

**Northumberland  
Fire and Rescue Service****Service Procedure Note****No. FS-PR-026****Unwanted Fire Signal (UwFS) -  
Cost Recovery - Appeals****Document Overview****The following areas are covered by this document:**

- Introduction;
- Audit, Monitoring & Quality Assurance;
- Further Reading.

**Document Control**

Version	Date	Author	Reasons for Change
001	25.05.2018	GM C. Ducat	New Document

**Sign-Off List**

Position
Other:

**Approved By (to be completed by author)**

Department	Req (✓)	Date
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CCT		
SLT	✓	
Other		
Comment		

**Equalities Impact Assessment**

Completed (✓)

**Risk Assessment**

Completed (✓)

FOI Exemption Required?	Yes		Reason
	No	✓	

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Review Date	May, 2021
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**1.0 Introduction**

- 1.1 Appeals raised by responsible persons regarding the application of the cost recovery process will be considered by the Group Manager of Northumberland Fire and Rescue Service Fire Safety Department.
- 1.2 Appendix A, detailing NFRS's cost recovery appeals process will be included with all invoices.
- 1.3 Appeals can be made if:
- the responsible person is of the opinion that the charge is being made for responding to a report of a fire in a domestic premises or a genuine fire event or
  - the responsible person is of the opinion that the charge is being made for responding to reports of fires that are not considered a persistent problem, or as a direct or indirect result of warning equipment under common control having malfunctioned or been mis-installed.
  - the responsible person has taken proactive measures which have resulted in a cost to them or the organisation which has prevented further attendances by Northumberland Fire & Rescue Service to false alarms at their premises.
- 1.4 On investigation by the Group Manager of Northumberland Fire and Rescue Service Fire Safety Department, the decision to apply cost recovery will be upheld or withdrawn. On withdrawal a full refund will be provided.

**2.0 Audit, Monitoring & Quality Assurance**

- 2.1 The Fire Safety Department will perform an internal organisational audit of this policy and related procedures/guidance every three years or if a change in circumstances occurs.
- 2.2 Any recommendations resulting from policy audits will be incorporated into the existing policy and related procedures/guidance.

**3.0 FURTHER READING**

**Cost Recovery Appeals Procedure****1. Information**

- 1.1 The charges referred to in this invoice are being made under section 18C of the Fire and Rescue Services Act 2004 (as amended), which states a fire and rescue authority may charge a person for responding to report of fire etc. when:
- (i) the report of fire is at premises that are not domestic premises;
  - (ii) the report is false;
  - (iii) the report is made as a direct or indirect result of warning equipment having malfunctioned or been mis-installed, and
  - (iv) there is a persistent problem with false reports of fire at the premises that are made as a direct or indirect result of warning equipment under common control having malfunctioned or been mis-installed.
- 1.2 “*Domestic premises*” means premises occupied as a private dwelling (including any garden, yard, garage, outhouse or other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling).
- 1.3 “*Persistent problem*” is defined by the Northumberland Fire & Rescue Authority as more than three occasions within a twelve month period.
- 1.4 “*Warning equipment*” means equipment installed for the purpose of:
- a) detecting fire, or
  - b) raising the alarm, or enabling the alarm to be raised, in the event of fire.

**2. Grounds for an Appeal**

- 2.1 You can make an appeal if:
- in your opinion the charge is being made for responding to a report of a fire other than detailed in paragraphs 1(i) (ii) above, or
  - in your opinion the charge is being made for responding to reports of fires that are not considered a persistent problem, or as a direct or indirect result of warning equipment under common control having malfunctioned or been mis-installed.
  - You have taken proactive measures which have resulted in a cost to you or your organisation which has prevented further attendances by Northumberland Fire & Rescue Service to false alarms at your premises.

- 2.2 If submitting an appeal, it must indicate which aspect from the criteria of Section 18C of the FRSA (see above) is the foundation of your appeal. The appeal must also clearly state why you believe the incident does not comply with the chargeable criteria detailed in Section 18C (above). If your appeal does not provide this information we will not be able to consider your appeal.

### **3. How to make an Appeal**

- 3.1 Appeals must be received within 28 days of receipt of the invoice.
- 3.2 Your appeal should be in writing setting out your reasons why in your opinion the above grounds have not been met. Your written appeal should include our invoice number, your contact details and telephone number. Your appeal should be sent for the attention of the Group Manager, Fire Safety Department at:

Northumberland Fire & Rescue Service  
West Hartford Community Fire Station  
West Hartford  
Cramlington  
Northumberland  
NE23 3JP

or E-Mail: [firesafety1@Northumberland.gov.uk](mailto:firesafety1@Northumberland.gov.uk)

### **4. Administration Error**

- 4.1 If you believe the invoice contains an administrative error, is not addressed to the correct person or to the organisation you believe to be responsible for the false alarm that resulted in our emergency attendance, you should contact us within 28 days of receipt of the invoice