

**HOMES & COMMUNITIES COMMITTEE**  
**25 NOVEMBER 2019**

**UPDATE ON THE IMPLEMENTATION OF THE JOINT WORKING AGREEMENT WITH NOTTINGHAM  
FIRE & RESCUE SERVICES**

**1.0 Purpose of Report**

1.1 To update Members on the implementation of the Joint Working Agreement with Nottinghamshire Fire and Rescue Service and how it has improved local enforcement.

**2.0 Background Information**

2.1 The Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005 (RRO) placed a dual system of statutory enforcement on Fire and Rescue Authorities and Local Housing Authorities. Each has primacy of enforcement for different aspects of fire safety in residential property, depending on the size, type and tenure of property. The private rental market is constantly evolving; recent changes introduced in 2018 include an extension of the regulation of Houses in Multiple Occupation (HMO's) to include all shared property which is home to more than 5 people. The introduction of the "Air B & B" housing rental market has also added a new dynamic by allowing property owners to rent rooms or property on a short term basis outside the normal regulatory system.

2.2 A report setting out the future joint working arrangements was submitted to Homes and Communities Committee in January. The committee agreed:

AGREED (unanimously) that:

- (a) the adoption of the Joint Working Agreement for Nottinghamshire Housing Authorities and Nottingham Fire & Rescue Services be approved;
- (b) the trial of the ECINS database for cases relating to vulnerable people at risk of fires within their home be supported; and
- (c) the data sharing agreement to facilitate the sharing and processing of information in accordance with the General Data Protection Regulations be approved.

**3.0 Introduction**

3.1 One new area of work That was highlighted in the earlier report was the trial of the national data sharing case management system ECINS, to manage data sharing for vulnerable people at risk fires within their home.

3.2 A great deal of progress has been made with the use of E-Cins in many areas of work. This allows for every agency in Nottinghamshire to access information and to update cases so that there is an open flow of information.

3.3 The data sharing agreement has been signed which formalises the sharing of data across the E-Cins platform.

- 3.4 In addition to the use of E-Cins the Joint Working Agreement has provided real clarity on the role that each enforcement body has in a particular case. There are two good local examples where the Agreement has worked particularly well.
- 3.5 The first examples involves concerns raised following an inspection by the Fire Service at a building providing sheltered accommodation. Due to the complex arrangement between the accommodation provider and the care provider it was not clear which agency had the most appropriate powers. A meeting between the Public Protection Business Unit and the Fire Service was arranged. The Enforcement Protocol was worked through and it was clear that the Fire Service had the primacy of role. This then allowed them to discuss the works required with the accommodation provider and the necessary changes have now been made.
- 3.6 The second case relates to a House in Multiple Occupation. A large building had been converted into self-contained flats. A resident raised concerns about the adequacy of the means of escape in case of fire. Due to the nature of the conversion it was not clear who should take up the case. Discussions took place with the Fire Service and it was agreed that in this instance the local authority should take the lead using their powers under the Housing Act legislation. This allowed for swift action to be taken.
- 3.7 Without the Joint Working Agreement being in place the two cases set out above could have resulted in a far more protracted discussion and delays in instigating the action required.

#### **4.0 Proposals**

- 4.1 The Joint Agreement is considered useful to assist in the enforcement of fire regulation and therefore it is proposed to continue applying the regulatory framework set out in the Joint Working Agreement for Nottinghamshire Housing Authorities and Nottingham Fire & Rescue Services.

#### **5.0 Equalities Implications**

- 5.1 There are no equalities implications within the proposals made in this report. The Joint Working Agreement is implied impartially across all tenures.

#### **6.0 Financial Implications**

- 6.1 There are no financial implications for this update report.

#### **7.0 RECOMMENDATION**

**That Members note the positive contribution that the adoption of the Joint Working Agreement for Nottinghamshire Housing Authorities & Nottingham Fire & Rescue Services and support the proposal to continue its application.**

#### **Reason for Recommendations**

The adoption and use of the Joint Working Agreement for Nottinghamshire Housing Authorities and Nottingham Fire & Rescue Services has improved the effectiveness of local regulation and ensure that all regulators are aware of their responsibilities.

Background Papers

Nil

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