

SHERIFFDOM OF NORTH STRATHCLYDE AT PAISLEY

Court ref: B383/21

RESPONSE

to the

DETERMINATION OF SHERIFF THOMAS MCCARTNEY

UNDER THE INQUIRIES INTO FATAL ACCIDENTS AND SUDDEN DEATHS ETC.

(SCOTLAND) ACT 2016

IN THE

INQUIRY INTO THE DEATHS OF SIMON MIDGLEY AND RICHARD JOHN DYSON

To: the Scottish Courts and Tribunals Service

1. The Scottish Fire and Rescue Service being a person to whom a recommendation under section 26(1(b)) was addressed, do respond as follows.
2. The Scottish Fire and Rescue Service was a participant in the inquiry.
3. The following recommendation was made to the Scottish Fire and Rescue Service;
  - 3.1 Scottish Fire and Rescue Service should reduce the time period between a fire safety audit inspection and the issue of a written outcome report.

RESPONSE TO RECOMMENDATION

- 3.2 The Scottish Fire and Rescue Service proposes to implement the requirement for the written outcome report to be issued within 14 days of the fire safety audit inspection. The Scottish Fire and Rescue Service will make the following amendment (underlined in extract below) to the internal guidance document, Fire Safety Enforcement Audit Procedure and Guidance at paragraph 2.4.16. This will be implemented by 1 April 2023.

## Scottish Fire and Rescue Service Fire Safety Enforcement Audit Procedure and Guidance

### Paragraph 2.4.16

*“2.4.16 On conclusion of the audit of the premises, a summary of the findings and significant deficiencies should be discussed with the Dutyholder and recorded on the Dutyholder Handover Sheet (Appendix F). The top copy shall be passed to the Dutyholder or their representative at the earliest opportunity. This should normally be at the conclusion of the audit however, in some cases, to enable peer discussion, the top copy may be sent later the same day or the following day by electronic means. The bottom copy shall be uploaded to the enforcement database. This does **NOT** negate the need to issue the appropriate audit outcome letter/Notice. The appropriate audit outcome letter should be issued **as soon as practicably possible and no later than 14 days** following the date of the audit.*

***All deficiencies listed within the Dutyholder Handover Sheet must be accurately reflected on the accompanying audit outcome letter/Notice provided to the Dutyholder.”***