

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**24 SEPTEMBER 2012**

1. **FIRE AND RESCUE NATIONAL FRAMEWORK FOR ENGLAND**

Report of the Chief Fire Officer.

RECOMMENDED

THAT Members note the contents of the revised National Framework for Fire and Rescue Services in England that has recently been published.

2. **PURPOSE OF REPORT**

This report is submitted to inform Members of the publication of the revised Fire and Rescue National Framework on 11 July 2012 and provide some detail of the changes that were incorporated as a result of consultation.

3. **BACKGROUND**

3.1 The Fire and Rescue National Framework for England sets out the Government's expectations for fire and rescue authorities.

3.2 The National Framework 2008-11 covered a broad range of activities and responsibilities including resilience, prevention, protection and response.

3.3 The revised version, which placed more emphasis on local accountability while still providing an overall strategic direction, was out for consultation from 13 December 2011 until 19 March 2012.

3.4 Following a round table session with Members on 9 January 2012 and a similar exercise at a Management Briefing on 26 January 2012 consultation responses from the Authority and the Service were sent to Government.

3.5 A total of 93 responses were received by Government, including 44 from Fire and Rescue Authorities. As a result of consultation the Government issued a response document

which addressed all of the concerns raised and indicated where the Framework had been changed as a result.

3.6 The majority of responses indicated that overall the Framework was clear to follow and proportionate.

3.7 Areas where the Framework was amended as a result of consultation are below:

- Some responses suggested that the term 'communities' may be interpreted differently by different FRAs, so the text was amended to reflect that civil society organisations and businesses are part of local communities.
- It was suggested that interoperability requirements should be regarded as 'comparable' rather than 'common'. The text was changed.
- A number of responses queried whether similar interoperability requirements were in place for other responders and asked for more detail on the Government's role in delivering interoperability. The Framework was updated to give more detail on this.
- The draft Framework referred to different types of scrutiny models which was interpreted by many as a requirement to follow a specific model. This was not the intention and the text has been deleted.
- The requirement to make communities aware of how they can access comparable data on their performance was set out. A number of responders interpreted this as only having to provide comparable data. Clearly this is too restrictive in terms of useful data produced for communities, so the word 'comparable' was removed to clarify the broader scope required.

- There were a number of responders that suggested publishing peer reviews and self assessments should be voluntary rather than compulsory. The response was that the publication of these documents was seen as an important opportunity for FRAs to enhance their accountability but it also agreed that publications should be for local determination. Consequently the Framework was reworded to require publication of actions arising from self assessment or peer review to demonstrate how the authority intends to improve its service.

3.8 In addition to the above there were two main areas where significant concerns were raised which the Government answered in their response document. These were:

- a large number of responders felt that the Framework should have a more detailed, narrative approach for setting out the Government's expectations rather than relying on 'musts.' The response to this was that 'musts' had been used instead of 'shoulds' to be clear about what the Government's key priorities and objectives for FRAs are (which could, if necessary, be enforced through Section 22 of the Fire and Rescue Services Act 2004).
- the requirement that FRAs must have arrangements in place to ensure that their decisions are open to scrutiny was generally supported, although a number of responders felt that scrutiny arrangements would slow down decision making. However the Government felt that it was a key responsibility of any public service to act in a transparent way, with the proper scrutiny of decision making on public safety and how public funds are used, in place.

3.9 Following consultation the document has now been finalised and formally issued. A Briefing Document has been prepared for Members and can be found at Appendix One. For information a link to the final version of the Framework can be found at Appendix Two. A piece of work is currently ongoing which is examining the document in detail and ensuring the organisation is fully meeting the requirements of the Framework. Members will be updated on this in due course.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out as the matters contained in this report do not relate to a policy change.

5. **LEGAL IMPLICATIONS**

The course of action recommended in this report does not raise issues which should be drawn to the attention of the Authority's Monitoring Officer.

6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

**BACKGROUND PAPERS**

Fire and Rescue National Framework Document

Fire and Rescue National Framework for England consultation – Summary of Responses

Fire and Rescue National Framework for England consultation, WMFS response, Corporate Board Paper 28.2.12

VIJ RANDENIYA  
CHIEF FIRE OFFICER

## APPENDIX 1

### Briefing Document

The final version of the Framework document has now been issued. Only minor changes have been made to it following the period of consultation. The intention of the document is to provide an overall strategic direction to FRAs, rather than dictate how communities should be served.

Outlined below is a summary of the main points within the document.

#### **Priorities**

- identify and assess the full range of risks, provide prevention & protection activities; & respond to incidents appropriately;
- work in partnership with communities & partners; locally & nationally to deliver their service; and
- be accountable to communities for the service they provide

#### **In General Terms Authorities need to:**

- assess all foreseeable fire and rescue related risks and put arrangements in place to mitigate them
- deliver effective and proportionate prevention and protection
- have strong partnership arrangements in place
- be transparent and accountable for decisions and actions
- have scrutiny arrangements in place that reflect high community expectations
- provide assurance on financial, governance and operational matters

#### **Safer Communities**

- FRA must produce an IRMP showing:
  - how prevention, protection and response are used to mitigate the impact of risk
  - how authorities are working either individually or collectively, in a cost effective way
  - the strategy for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005
- Identify and assess fire and rescue related risks that affect their communities, including cross-border, multi-authority and national
- Consider Community Risk Registers and other local risk analysis as appropriate
- Work with communities to prevent incidents and identify and protect them from risk
- Must be able to respond to incidents such as fires, RTCs and other emergencies
- Response includes mutual aid agreements reflected in the IRMP
- Have effective business continuity arrangements in place
- Collaborate with other FRA, other emergency services, Category 1 and 2 responders and Local Resilience Forums to ensure interoperability

- Engage with Fire and Rescue Strategic Resilience Board (FRSRB) in order to support national resilience
- Local risk assessments must include any gaps between existing capability and that needed to ensure national resilience
- Tell Government or FRSRB of any gaps that cannot be met after mutual aid and collective working
- Work with Government through FRSRB to address any gaps
- FRA must work in partnership with their communities and a wide range of partners locally and nationally

### **Accountable to Communities**

The IRMP must:

- Be easily accessible and publicly available
- Reflect effective consultation with the community, its workforce, representative bodies and partners
- Cover at least a three year time span and be reviewed and revised as often as necessary
- Reflect up to date risk analyses and the evaluation of service delivery outcomes

Additionally:

- FRA must hold their CFO to account for the delivery of the service
- Arrangements must be in place to ensure decisions are open to scrutiny
- Communities must be made aware of how they can access data and information on their performance

### **Assurance**

FRA must:

- Provide assurance on financial, governance and operational matters
- Show how they have had regard to expectations in their IRMP and the National Framework
- Publish an annual statement of assurance

Additionally FRAs must work collectively and with the FRSRB to provide assurance to Government that:

- Risks are assessed, plans are in place and gaps between existing capability and that needed to ensure national resilience are identified
- Existing specialist national resilience capabilities are fit-for-purpose and resilient
- New capabilities that FRAs are commissioned to deliver by Government are procured, maintained and managed in a cost-effective way that delivers VFM and ensures they are fit-for-purpose and resilient

## **Context, Timescales & Scope**

The Fire & Rescue Services Act 2004 requires the Secretary of State to:

- Prepare a National Framework for FRAs
- Consult with representatives of FRAs and their employees before making significant changes
- Bring the Framework and any significant revisions to it, into effect by a statutory instrument

Additionally:

- FRAs should have regard to the Framework in carrying out their functions
- The National Framework does not repeal other duties that FRAs are expected to comply with, e.g. Fire and Rescue Services Act 2004, Civil Contingencies Act 2004, Equality Act 2010, etc.
- The National Framework is open ended
- The Secretary of State will present a biennial report to Parliament
- It covers England only

## APPENDIX 2

### Fire and Rescue National Framework Document

The web link to the Framework is below:

<http://www.communities.gov.uk/publications/fire/nationalframework>