follow and achieve, hereby ensuring that our officers can be deemed technically skilled and competent through measured means.

## **6. PERFORMANCE**

### **6.1 Resourcing Protection**

6.1.1 Protection officers support each of the 16 LSO Areas, by being appointed as regulators or auditors to carry out the enforcement function under Part 3 of the Fire (Scotland) Act 2005 as amended. Subject to geographical location, there are varying models of resources applied and, in some areas, these include a blend of uniformed and non-uniformed officers. LSO Areas and the P&P Function will continue to review structures to ensure that local areas are resourced appropriately and ensure any blended model is reflecting the needs of both the local area and the needs of the organisation in performing its enforcement function.

## **6.2 Recording Activity and Quality Assurance**

- 6.2.1 There are 3 main workstreams that Protection officers will record all work activity against: Audits, Consultations and Specific Visits. It is, however, recognised that officers may, at times, support the LSO Area through other activities that could be unique to an Area but these must relate directly to the Protection and Fire Engineering functions or operational resilience.
- 6.2.2 Protection activity is recorded and presented at the year end to Scottish Government and, therefore, audit activity is specifically the primary performance indicator for fire safety enforcement within the SFRS. It is essential that this is monitored by local P&P Commanders to ensure area performance is maintained and that quality and consistency are commensurate with the standards expected within the SFRS. The National P&P Commanders meeting provides one of several opportunities for the P&P Function to quality assure service performance and ensure best practice is shared.

## **6.3 Enforcement Outcomes**

- 6.3.1 This Framework aims to direct focus on outcomes in order to assist with reducing risk in relevant premises, ensuring compliance with the FSA and ensuring our resources are suitably deployed. Such outcomes will relate to the monitoring of MCLs, action plans and the number and type of formal notices served by the SFRS. In addition, the SFRS will continue to develop analysis tools that will evaluate outcomes relating to particular areas of non-compliance.
- 6.3.2 Within previous frameworks, outputs were derived from the setting of individual targets on an annual basis for the SFRS. Whilst future target setting may be considered by the Strategic Planning, Performance and Communications Directorate, it is imperative that minimum targets are set to ensure the successful delivery of this Framework and meet the demands of each LEDP. Moving forward, whilst the P&P Function directs Protection

policy, LSOs must retain responsibility for appropriate outcomes. In working together and, where necessary, through peripatetic deployments, SFRS can ensure that such outcomes and achievements feed back to a national objective of reducing risk through a targeted approach, promoting consistency and ensuring a high standard of service delivery.

- 6.3.3 It is recognised that each LSO area may have certain characteristics that impact on the number of routine audits that can be completed by Protection Officers but a review of recent performance data has indicated that it would be detrimental for an LSO area to be setting an annual target of less than 122 audits per officer. The P&P Function will assist local Commanders through local performance for a provision of frequent performance information to ensure that they are reassured of targeting their resources appropriately and in line with service policy.

## **7. ADAPTING TO CHANGE**

### **7.1 Flexibility in Approach**

- 7.1.1 This Protection Framework for Scotland will be subject to ongoing review and forms part of our commitment to directing SFRS resources appropriately, ensuring we effectively undertake our regulatory responsibilities and continue to reduce risk within communities from the effects of fire.
- 7.1.2 The flexibility to manage local risk through LEDPs continue to play an important part in adapting to modern challenges presented through pandemics such as Coronavirus, state events such as Conference of the Parties and developments in the fire safety environment following events such as those surrounding Grenfell.
- 7.1.3 The Protection function will continue to develop strategies alongside our partners and local Protection teams to ensure that where any model requires

adaptation, this will not adversely affect the outcomes committed to within this Framework.

## **8. ASSOCIATED DOCUMENTS AND REFERENCES**

- EIA FSE Protection Framework for Scotland
- FSE Audit Procedure and Guidance
- HMO Auditing Policy
- ORV Policy and Procedure
- SFRS Strategic Plan
- UFAS Incident Procedure
  
- Building (Procedure) (Scotland) Regulations 2004 –  
<http://www.legislation.gov.uk/ssi/2004/428/contents/made>
- Fire and Rescue Framework for Scotland 2016 –  
<http://www.gov.scot/Resource/0049/00499541.pdf>
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