

## SERVICE STANDARDS

### LONDON FIRE COMMISSIONER

#### PREVENTION AND PROTECTION DEPARTMENT

The London Fire Commissioner (“the Commissioner”) is the fire and rescue authority for London, operating as London Fire Brigade (“the Brigade”). This document explains what you can expect of the Fire Safety Regulation Department in the London Fire Brigade. Whether you run a business, are an employee, a landlord or a member of the public, 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.

#### **Areas we regulate:**

We deliver services in a number of areas;

We regulate in the areas of:

- Fire safety; and
- Petroleum.

We exercise statutory powers to:

- Investigate the causes of fire and fire spread.

We have duties to:

- Enforce the Regulatory Reform (Fire Safety) Order 2005 (as amended)
- Provide fire safety advice to the extent we think reasonable
- Provide assistance, on request, to the Building Safety Regulator (BSR) in the furtherance of the BSR’s functions under the Building Safety Act 2022
- Act as a statutory consultee for fire safety under various Acts and regimes including:
  - Building Regulations applications (excluding private dwellings)
  - Licensing of entertainment type premises
  - Fire safety in residential care premises
- Have regard to Primary Authority Partnerships formed under the Regulatory Enforcement and Sanctions Act 2008 (as amended)

#### **How we deliver our services**

Our aim to stop fires and other emergencies happening may sometimes require intervention beyond the work we do analysing the incidents we attend, building our relationships with other partners, changing behaviours, and how we respond. In these cases, we will use our influence to get changes in the law where there would be a significant improvement in fire safety (further information is given in our Community Risk Management Plan (CRMP) which can be viewed at

<https://www.london-fire.gov.uk/about-us/your-london-fire-brigade-our-plan-for-2023-29/>

If you have suffered a fire, our investigation team may look to determine the cause, origin and development of the fire. The Team also reports on any problems associated with building construction and materials, human behavior and fire safety matters.

Our enforcement work ensures that action is taken to protect people and secure compliance with the regulatory system. The term 'enforcement' has a wide meaning and applies to all dealings between the Commissioner and those on whom the law places a duty.

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 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.

Our services will be delivered in accordance with the requirements of the Regulators' Code.

### **Working with you**

In all your dealings with us you can expect, and will receive, an efficient and professional service. Our officers will:

- Be respectful and polite;
- Identify themselves by name in dealings with you, and provide you with contact details;
- Have evidence of their identity and where appropriate, evidence of authorisation to carry out their duty, available to show you;
- Seek to gain an understanding of how your business operates;
- Explain to you as the person or body responsible for premises we inspect (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 details of how to discuss any concerns you may have;
- Ensure that you are kept informed of progress on any outstanding issues.
- Contact you before any enforcement notice or improvement notice expires to check and discuss progress;
- Inform you if we are investigating you.

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

### **Helping you to get it right**

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. If you come to us with a problem, we will always consider options to resolve it other than enforcement action unless such action is

necessary to protect life. We make information and guidance on meeting legal requirements available on our website at <http://www.london-fire.gov.uk/SafetyAtWork.asp> which also provides links to central government and other guidance documents. We also provide relevant guidance when we write to you or if we take formal enforcement action.

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

- Discuss with you what is required to achieve compliance;
- Provide advice that supports compliance and that can be relied on;
- 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.

Where you are part of a Primary Authority Partnership Scheme that covers the subject areas we regulate, we will consult with your Primary Authority Partner before giving advice to ensure what we tell you is consistent with your partners advice.

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 on a not for profit basis in accordance with local government finance legislative requirements.

### **Inspections and other compliance visits**

We monitor and support compliance in a number of different ways including through inspections and test purchases (such as on under-age sales of petroleum spirit). These visits will always be based on an assessment of risk – we won't visit without a reason which could be following a fire in your premises, a programmed inspection or a follow up in respect of enforcement action.

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 where it is necessary to check compliance with the law (e.g. following receipt of an allegation of fire risk or where it is how the premises are operated at those times that needs to be checked, such as in entertainment venues and similar premises).

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.

When we visit you, our officers will:

- Explain the reason and purpose of the visit;
- Carry their LFB issued identification card and associated authorisation to exercise statutory powers at all times and present them on request when visiting your premises;
- Exercise discretion in front of your customers and staff;
- Have regard to your approach to compliance, and use this information to inform future interactions with you;

- Provide information, guidance and advice to support you in meeting your statutory obligations, if required.

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 Commissioner will use the evidence based methodology provided by the 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.

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

### **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 Policy Statement](#)

We deal proportionately with breaches of the law as set out in our Enforcement Policy, 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;
- 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;

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;
- Keep in touch with you, until the matter is resolved.

Where an enforcement or improvement notice is to be served, we aim to serve the notice within 10 working days. We will do this unless:

- the need for consultation with third parties such as a Primary Authority Partner or the local council means service of the notice has to be delayed to account for their views; or
- we are in discussion with you about the actions that you need to take or the timescales within which those actions can be completed.

If we have not served a notice within 3 months of our visit to your premises we will visit again to make sure what we are saying in the notice remains current and adjust any notice that is served according to what we find at that time.

Where we investigate possible offences we will seek to conclude our inquiries as quickly as possible.

We will measure our performance against the following standard:

Time taken to issue Summons from identification of offence.

- GREEN Less than 18 months
- AMBER 18 months to 2 years
- RED More than 2 years.

Area Fire Safety Managers will keep all investigations in their area under review to ensure adequate resources are allocated to each investigation. This will be monitored by the Area Fire Safety Manager managing the Central Regulatory Enforcement Group.

Where the time taken to investigate falls into the AMBER category (or it appears likely that it will do so) the investigation will be reviewed to determine why this is the case and what actions are required to conclude the investigation. The case will be subject to review by Fire Safety Senior Management when it is concluded to determine lessons to be learned.

Where the time taken to investigate falls into the RED category (or it appears likely that it will do so) the investigation will be subject to review by senior management to determine why this is the case and what actions are required to conclude the investigation. The case will be subject to review by the Assistant Commissioner (Prevention and Protection) or nominated deputy when it is concluded to determine lessons to be learned.

### **Requests for our services**

We clearly explain the services that we offer, <http://www.london-fire.gov.uk/services-we-offer.asp> including details of any fees and charges that apply: <http://www.london-fire.gov.uk/policies-and-procedures.asp> provides information

In responding to requests for our services, including requests for advice and complaints about breaches of the law, we will:

- Respond to requests for using plain language.
- Acknowledge written requests for advice within 2 working days.
- Aim to respond to less complex requests promptly and within 5 days.
- Respond to Freedom of Information Act/Environmental Information Regulations requests promptly and within the statutory 20 working days.
- Respond to Data Protection Act requests promptly and within the statutory one month period.
- Respond to Reuse Public Sector Information Regulations (RPSI) requests promptly and within the statutory 20 working days.
- If we are unable to meet our target, we will tell you when you can expect a substantive response;
- Seek to fully understand the nature of your request;
- Explain what we may or may not be able to do, so that you know what to expect;
- Keep you informed of progress throughout our involvement;
- Inform you of the outcome as appropriate;

- Meet our obligations under the statutory Code of Practice for Victims of Crime.
- Comply with our transparency obligations to publish information about our work and services (<https://www.london-fire.gov.uk/about-us/transparency/>) .

However, please be aware that our officers will exercise their judgment to determine whether a more prompt response is required.

### **Our Team**

We have a dedicated team of officers who have the appropriate qualifications, skills and experience to deliver the services provided. We have arrangements in place to ensure the professional competency of all officers and that this competency is maintained.

Where specialist knowledge is required in an area outside of our expertise we have arrangements in place to call on competent additional resources as necessary.

### **Working with others**

We are part of a much wider regulatory system in the Greater London Area. We have good working relationships with other regulators such as the London Borough Councils, the Health and Safety Executive, the Environment Agency, the new Building Safety Regulator and the Home Office Immigration Enforcement Directorate, and this enables us to deliver a more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, to help target regulatory resources.

### **Having your say**

#### Complaints and appeals

Where we take formal enforcement action, there is statutory right to appeal. We will always tell you about this at the appropriate time.

We are always willing to discuss with you the reasons why we have acted in a particular way or asked you to act in a particular way. You can contact the officer who dealt with the matter or if you are not satisfied with the response that you receive the Team Leader for the Fire Safety Team concerned.

We manage complaints about our service, or about the conduct of our officers, through The Commissioner's Corporate Complaints Policy. Details can be found at <http://www.london-fire.gov.uk/ComplaintsProcedure.asp>

### **Feedback**

We have high expectations of all our staff, particularly when dealing with you. We 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 they could have been better.

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 well and build on it.

If you wish to make a complaint or give a compliment you can do so online at <https://www.london-fire.gov.uk/ComplimentsAndComplaints.asp> or by writing to us.

We use customer satisfaction surveys from time to time but we would welcome your feedback at any time. You can provide feedback by contacting us using the methods set out in the 'Contacting us' section of this service standard.

Any feedback that we receive will be acknowledged, considered and responded to.

### **How to contact us**

You can contact us by:

Telephone: 0208 555 1200 (ext 89170 for the fire safety duty officer)

Textphone: 020 7960 3629 is available for deaf and hard of hearing people.

You can view our British Sign Language (BSL) playlist on our YouTube channel

<http://www.youtube.com/user/LFBWatch>

Email: [info@london-fire.gov.uk](mailto:info@london-fire.gov.uk) for general enquiries or

[FSRNorth@london-fire.gov.uk](mailto:FSRNorth@london-fire.gov.uk) for regulatory fire safety enquiries in North London Boroughs;

[FSRSouth@london-fire.gov.uk](mailto:FSRSouth@london-fire.gov.uk) for regulatory fire safety enquiries in South London Boroughs.

[petroleumpaps@london-fire.gov.uk](mailto:petroleumpaps@london-fire.gov.uk) for Petroleum related Primary Authority Partnerships

Web: [www.london-fire.gov.uk](http://www.london-fire.gov.uk)

By post: Fire Safety Regulation, London Fire Brigade Headquarters, 169 Union Street, London, SE1 0LL

### **Developing our services with you**

Our Business Support Group engages in Primary Authority Partnerships with business. Further information on this scheme can be found on our external website or by emailing us at [FSRpartnerships@london-fire.gov.uk](mailto:FSRpartnerships@london-fire.gov.uk)

Or in person: through our fire safety offices by prior booking. <http://www.london-fire.gov.uk/FireSafetyRegulationTeams.asp>.

For freedom of information requests or data protection matters, you can contact the information Access Team at London Fire Brigade Headquarters or email them at <mailto:infoaccess@london-fire.gov.uk> Information about data access is available at <http://www.london-fire.gov.uk/AccessToInformation.asp>

We will seek to work with you in the most appropriate way to meet your individual needs. We can make information available in different formats, and have access to translation and interpretation services.

If you contact us we will ask you for your name and contact details to enable us to keep in touch with you as the matter progresses. We treat all contact with us in confidence unless you have given us permission to share your details with others as part of the matter we are dealing with on your behalf or there is an operational or legal reason why we need to do so. We will respond to anonymous complaints and enquiries where we judge it appropriate to do so.

Personal data will be managed in accordance with the Commissioner's Data Protection Policy.

<http://www.london-fire.gov.uk/Privacy.asp>.

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