



WORKING WITH WEST MIDLANDS FIRE SERVICE - SERIOUS INCIDENT REVIEW



WMFS

West Midlands
Fire Service

What is a Serious Incident Review (SIR)?

A SIR is a WMFS review process triggered by serious injury, death or likely death. Where the casualty was known to partner agencies, these reviews invite and expect that the agencies will participate and agree learning recommendations.

WMFS aims to investigate all serious fire incidents that result in serious injury or death. The incidents that will require an SIR are:

1. Any fire fatality.
2. An injury likely to result in a fire fatality.
3. An incident involving a person over 70 with significant smoke inhalation that involves a recommendation of conveyance to hospital
4. An incident that involves children with burns from fire or significant smoke inhalation that involves a recommendation of conveyance to hospital
5. Any other incident that the Incident Commander (IC) feels will have significant learning both internally and externally.



Why is a SIR is important?

The purpose for SIR's and multi-agency case reviews is to learn from the circumstances in the case and to make recommendations for action to improve policy, process and practice so that the likelihood of similar incidents is reduced.

SIR's are not about blame, but are an opportunity to provide information and publicity with the aim to learn from, and prevent further similar incidents from occurring.

There may be internal and external learning which will be detailed in a report and recommendations which is shared with the local Safeguarding board, any partner involved in the SIR, and His Majesty's Coroner, who may review the recommendations and identify if a Rule 43 is required.

For living casualties, the SIR is also an opportunity to take a multi-agency approach to engage stakeholders and partners to review circumstances, practices and processes to reduce future risk for the person involved.

Focusing on our most serious incidents is a targeted and proportionate means of reducing future deaths and serious injuries from fire.



Lawful Basis for Undertaking the SIR

- WMFS have a statutory duty under section 6 and 11 of the Fire and Rescue Services Act 2004 to request this information and complete SIR's. This Act also gives us authority to take any action we consider appropriate in response to an event or situation that is likely to cause people to die, be injured or become ill.

To enable a review to take place, it is necessary for us to both share and request information about the incident and the casualty with partner organisations who may have worked with them. Our lawful basis for processing and sharing this information under GDPR is "public task" and we would ask our partners to do so to assist in preventing recurrence of similar situations. This is because we are exercising our official authority under the Fire and Rescue Services Act (2004), and the task is undertaken in the public interest.

We also request information from Partner organisations about their previous involvement with the casualty. This enables us to identify multi-agency learning and explore how collaborative working practices may prevent similar incidents in future. Partners who are asked to share information with us as part of the Serious Incident Review process will need to consider their own lawful basis for sharing, in accordance with their own data management policy and processes. In doing so, we ask that partners take account of the following:

- Partners who exercise a public function (such as local authorities) may have a lawful basis to share information with us as part of that public task. For example, sharing information about the people involved in serious fire incidents may be necessary as part of a duty of care, both to improve future outcomes for the person involved and for others in similar situations.
- Various parties have a legitimate interest in ensuring that any potential learning from serious incidents is identified and acted upon. First, the fact that a fire has occurred demonstrates a high level of risk for the individual involved, which needs to be addressed in order to enable the person to remain safe in future. Others living in similar situations could also be said to have a legitimate interest, because the learning outcomes are also likely to reduce their own risk from similar incidents. It may also be necessary to share information (such as the condition of a property) in the legitimate interests of emergency responders who may be called to future incidents.
- We ask that all partners recognise the value of learning from serious incidents. It is often not until the wider picture is known that opportunities for better collaboration or to overcome process issues are identified. If unable to share information on the basis of public task or legitimate interests, we therefore ask that partners seek consent to share information were requested to contribute to a Serious Incident Review.

For more information, please contact:

prevention.queries@wmfs.net