



National  
Operational  
Guidance

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# Control measure - Investigation

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## Control measure knowledge

Incident commanders should have a basic understanding of the need to investigate and understand the causes of accidents, injuries and the behaviour of buildings, materials and people. As well as how the information from investigations can inform future learning, developing fire and rescue service policies and campaigns to reduce risk to firefighters and the community.

The range of incidents attended by fire and rescue services is diverse in nature and extent. An assessment of the incident dictates the nature of response deployed to bring it to a safe conclusion, either at the time of call (by reference to predetermined attendances) or through specific requests made from the incident ground.

To ensure that the correct level of investigation is instigated or undertaken by the appropriate person, personnel should understand that there are different levels of investigation and know which individual would perform the appropriate level of investigation at different incident types.

Other organisations may have to carry out their own investigations depending on the incident type and nature of the investigation required. During an incident, it may be necessary to liaise with other agencies and hand over responsibility for the scene and/or investigation (see JESIP). To achieve this successfully will require pre-planning and good scene and/or investigation management practices.

The police are responsible for investigating suspected crimes, which includes activity related to fires and other emergencies.

The police have an additional role as the investigative body for the coroner or procurator fiscal; all fatalities will fall within the coroner's or procurator fiscal's remit.

## Health and safety regulatory body

The Health and Safety Executive (HSE) and the Health and Safety Executive Northern Ireland (HSENI) are the national independent watchdogs for work-related health, safety and illness. They are independent regulators acting in the public interest to reduce work-related death and serious injury in all UK workplaces.

## Investigating a fire and rescue service

In rare cases, the police and/or Health and Safety Executive (HSE) or equivalent may be required to investigate the actions of a fire and rescue service itself after the fire and rescue service has

attended an incident. Whether the fire and rescue service under investigation is required to assist with the investigation will depend on the nature of the enquiries.

However, it may be prudent to anticipate this and ensure that arrangements exist where independent investigators (whether appointed by the fire and rescue service or by the police or HSE or HSENI) can be requested and given access to the facilities they require. This may also be useful where there is the potential for a conflict of interest (real or perceived) to exist if the service investigated, for example, a fire reignition.

### **Multi-agency investigations**

Certain investigations may require several agencies to work together for all or part of it. Where possible, a lead agency will have overall responsibility, although this may not always be straightforward as roles may change during different phases of the investigation.

Time should be taken at the start to ensure a clear appreciation of each agency's role, legal powers and duties, resource commitment and what they are seeking to prove or disprove. Arrangements for areas such as information sharing, administration, media briefings, team updates and so on can also be agreed at this stage. In certain cases, it may be necessary to draw up formal written memoranda of understanding (MoUs) for an individual investigation to ensure clarity and agreement on the key areas.

As well as organisational interests, it is important to establish the competencies/areas of specialist knowledge of the individual personnel forming part of the team and the role they will play in the investigation.

Other agencies may also be involved for a limited time to perform specific tasks without being part of the investigation. The nature of their involvement, details of personnel and any impact on evidential material should be recorded.

During any investigation, the investigator should consider an individual's right to confidentiality and understand the needs of individuals including their culture, religious beliefs, ethnic origin, sexuality, disability or lifestyle, have regard to vulnerable adults and children, and have respect for the professional ethics of others. This is particularly important when working as part of a multi-agency investigation.

### **Strategic actions**

Fire and rescue services should:

- Have policies and procedures for post incident investigations and the preservation of evidence
- Provide crews with appropriate information and training on post incident investigations
- Develop tactical guidance and support arrangements for an investigation, in consultation with partner emergency services and agencies

- Develop appropriate memorandums of understanding (MoU) for key partners

## **Tactical actions**

Incident commanders should:

- Instigate and co-operate with post incident investigations where necessary