

Review article

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## TRENDS IN THE DEVELOPMENT OF FIRE SUPERVISORY INSPECTION

**Belyashin Yaroslav N.;**

✉ **Kuzmina Tatyana A.;**

**Kondrashin Alexey V.**

**Saint-Petersburg university of State fire service of EMERCOM of Russia, Saint-Petersburg, Russia**

✉ *kuzmina@igps.ru*

*Abstract.* The key features of the modified form of implementation of supervisory activities by state fire supervision authorities are considered, related both to the exclusion from the plan of carrying out planned control (supervisory) activities in relation to objects of protection with an assigned risk category below «high», and with the fact that in order to carry out unscheduled control (supervisory) activities, a reasoned and justified decision of the supervisory authority is required, supported by the occurrence of one of the grounds in the list established by clause 3, part (a) of the Government Resolution Russian Federation «On the features of the organization and implementation of state control». The problem of the increase in the number of fires is touched upon at protection facilities of a significant risk category. It has been stated that only subject to an integrated approach to compliance with the procedure and rules for certification of specialists, as well as effective control and supervision by the competent authorities, together with the introduction of a number of specific liability measures, can positive results in the field of fire safety be expected. It is concluded that the principles of the modern approach to ensure fire safety are based on strengthening the institution of responsibility on the part of persons carrying out commercial activities in this area.

*Keywords:* fire supervision, changes in supervision, fire prevention, fire safety, control and supervisory activities

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### Introduction

One of the main aspects of the control and supervisory activities of state fire supervision bodies (SFN) is ensuring the safety and protection of the population by monitoring the state of fire safety and the inadmissibility of conditions for the occurrence of new fires and other emergencies [1]. However, the effectiveness of such activities is reduced due to administrative barriers and other restrictions that may arise in the performance of official duties by employees of supervisory departments.

To date, the mechanism for the implementation of supervisory activities by federal state fire supervision authorities has undergone many changes related both to the principles of the policy for the development of small and medium-sized businesses, and in connection with the current foreign policy situation, which determines the relevance of this article.

The purpose of this work is directly related to the study and analysis of theoretical information, law enforcement practice, prevention programs, monitoring the latest news in the field of fire safety and consists in forecasting possible ways of development of control (supervisory) activities Russian Emergency Situations Ministry. This analysis is carried out based on the study of the modern approach and principles for carrying out their activities by the State Fire Service bodies.

### Current changes in the implementation of fire supervision

Speaking about the future of state fire supervision, one cannot help but address to the decisions taken in the field of legislation in the field of fire safety. And one of these is the entry into force of the Decree of the Government of the Russian Federation dated March 10, 2022 № 336 «On the features of the organization and implementation of state control». This resolution establishes the procedure for organizing and implementing planned and unscheduled

control (supervisory) activities by supervisory authorities within the framework of the current policy for the development and support of small and medium-sized businesses.

Among the key features in the modified form of implementation of supervisory activities by the SPG bodies are:

- exclusion from the plan for carrying out planned control (supervisory) activities (CSA) in relation to objects of protection with an assigned risk category below «high». At such protection facilities, the function of ensuring fire safety has acquired a preventive nature and is carried out to a greater extent through the implementation of preventive measures. However, turning to the statistical reporting of the last two years, one can observe that the number of fires that occurred in the period 2019–2022 has been steadily increasing [2, 3].

- to conduct unscheduled CSAs, a reasoned and justified decision of the supervisory authority is required, which must be supported by one of the cases established by paragraph 3, part (a), and approved by the territorial body of the prosecutor's office, excluding cases arising from the circumstances specified in paragraph 3, part (b) of aforementioned resolution [4].

### **The problem of an increase in the number of fires at protection facilities of the «significant» risk category**

In his first public speech after his appointment as Director of the Department of Supervisory Activities, S.P. Voronov also spoke about the exponential increase in the number of fires at protection facilities classified as «significant» risk [5]. Considerations on this score are becoming most contradictory. From the issue of the legitimacy of opinions on fire safety and the compliance of experts conducting an independent fire risk assessment with the qualification requirements in the field of their activities, to the issue of the competence of the prosecutor's office in the field of monitoring compliance with mandatory fire safety requirements when coordinating unscheduled technical inspections by inspectors of supervisory departments and preventive work.

Based on the data from the Prevention Programs for 2023 and 2024, it can also be noted that most warnings about the inadmissibility of violating mandatory fire safety requirements were announced in relation to objects of protection of the «significant» risk category [2, 3]. It is quite possible that this state of affairs may contribute to a rapid reduction in the list of objects to which the «supervision holiday» regime can be applied, since the situation indicates that the mechanism of risk indicators for violating mandatory fire safety requirements does not cope properly [6]. Often, when coordinating unscheduled CSAs with the prosecutor's office, the inspector needs to convince the official that there are sufficient grounds for conducting, for example, an inspection visit, and in this case the expression «the truth is in the eye of the beholder» comes in handy. The number of decisions made by the prosecutor's office to refuse approval for unscheduled CSA for the nine months of 2023 is twice as large as the number of decisions to approve, which, in turn, is almost three times more than for the same period last year. Although in percentage terms, the numerical indicators have changed almost in direct proportion, when considering the number of large fires that have occurred over the past two years, the question the sufficiency of special knowledge to refuse approval of an unscheduled CSA by the prosecutor of the territorial body remains open. This is important to take into account, since the objects of supervision, for which the decision to conduct an unscheduled CSA is refused, becomes simply impossible to check, and based on the results of the preventive visit, except for the cases provided for in paragraph 11 (4), the inspector, upon identifying a violation of mandatory requirements, cannot issue orders for the purpose of further monitoring its implementation [4].

Within the framework of the current legislation, nothing to the inspector of the supervisory authority there is no choice but to record the fact of refusal on the part of the prosecutor's office when approving an unscheduled CSA, so that, in the event of an emergency at a supervised facility, to leave the area of responsibility provided for by the employee's level of competence [7].

From the point of view of introducing innovative digital solutions into the activities of control (supervisory) bodies, it would be most relevant to add the ability to record responses

when coordinating unscheduled control activities (CSA) with the prosecutor's office in the Automated Analytical System for Support and Management of Control and Supervisory Bodies of the EMERCOM of Russia (AAS CSA) [8]. Integration of such functionality will allow you to save the history of responses in the electronic database of the system and ensure transparency in the process of interdepartmental interaction. At the same time, the system could generate notifications and reminders about the need to provide answers. Thus, the introduction of this function will help not only increase the efficiency of the system and relieve inspectors of additional responsibility, but will also eliminate the urgent need for personal interaction with the local prosecutor's office, which will significantly optimize time costs and increase the overall ergonomics of the process.

When discussing the problem of the growing number of fires at protection facilities of the «significant» risk category, one cannot do without mentioning experts in the field of fire safety auditing, who are responsible both for ensuring the reliability of calculations when establishing a particular risk category, and its legitimacy. Since there are erroneous or deliberately false conclusions, incorrect calculations or dubiousness of the measures taken to ensure fire safety at sites protected by third parties and organizations carrying out professional activities in areas such as, for example, the design and installation of fire protection systems.

According to S.P. Voronov, in close cooperation with the bodies of the Investigative Committee of the Russian Federation, as a countermeasure to the problem under consideration, the implementation of a mechanism of criminal legal regulation in the field of service provision is already being developed, not meeting safety requirements with reference to Part 1 of Art. 238 of the Criminal Code of the Russian Federation, which introduces criminal liability for experts carrying out their activities in the field of audit.

### **Conclusion**

To summarize the above, it should be noted that the principles of the modern approach to ensuring fire safety are based on strengthening the institution of responsibility on the part of persons carrying out commercial activities in this area. And this is correct, since the scale of consequences caused by the incompetence of such specialists can sometimes acquire significant scope and fall entirely on the shoulders of inspectors, whose role is only a supervisory function [13, 14].

Legal regulation and implementation of technologies for automating control (supervision) processes over compliance with fire safety requirements in the electronic environment are one of the most important tools for influencing the fire safety condition of the territory of the Russian Federation. Due with this, there is a need for constant and thorough analysis, regular testing of solutions aimed at improving the functioning of the supervisory authorities of EMERCOM of Russia, in order to identify the most effective ones and those that help reduce the threat of new fires or other emergencies.

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*Information about the authors:*

**Belyashin Yaroslav N.**, master's student of the Saint-Petersburg university of the State fire service of EMERCOM of Russia (196105, Saint-Petersburg, Moskovsky ave., 149), e-mail: [niclas.beard@gmail.ru](mailto:niclas.beard@gmail.ru)

**Kuzmina Tatyana A.**, associate professor of the department of supervisory activities Saint-Petersburg university of the State fire service of EMERCOM of Russia (196105, Saint-Petersburg, Moskovsky ave., 149), candidate of pedagogical sciences, e-mail: [kuzmina@igps.ru](mailto:kuzmina@igps.ru), <https://orcid.org/0000-0002-3573-785X>, SPIN: 2511-0787

**Kondrashin Alexey V.**, head of the department of supervisory activities of the Saint-Petersburg university of the State fire service of EMERCOM of Russia (196105, Saint-Petersburg, Moskovsky ave., 149), candidate of technical sciences, associate professor, SPIN: 8940-8712