

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

AUDIT AND RISK COMMITTEE

20 MARCH 2023

1. ADDITION OF FIRE INVESTIGATION CORPORATE RISK

Report of the Clerk to the Authority

RECOMMENDED

- 1.1. THAT the committee approve the addition of the identified Fire Investigation risk to the Corporate Risk Register.

2. PURPOSE OF REPORT

- 2.1. The West Midlands Fire Service (WMFS) Fire Investigation and Prevention Section (FIPS) are working towards accreditation under the Quality Standard ISO 17020. As part of this accreditation, we are required to identify and record our risks. This report proposes that a new corporate risk is added to the Corporate Risk Register in order to comply with the requirements of the accreditation.

3. BACKGROUND

- 3.1 There will be a requirement that any investigation into fire scenes that are declared a crime scene can only be carried out by forensic teams that are accredited to ISO 17020. This change is currently due to be implemented in October 2023. Accreditation to the quality standard will allow FIPS to continue to investigate fatal fire scenes, conduct joint investigations with Police, present evidence in Crown Court and continue to provide an excellent service to WMFS and other brigades.
- 3.2 As part of this accreditation, we are required to identify and record our risks. In a survey from the Forensic Regulator to assess progress towards the ISO accreditation, all Fire and Rescue Services who are striving towards the accreditation were requested to confirm if fire investigation risks are part of the Corporate Risk Register (CRR). We sent a return informing the Forensic

Regulator that we currently do not have the fire investigation risks on our CRR.

The recommendation is to create a new Prevention Corporate Risk number 3.3 worded as follows:

Corporate Risk 3.3

The Fire Authority is unable to complete and establish correct origin and cause of Tier 2 Fires (complex investigations) by the Fire Investigation and Prevention Section (FIPS) resulting in reduced confidence, credibility and increased litigation and reputational damage and a reduction in the evidence base to help define the prevention strategy.

Risk Trigger 3.3.1

There is a risk of WMFS not gaining ISO 17020 accreditation by October 2023 that would result in FIPS not being able to conduct joint investigations with Police or present evidence in Crown Court. WMFS will no longer be able to investigate some fatal fire scenes due to each sudden death being designated a crime scene. This would lead to a reduction in our ability to make accurate returns to IRS and make the communities we serve safer and target our prevention activities. A lack of accreditation would damage the WMFS reputation in the investigation of fires in general. WMFS will likely be excluded from any high-profile incidents of national interest if a criminal element is suspected.

Risk Trigger 3.3.2

Fire Investigation is an opinion-based science backed up with a broad understanding of scientific knowledge and principles. A wrong decision on origin or cause could lead to both reputational and financial risk

4. ADDITIONAL INFORMATION

- 4.1 In addition to conducting Tier 2 fire investigations in the West Midlands, WMFS currently provides Fire Investigation services to both Staffordshire and Royal Berkshire FRSS. If WMFS are not able to achieve accreditation to the quality standard, we will no longer be able to provide these services after October 2023.

5. EQUALITY IMPACT ASSESSMENT

- 5.1 An Initial Equality Impact Assessment has been completed and no equality impacts have been identified.

6. **LEGAL IMPLICATIONS**

- 6.1 The addition of a corporate risk for Fire Investigation does not present any legal implications.

7. **FINANCIAL IMPLICATIONS**

- 7.1 The addition of a corporate risk for Fire Investigation to the Corporate Risk Register does not present any direct financial implications.

8. **ENVIRONMENTAL IMPLICATIONS**

- 8.1 The addition of a corporate risk for Fire Investigation does not impact on our environmental impact.

BACKGROUND PAPERS

None.

The contact for this report is Pete Wilson, Head of Prevention,
07973810262

KAREN GOWREESUNKER
CLERK TO THE AUTHORITY