

**North Yorkshire Fire & Rescue Service
Fire Safety Enforcement Policy**

FIRE SAFETY ENFORCEMENT POLICY

1.0 INTRODUCTION.

1.1. This policy is designed to assist the North Yorkshire Fire and Rescue Authority to meet its statutory duty to enforce fire safety legislation and give fire safety advice in order to reduce the risk of fire causing death, serious injury and property related losses in the community.

1.2. The North Yorkshire Fire and Rescue Authority aims to provide effective and well targeted regulation with high quality service to the community.

2.0 POLICY STATEMENT.

2.1 The North Yorkshire Fire and Rescue Service (the Service) carries out fire safety enforcement, consultation and advisory functions on behalf of the North Yorkshire Fire and Rescue Authority (the Authority).

2.2. The Authority has adopted the audit procedures developed by the Chief Fire Officers Association (CFOA) in support of the Regulatory Reform (Fire Safety) Order 2005 (the Order). These procedures are recognised nationally as representing best practice in reaching appropriate enforcement decisions

2.3. The Authority has adopted the guidance documents for differing types of premises published by HM Government ("Fire Safety Risk Assessment" series). This guidance is recognised nationally as offering appropriate "benchmark" standards for fire safety. However, the Authority recognises that compliance with the Order may be achieved by utilising other appropriate guidance documents.

2.4. The Authority recognises the guidance contained within "The Regulators Compliance Code", "The Enforcement Concordat" and the "Enforcement Management Model" in reaching appropriate enforcement decisions.

2.5. The Authority will, in support of this policy, formulate and publish guidance for the use of its staff, which will set out the procedures, standards and values that will be applied.

2.6. The Authority, through these mechanisms will ensure that any enforcement action taken is:

- Proportional to the circumstances
- Consistent as to the actions and outcome
- Targeted at more serious risks
- Transparent to all responsible persons

2.7. The Authority through its Fire Safety Enforcement Policy is able to demonstrate that the any enforcement action taken:

- Was based on a documented decision making process
- Incorporated professional judgements and provides evidence of professional decision making
- Was based on a framework for consistency
- Relied on guidance and benchmarks relating to the risk and hazards of fire and its control
- Has not been a procedure in isolation
- Did not restrict a fire safety inspector's discretion or direct any enforcement actions
- Is in accordance with the aims of the Government's Enforcement Concordat and Regulators Compliance Code