



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Fire Protection

Appeals, Challenges and Complaints Process

Date: 04/10/2021

Appeals, Challenges and Complaints Process

We, Nottinghamshire Fire and Rescue Service (NFRS) aim to deliver an efficient and professional service; and while our goal is to carry out all our activities in a way that supports you to provide safety to people in case of fire, we will also help you if you encounter problems or if you disagree with the actions we have taken. If you think we have (in some way) not got it right for you, we would like to know, and this document tells you how to go about it.

There are two ways you could be unhappy with us helping you to be safe in case of fire;

1. You don't think that the steps we have taken, the safety measures that we have highlighted or the solutions suggested are right for you, and you want to challenge them, and/or;
2. You wish to comment on the level and standard of service received by our staff through our Comments, Complaints & Compliments Procedure.
<https://www.notts-fire.gov.uk/> > About Us > Contact Us (<https://www.notts-fire.gov.uk/Documents/Complaints%20leaflet.pdf>)

Challenging Our Advice, Actions or Decisions

We are always willing to discuss with you why we have acted in a particular way or made certain decisions.

In cases other than statutory notices (including Fire Safety Matters letters), you can challenge our advice, actions or decisions by following the route to an informal appeal (described below 'Complaining about our Service'). This is usually initiated by contacting the Fire Safety Inspector concerned in the first instance.

If your concerns are not adequately addressed the matter which you have raised can be brought to the attention of the relevant Fire Safety Manager. You can access the contact details for the appropriate Fire Safety Manager via <https://www.notts-fire.gov.uk/> > Business Safety > Contact Us (<https://www.notts-fire.gov.uk/BusinessSafety/Pages/BS-Contact-Us.aspx>)

If you are unclear or unhappy about any of our advice or decisions and you are involved in a partnership under the Primary Authority Scheme, you should contact your Primary Authority who can take up the matter on your behalf.

When we are not able to resolve your issues, you can make use of our corporate Comments and Complaints procedure. You can access information about this process by accessing <https://www.notts-fire.gov.uk/> > About Us > Contact Us (<https://www.notts-fire.gov.uk/Documents/Complaints%20leaflet.pdf>)

If, having used our corporate Comment and Complaint process, you are still not satisfied you can contact the Local Government Ombudsman (LGO) who may be able to help [<http://www.lgo.org.uk/>]. It is a free service.

Appealing Statutory Notices

Where you have been issued with a statutory notice, you can appeal our decision by following the route to appeal described in the notice. Statutory notices under the Regulatory Reform (Fire Safety) Order 2005 [the Order] include:

- Alterations Notices,
- Enforcement Notices, and
- Prohibition Notices

Statutory notices under the Health and Safety at Work etc. Act 1974 include:

- Improvement Notices;
- Prohibition Notices

An appeal must be made within a prescribed time limit, usually within 21 days from the day on which the notice was served.

If you are involved in a Primary Authority partnership and we think a statutory notice is appropriate, we will follow the guidance provided for us under the Primary Authority Scheme.

Determinations by the Secretary of State

The Order also provides a route to resolve disputes by referral for determination by the Secretary of State. To bring a dispute to determination, a number of conditions must be met. The conditions for the bringing of a determination are:

1. the parties are agreed that there has been a failure to comply with the Order;
2. there is disagreement between parties about how to rectify the failure; and
3. the parties agree to take the matter to determination.

If any of these conditions are not met, the dispute is not suitable for a determination.

Complaining about our Service

If you have a complaint, the first thing to do is to let us know that you are unhappy by contacting the Inspector concerned. In most cases, we will be able to address your dissatisfaction so that you don't feel that you need to take it further.

If you do, we manage complaints about our service through our corporate Comments and Complaints procedure. Further information regarding this process can be accessed via <https://www.notts-fire.gov.uk/> > About Us > Contact Us (<https://www.notts-fire.gov.uk/Documents/Complaints%20leaflet.pdf>) or telephone 01159 670880 (Hearing Impairment Text: 07766 299 999)

If you are still not satisfied at the end of that process, we will encourage you to contact the Ombudsman and to seek their assistance in the resolution of your concern.