

SFJFS10

Plan and gather evidence for the purpose of fire safety regulation



Overview

This standard is about the planning, gathering and collating of appropriate, accurate and relevant evidence in order to prepare for enforcement action or other formal proceedings. The responsibility for a premises lies with the person(s) described within the relevant home nation's legislation.

There are three elements

- 1 Plan and prepare the taking of evidence for fire safety regulation
- 2 Gather evidence for the purpose of fire safety regulation
- 3 Collate evidence for the purpose of fire safety regulation

Target Group

This standard is recommended for Regulators, i.e. anyone who has the responsibility for ensuring the requirements of Fire Safety and associated regulation are being met through cooperation or enforcement.

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Performance criteria

Plan and prepare the taking of evidence for fire safety regulation

You must be able to:

- P1 identify whether an offence may have taken place
- P2 identify likely sources of evidence and assess their relevance to the potential enforcement action being considered
- P3 identify the need for any immediate action to obtain and preserve evidence
- P4 take action to minimise the effect of actual or potential risk
- P5 inform relevant persons of your actions

Gather evidence for the purpose of fire safety regulation

You must be able to:

- P6 request further support or expert help when necessary
- P7 determine and gather potential evidence
- P8 ensure the relevant rules are followed to ensure continuity and admissibility of evidence
- P9 obtain statements from witnesses using relevant statutory powers
- P10 use questioning and listening skills to obtain relevant information
- P11 inform responsible and relevant persons of your actions
- P12 consistently maintain health, safety and security of yourself and others

Collate evidence for the purpose of fire safety regulation

You must be able to:

- P13 collate evidence and information to support the decision that an offence has taken place
- P14 identify all materials that may be required for disclosure
- P15 prepare accurate reports and evidence in an appropriate and logical sequence
- P16 ensure you communicate with relevant departments to ensure a consistent approach
- P17 actively seek feedback and review meetings in order to inform and improve future practices

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Knowledge and understanding

You need to know and understand:

- K1 legal powers and enforcement duties under fire safety legislation
- K2 organisational fire safety policy and the related procedures
- K3 how to identify appropriate mandatory and discretionary enforcement action, including giving advice, issuing notices, instituting proceedings
- K4 limitations of law and regulations that govern the gathering of evidence and the taking of witness and interview statements as an officer enforcing fire safety law
- K5 how to identify and evaluate different sources of evidence, physical and documentary evidence, photographic evidence, laboratory testing of items and substances, and evidence from witnesses
- K6 how to access, interpret and provide relevant information and data
- K7 how to identify and analyse qualitative and quantitative information essential to your role and responsibilities
- K8 how to operate and manage within a legal and regulatory framework
- K9 how to identify and apply procedural legislation which must be followed to bring a case to court, e.g. currently, police and criminal evidence act, criminal procedure and investigations act
- K10 the roles, responsibilities, level of authority and requirements of yourself and others within the context of formal proceedings
- K11 how to access sources of specialist support, advice and information
- K12 how to communicate with a wide variety of people and make effective use of techniques of persuasion and negotiation
- K13 how to use questioning and listening skills to obtain relevant information

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