



**NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM
FIRE AND RESCUE AUTHORITY**

ANNUAL GENERAL MEETING OF THE AUTHORITY

Date: Friday, 8 June 2018 **Time:** 10.30 am

Venue: Fire and Rescue Services HQ, Bestwood Lodge, Arnold Nottingham NG5 8PD

Members are requested to attend the above meeting to be held at the time, place and date mentioned to transact the following business

Clerk to the Nottinghamshire and City of Nottingham Fire and Rescue Authority

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- 10 COMMITTEE OUTCOMES** (to follow)
Report of the Chief Fire Officer
- 11 EXCLUSION OF THE PUBLIC**
To consider excluding the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 12 TRADING COMPANY REVIEW** 77 - 86
Report of the Chief Fire Officer

ANY COUNCILLOR WHO IS UNABLE TO ATTEND THE MEETING AND WISHES TO SUBMIT APOLOGIES SHOULD DO SO VIA THE PERSONAL ASSISTANT TO THE CHIEF FIRE OFFICER AT FIRE SERVICES HEADQUARTERS ON 0115 8388900

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ABOVE, PLEASE CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN ON THIS AGENDA, IF POSSIBLE BEFORE THE DAY OF THE MEETING.

**Constitutional Services Officer: Catherine Ziane-Pryor
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<http://committee.nottinghamcity.gov.uk/ieListMeetings.aspx?CId=224&Year=0>



**NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM
FIRE AND RESCUE AUTHORITY**

**MINUTES of the meeting held at Fire and Rescue Services HQ, Bestwood Lodge, Arnold
Nottingham NG5 8PD on 16 February 2018 from 10.30am - 1.00pm**

Membership

Present

Councillor Brian Grocock (Chair)
Councillor Michael Payne (Vice Chair)
Councillor Liaqat Ali
Councillor Andrew Brown
Councillor Eunice Campbell (minutes 47-54)
Councillor John Clarke
Councillor Vaughan Hopewell
Councillor Patience Uloma Ifediora
Councillor John Longdon
Councillor Jackie Morris (minutes 47-54)
Councillor Francis Purdue-Horan
Councillor Mike Quigley MBE (minutes 47-55)
Councillor Phil Rostance
Councillor Parry Tsimbirdis
Councillor Jonathan Wheeler
Councillor Malcolm Wood
Councillor Jason Zadrozny

Absent

Councillor Sybil Fielding

Also in attendance

Nottinghamshire Police and Crime Commissioner, Paddy Tipping

Colleagues, partners and others in attendance:

John Buckley	- Chief Fire Officer, NFRS
Wayne Bowcock	- Deputy Chief Fire Officer, NFRS
Craig Parkin	- Assistant Chief Fire Officer, NFRS
Malcolm Townroe	- Clerk and Monitoring Officer to the Fire Authority
Theresa Channell	- Interim Treasurer
Becky Smeathers	- Head of Finance
Tracy Crump	- Head of People and Organisational Development
Noel McMenamin	- Governance Officer

47 APOLOGIES FOR ABSENCE

Councillor Sybil Fielding – personal reasons.

48 DECLARATIONS OF INTERESTS

None.

49 MINUTES

The minutes of the meeting held on 15 December 2017 were agreed as a true record and they were signed by the Chair.

50 CHAIRS' ANNOUNCEMENTS

The Chair made the following announcements:

- The Fire and Rescue Service has been commended for resolving the recent incident at Nottingham Train Station swiftly and safely, and assisting the timely re-opening of the station. The Chair received a letter of thanks from the Leader of Nottingham City Council, and wished to put on record his personal thanks to all those involved;
- The Chief Fire Officer and Chair of the Authority have met their counterparts in the Derbyshire Fire and Rescue Service to discuss working more closely. A joint meeting, involving members, will be arranged to discuss potential areas of work in more detail;
- The Chair thanked all those who attended the recent Member's Seminar event.

51 PRUDENTIAL CODE FOR CAPITAL FINANCE 2018/19

Becky Smeathers, Head of Finance, presented the report of the Interim Treasurer to the Authority, which outlines the Authority's obligations under the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance and seeks the Authority's approval for the proposed Capital Plans, Prudential Limits and Monitoring Processes.

RESOLVED to approve the Prudential limits for 2018/19 as follows:

Estimate of Ratio of Financing Costs to Net Revenue Stream	5.7%
Estimate of Total Capital Expenditure to be Incurred	£3,191,000
Estimate of Capital Financing Requirement	£27,306,000
Operational Boundary	£29,723,000
Authorised Limit	£32,695,000
Upper limit for fixed rate interest exposures	100%
Upper limit for variable rate interest exposures	30%
Loan Maturity:	<u>Limits:</u>
Under 12 months	Upper 20% Lower 0%
12 months to 5 years	Upper 30% Lower 0%

5 years to 10 years	Upper 75% Lower 0%
Over 10 years	Upper 100% Lower 0%
Over 20 years	Upper 100% Lower 30%
Upper Limit for Principal Sums Invested for Periods Longer than 365 Days	£2,000,000

52 TREASURY MANAGEMENT STRATEGY 2018/19

Becky Smeathers, Head of Finance, introduced the report of the Interim Treasurer to the Authority, which presents the Treasury Management Strategy 2018/19 report which provides information on the following areas:

- Balanced budget requirement;
- Economic background;
- Management of cash resources;
- Borrowing strategy;
- Investment strategy;
- Minimum revenue provision policy;
- Training of officers and members.

RESOLVED to approve:

- (1) the Treasury management Strategy 2018/19 as set out in the report;**
- (2) the continued use of UK counterparties should the UK sovereign rating fall to AA-;**
- (3) the Minimum Reserve Provision policy 2018/19 as set out in paragraphs 2.43 to 2.46 to the report.**

53 REVIEW OF RESERVES AND WORKING BALANCES

Becky Smeathers, Head of Finance, introduced the report of the Interim Treasurer to the Authority, which seeks the approval of the Nottinghamshire and City of Nottingham Fire and Rescue Authority to the minimum level of working balances sufficient to meet the needs of the Authority during the 2018/19 financial year and beyond.

This is a legal requirement and although there is no prescribed formula, guidance from CIPFA states that the level of general reserve should be appropriate for the risks to which the Authority is exposed. A risk assessment is attached to the report at Appendix A.

RESOLVED to

- (1) note the results of the review of risks shown at Appendix A to the report;**
- (2) approve the proposed minimum level of working balances of £4.3 million for 2018/19.**

54 BUDGET PROPOSALS FOR 2018/19 TO 2020/21 AND OPTIONS FOR COUNCIL TAX 2018/19

Nottinghamshire Fire Brigades Union submitted a question relating to budget proposals for 2018/19 to 2021 as follows:

'The previous significant reductions to the operational establishment approved by this Authority have led to continued pressures to deliver on the current collective agreement maintaining fire appliance availability, with implications for communities of Nottinghamshire and our members. The FBU continues to engage with management in negotiations for a new collective agreement.

In the face of these prolonged significant cuts and continued period of transition, what strategy, including funding, has, or will be, put in place that ensures the Authority's commitment to a new Collective Agreement will be met and provide FBU members reassurance before any new agreement can be reached?'

The Chair responded as follows:

'The Authority recognises that dealing with a reduction in resources since 2010 has been difficult for the Service and the staff within it. To mitigate this we have always worked with staff to ease implementation and I welcome the FBU's commitment to work with Management to secure a new collective agreement, as this is required to address some of the current challenges.

To support implementation of the proposals, a project plan is being developed and I would welcome engagement with the FBU in that work. There is also an earmarked reserve of £120,000 specifically for organisational transition, and also £1.4 million of general reserves will be used in 2018 which clearly demonstrates the strong commitment of this Authority to the Service, staff and communities we serve'.

Becky Smeathers, Head of Finance, introduced the report of the Interim Treasurer to the Authority, which informs members of the proposals for the revenue and capital budgets for 2018/19 to 2020/2021.

The Committee also considered a recommendation of the Finance and Resources Committee to apply a 2.95% Council Tax increase for the year 2018/19, with the balance of £1,444,104 being met by funding from reserves, in line with the Medium Term Financial Strategy.

Members made the following comments:

- (a) the Treasury Team was commended on producing the report in trying circumstances;
- (b) reserves could not be used in future years to meet the residual balance, as it was not recommended that reserve levels went below the current level of £4.3 million;
- (c) it was suggested that a cross-party working group be established to consider the wider issue of rationalising the Fire and Rescue Service estate, and the Chair agreed to discuss with the Chief Fire Officer. Councillor Zadrozny asked to be involved with the working group, should it be established;

- (d) central government grant has reduced from £28 million to £16 million and there is frustration that financial support from central government in the wake of Grenfell has not been forthcoming;
- (e) it was suggested that the issue of payment of Member Allowances should be the subject of a separate report in future years.

Members voting in favour of implementing a 2.95% increase of Council Tax precept are:

Councillor Brian Grocock (Chair)
Councillor Michael Payne (Vice-Chair)
Councillor Liaqat Ali
Councillor Andrew Brown
Councillor Eunice Campbell
Councillor John Clarke
Councillor Vaughan Hopewell
Councillor Patience Ifediora
Councillor John Longdon
Councillor Jackie Morris
Councillor Francis Purdue-Horan
Councillor Mike Quigley
Councillor Phil Rostance
Councillor Parry Tsimbiridis
Councillor Jonathan Wheeler
Councillor Malcolm Wood

Members voting against implementing a 2.95% increase of Council Tax precept are:

Councillor Jason Zadrozny

Member not present:

Councillor Sybil Fielding

RESOLVED to:

- (1) approve the recommendation of the Finance and Resources Committee to increase Council Tax by 2.95%, with the residual balance of £1,444,104 to be met by funding from reserves, in line with the Medium Term Financial Strategy;**
- (2) set a 2018/19 precept level to be notified to the Billing Authorities as required by statute;**
- (3) approve the flexible use of capital receipts strategy as set out at Appendix 3 to the report, which is that capital receipts in 2018/19 will be used either to finance future capital expenditure or to repay borrowings, and will be in this year to fund the revenue cost of reform projects;**
- (4) approve the fees and charges as set out in Appendix 4 to the report;**
- (5) approve the payment of Member Allowances for 2018/19 in accordance with the approved scheme.**

Councillor Jason Zadrozny abstained in respect of resolutions 3-5 above, and asked that his abstention be recorded.

55 SUSTAINABILITY STRATEGY CONSULTATION OUTCOMES

The Nottinghamshire Fire Brigades Union submitted a question on alternative crewing as follows:

‘Whilst the FBU recognises that government imposed financial pressures on the Authority are continuing, it is a growing concern of the FBU that proposals like alternative crewing conflicts with the fundamental principles to successfully resolve incidents and ability to maintain the safety of firefighters is likely to be compromised and goes against the position of the FBU nationally.

With proposed changes to crewing arrangements, what assurances are the Authority able to provide the FBU that firefighter safety will not be compromised, where the FBU believe insufficient crew are available to resolve a dynamic and escalating incident?’

The Chair responded as follows:

‘The Service already has well established procedures to deploy additional resources should they believe the incident being responded to is dynamic or escalating. In all circumstance where there is a risk to life or property, appliances with less than 4 crew members will be deployed in addition to the normal level of attendance.

The Service has well trained operational commanders able to deal with complex situations whilst additional resources are en route, and this will be under pinned through the development of robust risk assessments, procedures and tactics, and I would encourage the FBU to engage with Management in this work.’

The Nottinghamshire Fire Brigades Union submitted a question on mixed crewing as follows:

‘The FBU is significantly concerned regarding the continued recommendation of crewing arrangements that reduce public services, or encourage a move away from nationally recognised terms and conditions of the NJC grey book. The Chief Fire Officer’s recommendation to implement mixed crewing at Ashfield and Retford fire stations is in our view another example that compounds national concerns over recruitment and retention of sufficient RDS personnel. The stations are currently very low on staffing numbers and will struggle to deliver the proposed crewing model, without the continued help and co-operation of FBU members.

What assurances can the Authority provide that any implementation strategy for crewing arrangements, including mixed crewing, addresses our concerns over recruitment, training and sustainability of the proposal, that maintains appliance availability to communities, while maintaining NJC grey book terms and conditions of service to our members?’

The Chair responded as follows:

‘The Authority recognises the very real pressures on the traditional working arrangements of retained duty personnel and difficulty in recruiting staff to provide day-time cover.

The Chief fire Officer believes that recruiting retained staff to provide night-time cover will be more successful. Furthermore, the increased numbers of calls being responded to by the retained sections is likely to offer a more attractive package and assist with competency and retention.

To support this work the proposals within the report identify £200,000 investment across all retained sections to increase their day-time capacity and resilience. This will require innovative ways of working that will be beneficial to all parties and I would again encourage the FBU to engage with managers in this work.'

The Authority received a presentation from Dale Hall and Kelly Lock of Opinion Research Services Ltd on the Shaping Our Future public consultation exercise on alternative crewing and mixed crewing, highlighting the following points:

- (a) the consultation exercise was very wide-ranging, but was not meant to be a local referendum. Rather, it was a means of informing judgements on what was in the interests of 'the public good';
- (b) there were 2,665 open questionnaires returned during the consultation period, 8 public focus groups were held across Nottinghamshire (89 attendees), as well as 2 staff focus groups (11 attendees). In addition, 11 written submissions were received, along with a 'Save Ashfield's Firefighters online petition (2,375 signatures) and a joint standardised submission from John Mann MP and the Fire Brigades Union (4,256 responses);
- (c) over half of respondents to the open questionnaire disagreed with the alternative crewing proposals, and over 70% of respondents disagreed with mixed crewing proposals. Proposals were almost unanimously endorsed at Public Focus Group meetings. 7 of the 11 written submissions objected to mixed crewing, while there was a more even response on alternative crewing proposals;
- (d) while it was clear that there was public anxiety about the proposals, interpreting the outcomes of local protesting campaigns was difficult in view of the lack of partiality in framing information on the proposals.

John Buckley, Chief Fire Officer, presented the report on mixed and alternative crewing and proposing changes to the operational service delivery. The following points were highlighted:

- (e) savings had to be made, and the alternative to the proposals would involve the removal of appliances and/or the closure of stations. Two East Midlands Fire and Rescue Services have already introduced similar service delivery models;
- (f) it was recognised that recruitment of retained staff was a national issue;
- (g) there has been a 40% reduction in incidents, and the majority occur between 12 noon and 8.30pm. This means that there is a lack of availability in the day but lots of availability at night. Greater flexibility in overall capacity was needed to address demand and secure savings;
- (h) the proposals were estimated to increase response times by 5 minutes. However, the proposals also ensured that there will be no redundancies and will create a more flexible, skilled service.

The following comments were made:

- (i) it was confirmed that the changes will not be fully implemented until a full staffing complement is in place;
- (j) the proposals disproportionately affected Ashfield district, leaving just 2 appliances to cover up to 100,000 homes in Mansfield and Ashfield;
- (k) public submissions and petitions demonstrated a significant majority of affected citizens not in favour of the proposals, and these concerns were not being given adequate consideration;
- (l) it will not prove possible to get to Ashfield Station within 5 minutes, and it is not possible to confirm that the proposals will not cost lives;
- (m) the proposals have not been drawn up lightly, and both the Chief Fire Officer and the Authority cannot avoid operating within the financial envelope as set by central government;
- (o) there was a collective responsibility to deliver the most effective Service within the financial constraints that were outside the control of the Authority and the Fire and Rescue Service senior leadership.

RESOLVED to

- (1) approve the implementation of alternative crewing at all retained sections within the Service;**
- (2) approve the implementation of the mixed crewing model at both Ashfield and Retford fire stations;**
- (3) request that the Chief Fire Officer provide a future report on the amendments required to the permanent establishment of both retained and wholetime firefighter posts; and**
- (4) periodic reviews are undertaken on the impact of alternative and mixed crewing, and that outcome reports are subsequently presented to the Fire Authority for consideration.**

Councillor Jason Zadrozny voted against resolutions (1) to (4) above, and asked that his vote be recorded.

Councillor Mike Quigley and Councillor Phil Rostance abstained in respect of resolutions (1) to (4) above, and asked that their abstentions be recorded.

56 APPOINTMENT OF TREASURER

RESOLVED to appoint Charlotte Radford as the Treasurer to the Fire Authority through the provision of a Service Level Agreement in collaboration with the Nottinghamshire Office of the Police and Crime Commissioner.

57 DEVELOPMENT OF THE INTEGRATED RISK MANAGEMENT PLAN

John Buckley, Chief Fire Officer, presented the report. He explained that the development of the Integrated Risk Management Plan (IRMP) was a statutory requirement, and that with a little over a year for the current Plan to run, it was time to commence the process of developing the new Plan.

RESOLVED to:

- (1) note the requirements of the project and support the process to develop the next Integrated Risk Management Plan;**
- (2) request that the Policy and Strategy Committee be convened as a task and finish group to work with Officers in the early development of the next IRMP;**
- (3) agree to receive future reports as the IRMP development process continued.**

58 COMMITTEE OUTCOMES

RESOLVED to note the outcomes of the following meetings:

**Personnel Committee held on 15 December 2017;
Community Safety Committee held on 12 January 2018;
Finance and Resources Committee held on 19 January 2018;
Human Resources Committee held on 26 January 2018;
Policy and Strategy Committee held on 2 February 2018.**

59 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, as defined in paragraphs 1 and 3 of Schedule 12A to the Act.

60 EXEMPT MINUTES

The exempt minutes of the meeting held on 15 December 2017 were agreed as a true record and they were signed by the Chair.

61 EXEMPT COMMITTEE MINUTES

The Authority noted the exempt minutes of the Authority's Personnel Committee meeting held on 15 December 2017, and its Policy and Strategy Committee meeting held on 2 February 2018.

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NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

MEMBERSHIP OF THE AUTHORITY, APPOINTMENTS TO COMMITTEES AND BOARDS AND DATES OF FUTURE MEETINGS

Report of the Clerk and Monitoring Officer

Date: 8 June 2018

Purpose of Report:

To confirm membership of the Authority following the Annual Meetings of the County and City Councils, to confirm the committee structure, to request nominations to committees and boards and to confirm dates of meetings. It also seeks to appoint Chairs of committees from those appointed to serve on them.

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1. BACKGROUND

The Authority has continued to deliver its wider community safety agenda through the established committee structure. At the Annual General Meeting the Authority is required to resolve what committees shall be appointed and the number of voting members. In accordance with the previously established practice it is also recommended that the chairs of major committees be appointed at the Annual General Meeting in order to ensure continuity of business.

2. REPORT

2.1 The City Council has appointed the following members:-

Councillor Eunice Campbell (Labour)
Councillor Brian Grocock (Labour)
Councillor Patience Uloma Ifediora (Labour)
Councillor Jackie Morris (Labour)
Councillor Mohammed Saghir (Labour)
Councillor Malcolm Wood (Labour)

2.2 The County Council has appointed the following members:-

Councillor Nicki Brooks (Labour)
Councillor Andy Brown (Conservative)
Councillor John Clarke (Labour)
Councillor Jonathan Wheeler (Conservative)
Councillor John Handley (Conservative)
Councillor Vaughan Hopewell (Mansfield Independent)
Councillor John Longdon (Conservative)
Councillor Michael Payne (Labour)
Councillor Francis Purdue-Horan (Conservative)
Councillor Mike Quigley MBE (Conservative)
Councillor Parry Tsimbirdis (Labour)
Councillor Jason Zadrozny (Ashfield Independent)

2.3 Committee Structure

Following the last County Council elections in 2017, the committee memberships were reviewed to take account of the political balance requirements. Consequently, not all committees have the same number of members. It should also be noted that, as at the County Council, the Conservative and Mansfield Independent Forum members have asked to be treated as one group.

2.4 Committee Membership

2.4.1 The Authority is asked to appoint members to the Committees set out in the table below in accordance with the political balance rules and, from those appointments, to appoint the chair of the Human Resources, Community Safety and Finance and Resources Committees. The Chair of the Authority

will act as Chair of the Policy and Strategy and Appointments Committees. The Chair of the Personnel Committee will be appointed at each meeting.

2.4.2 Following the previous changes to the Standards Regime the Authority resolved to address any issues of a Standards nature through the Policy and Strategy Committee. Since that change was made, there have been no Standards issues to address.

2.4.3 In addition to the committee appointments, the Authority is asked to appoint members to the Strategic Inclusion Board on the basis of 3 Labour Group places, 2 Conservative and Mansfield Independent Group places and 1 Ashfield Independent Group place.

Committee (total places)	Labour Group places	Conservative and Mansfield Independent Group places	Ashfield Independents
<u>Policy and Strategy Committee (6)</u> – to include the Chair of the Fire and Rescue Authority plus 5 other members	4	2	
<u>Human Resources Committee (5)</u>	3	2	
<u>Community Safety Committee (6)</u>	3	2	1
<u>Finance and Resources Committee (5)</u>	3	2	
<u>Personnel Committee (7)</u> – to include 1 member from the HR Committee.	4	3	
<u>Appointments Committee (6)</u> - to include the Chair and Vice Chair of the Authority	3	2	1

2.5 Dates of Future Meetings

The proposed schedule for full Fire and Rescue Authority and Committee meetings is as follows:-

2.5.1 Nottinghamshire and City of Nottingham Fire and Rescue Authority (10.30 am)

20 July 2018

28 September 2018

14 December 2018

15 February 2019

07 June 2019 AGM

Facilities will be made available for all Groups to hold pre meetings at 9.45am prior to full Authority meetings.

2.5.2 Policy and Strategy Committee (10.00 am unless otherwise stated)

06 July 2018

16 November 2018

01 February 2019

05 April 2019 (11.30 am)

2.5.3 Human Resources Committee (10.00 am)

13 July 2018

09 November 2018

25 January 2019

05 April 2019

2.5.4 Community Safety Committee (10.00 am)

22 June 2018

12 October 2018

11 January 2019

22 March 2019

2.5.5 Finance and Resources Committee (10.00 am)

29 June 2018

19 October 2018

18 January 2019

29 March 2019

2.5.6 The Personnel Committee will meet as required.

2.5.7 The Appointments Committee will meet as required.

2.5.8 The Strategic Inclusion Board will meet at the rising of each full Fire Authority meeting excluding the AGM.

3. FINANCIAL IMPLICATIONS

3.1 The City Council provides the Clerk and Monitoring Officer for all meetings of the Fire and Rescue Authority, Policy and Strategy Committee and Personnel Committee. It also provides for a Constitutional Services Officer to be present for all committee meetings identified in 2.5 above, for which agendas and

minutes will be circulated by the Clerk. For 2018/19 the cost to Nottinghamshire and City of Nottingham Fire and Rescue Authority for these services will be £40,000 plus VAT. Any additional services and printing costs will be recharged separately.

- 3.2 An independent remuneration panel reconsidered the allowances to be paid to Fire and Rescue Authority Members in 2017 and the outcome of the panel's deliberations were reported to the Policy and Strategy Committee in July 2017 prior to being adopted by the full Fire Authority at its meeting in September 2017. The panel effectively recommended that the previously adopted scheme should continue and that, as before, these should be up rated annually in accordance with Local Government pay awards. The payment of Members' Allowances under the September 2017 Scheme was re-approved by the Authority at its meeting on 16 February 2018.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no human resources or learning and development implications arising from this report other than those that relate to member development and training.

5. EQUALITY IMPACT ASSESSMENT

An equality impact assessment has not been undertaken because this report does not amend existing policy or service provision. There are no specific equality issues arising from this report.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising from this report.

7. LEGAL IMPLICATIONS

There is a legal requirement for the Authority to hold an annual general meeting.

8. RISK MANAGEMENT IMPLICATIONS

Failure to agree committee membership and to set dates and times for meetings may lead to a failure of the governance arrangements.

9. COLLABORATION IMPLICATIONS

There are no collaboration implications arising out of the contents of this report.

10. RECOMMENDATIONS

It is recommended that:-

- 10.1 appointments to the Fire and Rescue Authority be noted;
- 10.2 the committee structure be approved;
- 10.3 appointments to committees and appointments of committee chairs be made and dates of meetings be approved;
- 10.4 appointments be made to the Strategic Inclusion Board;

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

**Malcolm R Townroe, Solicitor
CLERK AND MONITORING OFFICER TO THE AUTHORITY**



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

AMENDMENTS TO THE PERMANENT ESTABLISHMENT

Report of the Chief Fire Officer

Date: 08 June 2018

Purpose of Report:

To present proposals for amendments to the permanent establishment.

CONTACT OFFICER

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1. BACKGROUND

- 1.1 At its meeting on 4 May 2018, the Human Resources Committee considered and approved, subject to agreement by the Fire Authority, a restructure of the Home Safety Check Operative roles (HSCO) within the prevention department.
- 1.2 The aim of this restructure is to ensure that the correct skills are available to respond to the identified needs arising from improved targeting of vulnerable people within the prevention department.

2. REPORT

- 2.1 Over the last few years the HSCOs have concentrated their efforts on vulnerable households in areas of the community covered by stand-alone retained duty system (RDS) sections which have not been responsible for carrying out these checks within their own areas. From May 2018, the Service will be rolling out safe and well inspections across the county. As part of this, on-call sections will be responsible for conducting their own safe and well inspections within their districts.
- 2.2 Improved targeting of vulnerable persons across the county using the fatal fire profile identified by CHARLIE, and the 'stratification of vulnerability' through various data sets (eg: Exeter data) is likely to result in an increase in the specialist advice and equipment that will need to be provided by members of the PAR (persons at risk) team.
- 2.3 In addition, the potential for new work (for example the delivery of a Children's home safety equipment scheme in collaboration with the County Council and new collaborative opportunities with the Police) may result in more specialist advice and equipment being provided by members of the PAR team.
- 2.4 These changes within the Service mean that the roles of HSCO are no longer required, however additional capacity is required at the higher level of Specialist Home Safety Operative (SHSO) due to increased identification of vulnerable people through the use of data and enhanced safe and well checks.
- 2.5 The recommendations within this report request that the two vacant HSCO roles are deleted and an additional post of Specialist Home Safety Operative (SHSO) is created, bringing the total number to three, which better meets current and future needs, and delivers savings of £16k per annum.

3. FINANCIAL IMPLICATIONS

- 3.1 The budgeted cost for each HSCO is £20,744 (including on costs). Therefore, the total cost of these two roles is £41,488.

- 3.2 The budgeted cost for a SHSO role is £25,289 (including on costs).
- 3.3 This proposal therefore constitutes a potential saving to the organisation in the region of £16k.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

- 4.1 The two HSCO roles are currently vacant so no redundancy or redeployment is proposed.
- 4.2 With the roll-out of safe and well inspections, the SHSO will be required to respond to the anticipated increase in referrals generated. Therefore, if this proposal is supported early recruitment will be required. As one of the two existing SHSOs is retiring in June a recruitment process is already planned regardless of the outcome of this proposal so there will not be any additional recruitment costs.
- 4.3 Some learning and development would be required for the new SHSO. These are primarily around the delivery of a safe and well inspection and the fitting of specialist equipment. Much of this will be delivered 'in house' by other members of the prevention team.

5. EQUALITIES IMPLICATIONS

An initial equality impact assessment will be completed prior to any recruitment campaign for an additional SHSO.

6. CRIME AND DISORDER IMPLICATIONS

The provision of services by the SHSO ensures capacity to support the Authority's statutory duties under Section 17 of the Crime and Disorder Act 1998.

7. LEGAL IMPLICATIONS

The provision of SHSO supports the Authority's statutory duties relating to community safety.

8. RISK MANAGEMENT IMPLICATIONS

There is a risk to Nottinghamshire Fire and Rescue Service that specialist referrals cannot be responded to in a timely manner if the SHSO capacity is not increased to the recommended level. This could have direct consequences for the safety of vulnerable members of the community and the organisational reputation.

9. COLLABORATION IMPLICATIONS

Increasing the team of SHSOs to three will potentially expand the PAR team's capacity to undertake additional collaborative work with new and existing partners.

10. RECOMMENDATIONS

It is recommended that Members agree the proposals to:

- 10.1 Disestablish the two Grade 1 Home Safety Check Operative roles.
- 10.2 Create an additional Grade 3 Specialist Home Safety Operative role.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

John Buckley
CHIEF FIRE OFFICER



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

FIRE AND RESCUE NATIONAL FRAMEWORK FOR ENGLAND

Report of the Chief Fire Officer

Date: 08 June 2018

Purpose of Report:

This report provides Members with an overview of the Fire and Rescue National Framework for England.

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1. BACKGROUND

- 1.1 Section 21 of the Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a Fire and Rescue National Framework. The National Framework was last updated in 2012 apart from an addendum in 2014 on fitness principles, a full revision now seeks to embed the fire reform programme. This includes outlining how reforms should work in practice such as the role and responsibilities of the new inspectorate for fire and rescue and the National Fire Chiefs Council (NFCC) with how services should in turn engage with them; and how the provisions in the Policing and Crime Act 2017 on emergency services collaboration and changes to fire and rescue governance should apply.
- 1.2 In 2016 the Home Office outlined a programme of reform with the fire and rescue sector. The revised National Framework seeks to embed these reforms:
- Transforming local governance of fire and rescue by enabling mayors and police and crime commissioners to take on responsibility for fire and rescue services where a local case is made;
 - Establishing Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as an independent inspection regime for fire and rescue authorities;
 - Developing a comprehensive set of professional standards to drive sector improvement;
 - Supporting Services to transform commercially with more efficient procurement and collaboration;
 - Increasing the transparency of services with the publication of greater performance data and the creation of a new national fire website; and
 - Driving forward an ambitious programme for workforce reform including through enhancing: professionalism; management and leadership; training and development; equality and diversity; improved culture; and options for flexible working.
- 1.3 A report to the Policy and Strategy Committee in February 2018 set out a draft response to the consultation and was fully supported by Members and returned as part of the national consultation process.

2. REPORT

- 2.1 Following the publication of Government's response to consultation (attached as Appendix A of this report) a final, published Framework came into effect on 1 June 2018 prior to the commencement of fire inspection (attached as Appendix B of this report) and includes a range of priorities and objectives for fire and rescue authorities as set out below:

- Make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
 - Identify and assess the full range of foreseeable fire and rescue related risks their areas face;
 - Collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of service provision;
 - Be accountable to communities for the service they provide; and
 - Develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.
- 2.2 The consultation process received 71 responses, 39 from fire and rescue authorities. The public consultation ran from 27 December 2017 to 14 February 2018 and comments were invited on each section of the Framework. In response to the consultation process Home Office have since re-ordered some chapters and moved some text within the final Framework.
- 2.3 Members should note that the outputs of the Grenfell Tower inquiry and the independent review of building regulations and fire safety will be considered on an ongoing basis and further changes may be made to the Framework as required. Such changes will be subject to separate consultations and Members will be provided with future reports as appropriate.
- 2.4 The published National Framework will be a key reference document and driver for the ongoing work to produce the next integrated risk management plan (IRMP). It will also be a focus for the inspectorate when assessing the performance of the fire and rescue service and officers are already reviewing the framework as to how this informs each part of the service activities.
- 2.5 A few highlights from the framework are worthy of drawing Members' attention to, for example, fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties and commitments they face. This is an amendment to the consultation document, but will not reduce the efforts of the Service to ensure such areas remain in focus.
- 2.6 The Authority is required to produce a reserves strategy in support of its medium term financial strategy, including how this is planned to be used and a rationale for why this exceeds 5% of the overall budget.
- 2.7 This Framework also includes the introduction of Her Majesty's Inspectorate and as Members will be aware Nottinghamshire Fire and Rescue Service will be inspected as part of the second tranche later in 2018.
- 2.8 The Framework builds upon the 2017 Policing and Crime Act in relation to collaboration and Members will recall the now routine update reports received by the Policy and Strategy Committee on this area.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report as it only serves to provide Members with the outcomes of consultation and overview of the published National Framework.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no human resources or learning and development implications arising from this report as it only serves to provide Members with the outcomes of consultation and overview of the published National Framework.

5. EQUALITIES IMPLICATIONS

There are no equalities implications arising from this report as it only serves to provide Members with the outcomes of consultation and overview of the published National Framework.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising from this report.

7. LEGAL IMPLICATIONS

Nottinghamshire and City of Nottingham Fire Authority will have a duty to have regard to the revised Framework under the Fire and Rescue Services Act 2004.

8. RISK MANAGEMENT IMPLICATIONS

There are no risk management implications arising from this report.

9. COLLABORATION IMPLICATIONS

There are no collaboration implications arising from this report.

10. RECOMMENDATIONS

That Members note the publication of the revised Fire and Rescue National Framework for England.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

John Buckley
CHIEF FIRE OFFICER



Home Office

Fire and Rescue National Framework for England

Government response to consultation

May 2018

Ministerial Foreword

The Fire and Rescue National Framework for England provides the overall strategic direction to fire and rescue authorities in England. I felt the Framework, last revised in 2012, no longer fully reflected the changing role and landscape of fire and rescue in England, nor the Government's reform programme.

In close partnership with the sector, we are delivering a reform programme that seeks to support the continuous improvement of fire and rescue services, enabling them to be more accountable, effective and professional than ever before, building on the great strides in prevention and collaboration that they have already made. I therefore wanted to revise the National Framework to embed these reforms, including:

- outlining how the transformed local governance of fire and rescue should operate, including the requirements placed on mayors and police and crime commissioners who take on responsibility for their fire and rescue service;
- establishing how fire and rescue authorities should work with the National Fire Chiefs Council and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), in particular how they should respond to inspections;
- supporting the development of a comprehensive set of professional standards to drive sector improvement;
- encouraging services to transform commercially with more efficient procurement and collaboration, including engaging in national commercial programmes; and
- explaining what we require from fire and rescue authorities to support delivery of our ambitious programme for workforce reform.

It is against this backdrop that the Government launched a consultation on our revisions – as well as the contents of the wider Framework – in December 2017. I am grateful to all those who took the time to respond to the public consultation. This document sets out the results of that public consultation. We have carefully considered each and every comment received and have amended the Framework accordingly. The final revised National Framework has been published separately. Some comments received were outside the scope of the Framework but are nevertheless incredibly useful in shaping our wider policy thinking which we are undertaking with the fire sector.

Finally, I will update the National Framework - as required - to ensure that the learning and recommendations from Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety, as well as those from the wider Grenfell Tower Inquiry, are captured and reflected. Should changes be considered necessary the Government will undertake a further consultation.



Rt Hon Nick Hurd MP

Minister of State for Policing and the Fire Service

Introduction

1. In December 2017, the Government launched a consultation on revisions to the Fire and Rescue National Framework in England ('the Framework'). This document provides a summary of the responses to the consultation and sets out the Government's response. It is being published alongside the revised Framework.

Background

2. Section 21 of the Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a Fire and Rescue National Framework which sets priorities and objectives for fire and rescue authorities (FRAs) in England in connection with the discharge of their functions. FRAs have a statutory duty to have regard to the Framework. The 2004 Act requires the Secretary of State to keep the Framework under review. Revisions to the Framework may be made, with significant revisions subject to statutory consultation with representatives of fire and rescue authorities and their employees, and any other persons deemed appropriate.
3. The National Framework was last updated in 2012 apart from an addendum in 2014 on fitness principles. Changes are needed which warrant a full revision of it at this time to embed the fire reform programme. This includes outlining how reforms should work in practice such as the role and responsibilities of the new inspectorate for fire and rescue and the National Fire Chiefs Council with how services should in turn engage with them; and how the provisions in the Policing and Crime Act 2017 on emergency services collaboration and changes to fire and rescue governance should apply.
4. The public consultation ran from 27 December 2017 to 14 February 2018 and comments were invited on each section of the Framework. Please note that in response to the consultation we have since re-ordered some chapters and moved some text within the final Framework and so this Government response reflects the consulted on version of the Framework.
5. Within the Workforce chapter of the draft National Framework, the section on 're-engagement of senior officers post-retirement' had been the subject of an earlier, separate consultation which the Government responded to in December 2017¹. In our consultation document we outlined that we were not consulting on this text further. The National Framework includes the proposed wording following our initial consultation and no further changes to that section have been made.
6. The consultation included, as an annex, a revised 'Protocol on Central Government Intervention Action for Fire and Rescue Authorities'. The Government is also required to consult on revisions to this protocol which we have done as part of this consultation. The final version of the protocol is being published as an annex to the Framework and the Government's response to the issues raised on the protocol raised through this consultation is included within this response.

¹ <https://www.gov.uk/government/consultations/re-employing-senior-fire-officers-after-their-retirement>

7. The Government intends for the new National Framework to come into effect on 1 June 2018 prior to the commencement of fire inspection. The outputs from the Grenfell Tower Inquiry and the Independent Review of Building Regulations and Fire Safety will be considered on an ongoing basis and further changes may be made to the Framework as required. Any such changes will be subject to a separate consultation.

Responses

8. A total of 71 responses were received: 39 from FRAs, 8 from police and crime commissioners (PCCs), 9 from representative bodies, 8 from other bodies and 7 from members of the public. 23 were received via the online form and 48 via e-mail or post. Responses provided online which were either incomplete or not formally submitted were not considered as part of the consultation response. Annex A lists the key stakeholders that responded to the consultation.
9. Respondents were asked to comment on each section within the draft Framework in free-text rather than answer specific questions. Respondents were also given the opportunity to add any other views or comments, or raise any other related issues as part of the consultation.
10. Not all respondents to the consultation provided comments on each chapter of the draft Framework as some limited their responses to particular areas of interest. All views expressed have been taken into consideration and changes have been made to the published Framework in light of the comments received.
11. A summary of the responses received to each chapter and the Government's conclusions are set out in the following pages.

Delivery of Core Functions

12. Out of 71 overall responses received, 61 provided comments on this section. A number of responses commented that they found the section clear, specific and proportionate. They agreed and supported the changes made and overall were content with the section.
13. Some responses sought clarification on the requirement for FRAs to “identify and assess the full range of foreseeable fire and rescue related risks their areas face” as they considered that this could be much broader than focusing on statutory responsibilities of the fire and rescue authority and that this would directly impact on resourcing requirements to deliver against any local plans. It was suggested that guidance was required on how to assess all foreseeable fire and rescue related risks.

Response – The requirement for FRAs to “identify and assess the full range of foreseeable fire and rescue related risks their areas face” is not new and was included in the existing Framework which FRAs have been operating to since 2012. These risks should be captured in their Integrated Risk Management Plan (IRMP) in addition to their core functions. It is for each fire and rescue authority to determine what they regard as foreseeable fire related risks and other related risks as the nature of the risks faced by services will vary from area to area and will need to take account of local circumstances.

14. While welcoming the focus on prevention and protection, some responses sought clarity around the statement that wider prevention activity that may increase the effectiveness and efficiency of public services should not be engaged in ‘if it impacts adversely on core fire functions’ as it appeared to weaken local discretion. Other responses asked for the reference to be changed to ‘statutory core functions’.

Response – The revised Framework has been changed to clarify (para 2.6) that “this should not be at the expense of effective delivery of their statutory core fire functions”. The Government has retained the requirement that wider activity should not be at the expense of core functions as fire and rescue services are ultimately funded to deliver core functions as outlined in the Fire and Rescue Services Act 2004 and no additional activity should be at the detriment of that.

15. Although fully supportive of the need to ensure robust business continuity planning arrangements are in place, some FRAs expressed concern regarding the wording around meeting the full range of service delivery duties and commitments. Based on previous experience of managing industrial action and withdrawal of labour from the operational workforce, the services doubted whether they could give absolute assurance that they would meet this requirement, especially in relation to specialist services.

Response – FRAs are under a statutory duty to have business continuity plans in place that ensure that they are able to continue to perform their functions. This is not a new requirement as it was included in the 2012 version of the Framework. However, in recognition of the issues raised the wording in revised Framework has been changed to include “must make every endeavour to” in respect of the following sentence: “Within these arrangements, fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties”.

16. A number of responses mentioned functions, types of emergency or prevention initiatives that they thought should be covered in the Framework. For example, reference to sprinkler schemes and the principle of invest to save, road safety, flooding, water safety, Emergency Medical Response (EMR), ‘Safe and Well’ visits and Primary Authority Schemes (PAS).

Response – The Home Office welcomes and supports the efforts of FRAs in terms of the work being done on prevention, protection and response across a number of important areas. However, this section of the National Framework concentrates on the core functions of FRAs, leaving decisions on additional functions to FRAs and their communities – as identified through their risk analyses and their IRMP. But as the Framework states, these additional functions should not be at the expense of their statutory core functions.

The Government believes FRAs already have the discretionary powers they need to respond to all local incidents including major flooding under their general duties in the Fire and Rescue Services Act 2004 and Civil Contingencies Act 2004, and in response to the risks set out in their Integrated Risk Management Plans.

We strongly support emergency services collaboration and EMR between fire and ambulance services. This is a key area where we believe collaboration could potentially deliver better outcomes for local communities. The decision as to whether to undertake emergency medical responding is for individual fire and rescue authorities and ambulance trusts given they are best placed to understand local requirements. The requirements under the Police and Crime Act 2017 supports collaboration and we would not want to specify any further.

The Framework encourages sharing of best practice, which may include - but is not limited to - PAS. We decided against including reference to PAS in the Framework in case it was seen to be limiting or under-valuing other protection interventions. There will also be instances where PAS is not appropriate.

The appropriate fire protection intervention will depend upon a number of factors and we do not prescribe what would be best. Sprinklers are an effective life and property protection measure but they are not necessarily the only – or the most cost-effective - option. The Hackitt Review is examining the whole system of building regulations and fire safety as it applies to the construction and occupation phases of the life cycle of a building. Upon publication the recommendations from the Review will inform and be incorporated into the National Framework as required.

17. Some FRAs questioned the section on evaluation (now paragraph 2.7) saying that it suggests that services should only pursue those prevention and protection activities that demonstrably reduce risk effectively and cost-efficiently and that some prevention activity will only show impact over time, such as long-term changes in people's safety related behaviour.

Response – We have clarified the wording of this paragraph to take into account comments received. Fire and rescue services undertake a range of prevention and protection activity which we believe should have clearly measured outcomes and be evaluated to identify if the activity met its desired outcome. We recognise the nature of the evaluation will need to be tailored to the specific activity. The Framework now says that FRAs “should assess what they are aiming to achieve through the activity, what type of intervention is most likely to achieve the aims and how best to measure and evaluate outcomes”.

18. There was some demand in responses for further guidance on Integrated Risk Management Plans (IRMP).

Response – The NFCC's commissioned Community Risk Programme is in the process of developing a comprehensive, evidence-based and accredited risk analysis toolkit which should be used by FRAs to inform IRMPs. However, given the nature of the Framework, we have not made specific reference to this work.

Inspection, Accountability and Assurance

19. Out of 71 overall responses received, 52 provided comments on this section. A number of responses commented that they fully support and agree with the expectations and requirements set out within this chapter.

20. While generally very supportive of the new inspection process, some responses commented that if the inspection regime leads to fire and rescue authorities pulling resources away from front line delivery to deal with inspections, then it may be to the detriment of local service delivery.

Response – A key Home Office principle for the new inspectorate has always been to ensure burdens placed on fire and rescue authorities should be kept to a minimum. The Home Office has been working closely with HMICFRS throughout its inspection development to ensure this principle will be met and we believe their proposed inspection methodology is proportionate and resource requirements kept to a minimum.

It is ultimately a local decision for fire and rescue authorities to determine the level of resource to allocate to service the inspectorate. However, we will keep this issue under review.

21. Further guidance was also sought regarding the responsibilities of FRAs in responding to the independent inspection and that the phrase 'give due regard' to reports and recommendations would benefit from being expanded and strengthened, as would the expectation around how the reports and action plans should be scrutinised.

Response - The Framework has been amended to ensure it appropriately mirrors the requirements on policing to respond to HMICFRS recommendations in the Policing Act 1996, including the need to provide reasons if an FRA does not propose to undertake any action as a result of a recommendation.

22. In terms of intervention powers, responses sought clarity on whether or not PCC fire and rescue authorities will be subject to the same powers.

Response - The Framework and intervention protocol in the Annex make clear that PCC FRAs – like all FRAs regardless of governance - will be subject to intervention powers as a last resort.

23. Some responses suggested making it clear that the inspectorate was only one way of providing assurance and that there is also a raft of other such assurance methods such as external and internal audit and peer reviews.

Response - The Home Office recognises that other assurance mechanisms are available, including the LGA's sector improvement support, and that these can complement inspection. We are therefore content to reference alternative mechanisms and this has been included in the revised Framework.

24. In terms of transparency, responses pointed out that as a result of different legislation there is a difference in transparency requirements between FRAs, in particular with PCC FRAs. While relatively minimal, this will mean that different authorities are publishing different information. It was suggested that opportunities to streamline this should be sought so that one set of transparency information is required from all FRAs.

Response - Where a PCC takes on responsibility for the fire and rescue service(s) in their force area and becomes a Police, Fire and Crime Commissioner, the Policing and Crime Act 2017 provides that they are subject to transparency requirements set out in section 11 of the 2011 Act in relation to their FRA functions. This means that they are no longer subject to the transparency requirements set out in the Local Authority Transparency Code 2015.

Governance

25. Out of the 71 overall responses received, 50 commented on this section. Many responses commented that they welcomed what is proposed in the draft framework, that it provided clarity and was aligned to legislation.

26. However, some responses indicated that the Governance section would benefit from greater clarity, particularly to prevent different interpretations that may serve to confuse the public. Issues highlighted included confusion between IRMP and fire and rescue plans (FRP), their lifespans, consultation requirements and governance arrangements in London and Mayoral Bodies.

Response – We have re-drafted this section to provide further guidance around what plans FRAs should produce and we have inserted a table (Annex A) to provide additional clarity. The time periods of the IRMP and FRP can be being linked, however, where a PCC takes on governance, they will inherit an IRMP which will remain extant until replaced which the PFCC may wish to do before the end of the IRMP period.

27. Responses said that there appears to be no requirement for fire and rescue expertise to be represented on the Police, Fire and Crime Panel (PFCC) and also that the differences between Police, Fire and Crime Panels and Police and Crime Panels needs to be clarified, particularly in relation to their relative powers, responsibilities and membership requirements.

Response – As mentioned in the Introduction, the Framework does not repeat all the duties placed on FRAs in connection with the discharge of their functions. The Policing and Crime Act 2017 requires a PFCC to review its membership and to make any required changes to its membership to ensure that the panel has the necessary skills, expertise and knowledge to fulfil its functions in relation to fire and rescue. The Act also extends the role of police and crime panels to scrutinise the exercise of the PCC's fire and rescue functions in the same way as they scrutinise the PCC's policing functions.

28. A number of FRAs expressed the view that the whole framework gives focus to PCC FRAs above and beyond other governance models and that equity should be struck where possible.

Response – This was not the intention, although the Home Office wanted to use the revised Framework to provide further detail about PCC FRAs which were only recently created by the Policing and Crime Act 2017. However, we have reviewed the Framework and sought to better balance the contents where possible so that it is reflective of all governance mechanisms.

29. There were a number of different comments on the role of the NFCC as outlined in the Framework including "...it is not clear however the mechanism or method by which a fire and rescue authority can effectively consult with the NFCC", "there is a concern over the capacity of the NFCC to support potential expectations", "the reference to NFCC needs to be stronger as the professional leadership and voice of FRs" and "Home Office should provide the NFCC with financial support to best equip it to ensure it fulfils its remit".

Response - The NFCC has been involved in the drafting of the Framework and their views have been fully considered in its development. Home Office is content to discuss all relevant issues with the NFCC, including funding and structure, however we do not see these as being issues for inclusion in the Framework. Within the Framework, there is an expectation for engagement between the NFCC and individual FRAs and it is for them to determine the best mechanism for doing so.

Achieving Value for Money

30. Out of 71 overall responses received, 48 commented on this section. Many responses said that they were supportive of the principles outlined in the draft Framework.

31. The main issues raised on the section were the need to provide further clarity on efficiency plans and the reserves strategy, and whether this amounted to a new burden, and also clarity on which types of FRAs were required to provide which documents.

Response - The requirement for a medium term financial plan, efficiency plan and reserves strategy applies to single purpose, metropolitan, and PFCC fire and rescue authorities. We have re-drafted this section to clarify that where fire and rescue is part of a County Council, Unitary Authority or Mayoral Body we expect that these requirements will be included within the parent authorities' documentation. In the case of London, the efficiency plan and reserves strategy will be produced by the London Fire Commissioner.

The Framework clarifies the Home Office's expectations on how reserves information should be presented in a way that is clear and understandable to members of the public. This is in line with existing statutory requirements and financial reporting best practice and should therefore not result in additional costs for authorities. The reserves strategy can be published either as part of their medium term financial plan or as a separate reserves strategy document. Efficiency plans can also be included as part of the medium term financial plan. The National Framework requires justification for holding a general reserve larger than five percent of Net Budget Requirement (as opposed to total reserves and/or General Expenditure).

32. In the section on commercial transformation relating to aggregation of procurement, one organisation commented that: "the 45 FRSs in England have functioned largely autonomously until recently and have tended to be divergent rather than collaborative. Suppliers to the Services have found, for example, that they must paint their fire appliances differing shades of red or provide one of 97 variants of ladder depending on which FRS is the customer. ...Collaborative procurement must be underpinned by greater standardisation where possible and output-based specifications that should be agreed between the FRSs collectively and the supply industry".

Response - The importance of transforming the way FRAs undertakes its commercial activities is a key part of the overall fire reform programme and the NFCC is already undertaking significant work in this area with the creation of a new commercial strategy. The National Framework highlights the objectives of the Fire Commercial Transformation Programme and looks to embed these within the decision making of individual FRAs, including the need for standardisation and aggregation where appropriate.

33. On trading, one organisation had concerns about FRAs offering commercial services to public or private organisations as this could create a conflict of interest and gives them an advantage through their status.

Response - The wording in the Framework makes clear that FRAs must ensure that their commercial activities are performed in accordance with all existing legislative requirements and any actions taken in respect of their trading companies are considered against the requirements of competition law.

Workforce

34. Out of 71 overall responses received, 53 commented on this section. Many said that they welcomed and fully supported the requirement for a people strategy as outlined in the draft framework.
35. Comments on the Workforce section from a representative body included that there was “no reference made to the National Joint Council and its work and yet makes reference to the NFCC’s people strategy”. Also that “the draft Framework requires each FRA to have a people strategy that has been designed in collaboration with the workforce yet makes no reference to engaging with representative bodies or encouraging good industrial relations”.

Response - The NFCC people strategy clearly articulates the areas which fire and rescue services should consider and put in place as part of their own workforce strategy. The framework allows flexibility for other strategies and work by other organisations to be considered by only stating minimum requirements. It would not be feasible to include every organisation and strategy that exists.

Although we are supportive of productive industrial relations, it is down to individual fire and rescue services how they engage with unions and whether they do so in developing people strategies and is not something we would want to prescribe as part of the National Framework.

36. Several responses commented that this section mentions 'wellbeing' but doesn't mention mental health or learning disabilities.

Response - Mental health is already covered within the wording of the Framework; however, we have re-drafted this to make it explicit so now the People Strategy section reads to 'support including health and safety, wellbeing and disabilities.'

37. One representative body found the detail in the Workforce section light and lacking any 'teeth' and invited Home Office to consider the re-introduction of national targets or diversity measures, or to require FRS to set local targets/diversity measures underpinned through appropriate data for their local communities.

Response – The current lack of diversity amongst firefighters is unacceptable and although we have seen improvements in the most recent data on new joiners for whole-time staff, there is still a lot further to go. Firefighters should represent the communities they serve which is why diversity targets should be set locally rather than nationally. We would expect FRAs to have an improvement plan in place and consider and scrutinise available data to improve diversity year on year.

38. One representative body strongly expressed the view that the Framework should make direct reference to measures that will ensure firefighter safety.

Response – Firefighter safety is of paramount importance and should be a key consideration in all activities undertaken by fire and rescue services. FRAs have a duty to ensure the safety of their employees. However, as the Framework does not repeat all legislative requirements fire and rescue services are subject to, we had not felt this needed to be referenced. However, in order to respond to this point we have now amended the People Strategy section to include 'health and safety'.

39. A number of responses sought greater clarity on the proposal for development of professional standards, including further detail, timing and links to National Operational Guidance. There was also concern over the wording that FRAs “must implement the standards approved through this work”.

Response – The Home Office will provide further details on this element of the fire reform programme shortly. The Framework outlines the importance of all fire and rescue authorities implementing these national standards which will be produced by the fire and rescue sector. The requirement for FRA’s to implement these standards should not result in additional costs for authorities as any financial contributions made by fire and rescue authorities are expected to remain within established budgets for this type of work and will enhance collaboration and efficiency between services through the use of common standards. HMICFRS will consider their implementation and impact as part of their inspections and will in turn provide feedback - where necessary - to inform their future development.

40. There were numerous comments received on the Fitness Principles, with views differing depending on whether they were from an FRA or a representative body. For example, an FRA said that “it is disappointing that these are simply reiterated from the previous addendum to the Framework They appear to be generous and allow someone who fails their fitness test for no good reason, a minimum of 6 months to regain their fitness”. Another said that “the existing Fitness Principles ... are overly prescriptive and build in significant and unnecessary cost for authorities”. Whereas one representative body said that the Framework “(still) does not provide the protection in line with the Government guarantee made to firefighters in relation to fitness and capability in December 2014”.

Response – The fitness principles were added to the National Framework as an addendum in 2014 to respond to concerns that changes to the pension scheme would leave firefighters - if they were unable to maintain their fitness to a higher retirement age - without access to a job or with a reduced pension. We therefore consider it is important to maintain the principles as part of this revised Framework, but will keep this section under review. Although HMICFRS will not consider this issue in isolation, they will consider it as part of their full inspection framework and we will reassess in light of their findings.

41. As mentioned in the introduction to both the consultation document and this response document (see paragraph 5 above), as we had previously consulted on the section about ‘re-engagement of senior officers post-retirement’ we were not seeking further comments. However, several comments questioned whether this section was compatible with the principle of ‘appointment on merit’. In addition, there was a query about whether this could adversely affect a whole-time employee wishing to move to or continue as part of the ‘retained duty system’ (RDS).

Response - If the retired senior officer was appointed through fair and open competition as being the best person for the job, the principles in this section of the Framework would not apply. In terms of an RDS role, this would be seen as a different role in the organisation and the principles would not apply. We did not believe any changes were needed to this section.

National Resilience

42. Several concerns were raised about the paragraphs dealing with response to terrorist attacks. One FRA said that “The draft framework makes the assertion that responding to acts of terrorism, and by extension MTFA capability, is part of the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the Grey Book). Although there are differing legal opinions on this, the majority view of the Authority is that MTFA capability is not currently part of the Grey Book which is why it remains the subject of negotiation between the National Joint Council and the Fire Brigades Union (FBU). The Authority understands the framework’s emphasis on maintaining national resilience. The Authority would expect to be able to provide all national assets (including MTFA specialist teams) when required. However... asking fire and rescue services to provide a guarantee to ‘ensure their teams are fully available at all times, including periods when business continuity arrangements are in place’ is an unrealistic and excessive burden”.

Response – Responding to acts of terrorism is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the Grey Book), and is encompassed within the broad descriptions within the existing agreed firefighter role maps: to save and preserve endangered life, and safely resolve operational incidents. To ensure no misunderstanding we have re-drafted this section to distinguish between terrorist attacks in general and Marauding Terrorist Firearm Attacks (MTFA) so now the Framework does not assert that MTFA has specifically been agreed as part of the Grey Book.

Additionally, the Response section of the framework has been redrafted to clarify the position that fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties - including MTFA duties - at all times, including periods when business continuity arrangements are in place. The draft Framework had restated this requirement within the MTFA section and that duplication has been removed.

43. Regarding gap analysis of national resilience capabilities, one FRA response commented that “the previous Framework referenced that where there is a gap that needs to be filled, if necessary - and where appropriate - this will involve funding of new national resilience capabilities, in line with the new burdens doctrine. Though the Framework outlines steps which may be taken to address such gaps, greater clarity on the funding of any gaps which do remain would be beneficial”.

Response – Any national resilience capability gaps raised by FRAs would be considered and/or discussed at the Fire and Rescue Strategic Resilience Board. Following liaison, as necessary, with other government departments and the devolved administrations, decisions will be taken which would seek to address the matter raised. These matters will be considered on a case-by-case basis, with the solution not always being one relating to, or requiring, additional funding. Therefore, we believe it would be over prescriptive, and not add further clarity, to indicate any further funding at this stage.

44. Although supportive of the lead authority concept, one response raised the “need to be mindful of fair competition for things such as ‘devolved training’ – whilst the words ‘as necessary’ are included, the framework could be interpreted as directing FRS “to use the Lead Authority as the sole training provider”.

Response - This paragraph relates to National Resilience as the lead authority is the centrally-funded training provider for the national resilience capabilities. The lead authority co-ordinates the training needs assessment, and arranges for appropriate courses, which is provided both by them, by other appropriate FRAs who are also training providers, and/or by external trainers, as appropriate. The reference in the Framework to FRAs co-operation on devolved training relates solely to national resilience training for which there is Home Office-provided grant funding; it does not bind authorities to use the lead authority on other FRA training which they may elect to undertake at their own costs.

Intervention Protocol (Annex A)

45. Various responses suggested additions to Intervention Protocol including:

- “powers under section 10 of the Local Government Act 1999 which were recently used to carry out a best value inspection of Avon Fire Authority”;
- the joint initiative by the LGA and NFCC to adapt the previous process of Peer Review or Peer Challenge to create a mechanism to support FRs to improve, to be branded as 'Sector Support';
- the Policing Panels’ role in supporting and challenging PFCCs in their roles could be critical in bringing about improvements in a way that is transparent and accountable to local people;
- that it is made clear for PCC-style FRAs that the APCC rather than the LGA will have a role as required; and
- more detail on what would constitute a failing Service.

Response - The Intervention Protocol is required by the Fire and Rescue Services Act 2004. The Secretary of State must prepare, and may revise, a protocol about the exercise of his power when a fire and rescue authority is failing, or is likely to fail, to act in accordance with the Framework in terms of promoting public safety, or the economy, efficiency and effectiveness of the fire and rescue authority. There is no intervention protocol required for Best Value inspections. The intervention protocol is clear that, in terms of a failing service, this is one failing to act in accordance with the Framework. However, the failure would have to be sufficiently serious as to require Government intervention, and only as a last resort. The Intervention Protocol has been amended in places to take on the other suggestions.

Other comments

46. In Chapter 8, Timescales and Scope, it was commented that it would support FRA long term planning if the anticipated period of currency and review date for this Framework document was set.

Response- Home Office is committed to keeping the National Framework under continuous review, taking on board key developments that affect the sector. However, there is no intention to revert to fixed term revisions.

Annex A

Respondents to the consultation

Responses were received from the following organisations.

Fire and Rescue Authorities/Services

Avon Fire & Rescue Authority
Buckinghamshire Fire & Rescue Authority
Cambridgeshire and Peterborough Fire & Rescue Authority
Cheshire Fire & Rescue Authority
Cleveland Fire & Rescue Authority
Cornwall Fire & Rescue Authority
Cumbria Fire & Rescue Authority
Derbyshire Fire & Rescue Authority
Devon & Somerset Fire & Rescue Authority
Dorset & Wiltshire Fire & Rescue Authority
East Sussex Fire & Rescue Authority
Greater Manchester Combined Authority
Gloucestershire Fire & Rescue Authority
Hertfordshire Fire & Rescue Authority
Hampshire Fire & Rescue Authority
Herefordshire and Worcestershire Fire & Rescue Authority
Humberside Fire & Rescue Authority
Kent & Medway Towns Fire & Rescue Authority
Lancashire Fire & Rescue Authority
Lincolnshire Fire & Rescue Authority
Leicester, Leicestershire and Rutland Fire & Rescue Authority
London Fire & Emergency Planning Authority
Merseyside Fire & Rescue Authority
Nottinghamshire and City of Nottingham Fire & Rescue Authority
Northamptonshire Fire & Rescue Authority
Norfolk Fire & Rescue Authority
Oxfordshire Fire & Rescue Authority
Royal Berkshire Fire & Rescue Authority
Shropshire Fire & Rescue Service Authority
Stoke-on-Trent and Staffordshire Fire & Rescue Authority
Surrey Fire & Rescue Authority
Suffolk Fire & Rescue Authority
South Yorkshire Fire & Rescue Authority
Tyne and Wear Fire & Rescue Authority
North Yorkshire Fire & Rescue Authority
West Sussex Fire & Rescue Authority
West Midlands Fire & Rescue Authority (2)
West Yorkshire Fire & Rescue Authority

Representative bodies

Local Government Association
National Fire Chiefs Council
Fire Officers Association
Fire Brigades Union
Women in the Fire Service

Retained Firefighters Union
The Association of Police & Crime Commissioners
Association of Policing and Crime Chief Executives
Fire Leaders Association

Police, Fire and Crime Commissioner

Essex Police, Fire and Crime Commissioner

Police and Crime Commissioner

Northamptonshire Police & Crime Commissioner
Merseyside Police and Crime Commissioner
Hertfordshire Police and Crime Commissioner
Cambridgeshire Police and Crime Commissioner
Lancashire Police and Crime Commissioner
North Yorkshire Police and Crime Commissioner
Warwickshire Police and Crime Commissioner

Other Bodies

British Approvals for Fire Equipment
Fire Industry Association
Avon Fire Scene Examination Services Ltd
Institution of Fire Engineers
Forensic Science Regulator
Fabcic (specialising in juvenile firesetting behaviour)
Centre for Public Scrutiny Ltd
Nottingham Trent University

Members of public

7 member of the public responded



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Home Office

Fire and Rescue National Framework for England

May 2018

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Foreword

Fire and rescue services play a crucial role in making our communities safer, whether it be preventing and protecting people from fire and other risks, or responding swiftly and effectively to the incidents and emergencies that occur.

Over the past decade we have witnessed a significant decrease – almost half - in the number of fires attended which suggests that we are, as a society, becoming safer than ever from the risks and consequences of fire. This decrease can be attributed to many factors, including in part testament to the successful fire prevention and protection work that fire and rescue services deliver day in, day out, up and down the country. We must continue to work hard to keep people – especially those whose vulnerability to fire is increased by age, infirmity, mental health, domestic violence or any of the other complex issues some of us are living with – as safe from fire risks as possible. In many cases, this means engaging effectively with other agencies to work together to better protect and improve the outcomes for these individuals. Nevertheless, the awful tragedy at Grenfell Tower provided a stark and terrible reminder that we can never afford to become complacent.

The past decade has also seen fire and rescue services respond to an ever growing number of non-fire incidents. I expect collaboration to be at the heart of how services operate so that services can work with, or on behalf of, local providers, to deliver a range of public safety activity to protect their local communities, where it is in the interests of efficiency and effectiveness for them to do so. But such activity must not be at the expense of services' core functions around prevention, protection and response as that is ultimately what the taxpayer funds fire and rescue services to deliver.

In 2016, the Home Office outlined an ambitious programme of reform which it is delivering with the fire and rescue sector. We want to support the continuous improvement of fire and rescue services, enabling them to be more accountable, effective and professional than ever before, building on the great strides in prevention and collaboration that they have already made. This revised National Framework seeks to embed these reforms, which include:

- transforming local governance of fire and rescue by enabling mayors and police and crime commissioners to take on responsibility for their fire and rescue service where a local case is made;
- establishing Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as an independent inspection regime for fire and rescue services;
- developing a comprehensive set of professional standards to drive sector improvement;
- supporting services to transform commercially with more efficient procurement and collaboration;
- increasing the transparency of services with the publication of greater performance data and the creation of a new national fire website; and
- driving forward an ambitious programme for workforce reform including through enhancing: professionalism; management and leadership; training and development; equality and diversity; culture; and options for flexible working.

It is against this background that the Government issues this revised National Framework. I am grateful to all those who responded to our consultation. We have carefully considered every response and amended the National Framework as appropriate. Our consultation response has been published separately.

The National Framework will continue to provide an overall strategic direction to fire and rescue authorities, but Whitehall will not run fire, and fire and rescue authorities and their services remain free to operate in a way that enables the most efficient and effective delivery of their services, drawing upon their considerable skills and experience to best reduce the risks from fire. Ultimately, it is to local communities, not Government, that fire and rescue authorities are accountable. The fire landscape is changing with different governance models, the new inspectorate and the recently created National Fire Chiefs Council. This revised framework outlines the new roles and responsibilities of these changes and sets expectations for how services should work with the new arrangements.

Finally, it is vital that we learn the lessons from Grenfell. I very much welcome the publication of Dame Judith Hackitt's interim report setting out a comprehensive analysis of the current system of building regulations and fire safety and providing recommendations for how it can be improved. We agree with her call for a change in culture and a more effective system that will encourage people to do the right thing and hold to account those who try to cut corners. The scale of the change indicated in her Interim Report cannot be delivered by government alone. We will work closely with Dame Judith and other partners – including the National Fire Chiefs Council and fire and rescue services – to implement her short-term recommendations and to identify the long-term changes that will need to be made to the system over time. We will update the National Framework as required to ensure that the learning and recommendations from this Review, as well as those from the wider Grenfell Tower Inquiry, are captured and reflected. In the meantime, we acknowledge the vital work that local fire and rescue services, and the National Fire Chiefs Council - as a member of the Expert Panel - are doing to ensure that building owners are taking all the necessary steps to ensure those living in high rise buildings are safe and feel safe to remain in their homes.

I look forward to continuing to see the important and life-saving work that fire and rescue services deliver.

A handwritten signature in blue ink that reads "Nick Hurd".

Rt Hon Nick Hurd MP

Minister of State for Policing and the Fire Service

1. INTRODUCTION

Powers

- 1.1 Under section 21 of the Fire and Rescue Services Act 2004 (“the 2004 Act”), the Secretary of State must prepare a Fire and Rescue National Framework. The Framework:
 - a) must set out priorities and objectives for fire and rescue authorities in connection with the discharge of their functions;
 - b) may contain guidance to fire and rescue authorities in connection with the discharge of any of their functions; and
 - c) may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate.
- 1.2 In setting out priorities and objectives for fire and rescue authorities in England, the requirements are best calculated to promote public safety and the economy, efficiency and effectiveness of fire and rescue authorities. The Framework sets out high level expectations; it does not prescribe operational matters which are best determined locally by fire and rescue authorities and their staff.
- 1.3 In preparing the Framework, the Secretary of State undertook a public consultation which met the requirements of the 2004 Act, namely to include fire and rescue authorities or their representatives; persons representing employees of fire and rescue authorities; and any other persons considered appropriate as required by the 2004 Act.
- 1.4 Every fire and rescue authority must have regard to the Framework in carrying out their functions. Every authority must publish an annual statement of assurance of compliance with the Framework (see Chapter 4).
- 1.5 Fire and rescue authorities function within a long-established statutory and policy framework. This document does not repeat all the duties placed on them in connection with the discharge of their functions, or more generally as a public service provider and employer.
- 1.6 The term ‘fire and rescue authority’ in this Framework applies to every fire and rescue authority in England unless otherwise stated.

Priorities

- 1.7 The priorities in this Framework are for fire and rescue authorities to:
 - make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
 - identify and assess the full range of foreseeable fire and rescue related risks their areas face;
 - collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of the service they provide;
 - be accountable to communities for the service they provide; and
 - develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.

2. DELIVERY OF FUNCTIONS

Identify and Assess

- 2.1 Every fire and rescue authority must assess all foreseeable fire and rescue related risks that could affect their communities, whether they are local, cross-border, multi-authority and/or national in nature from fires to terrorist attacks. Regard must be had to Community Risk Registers produced by Local Resilience Forums and any other local risk analyses as appropriate.
- 2.2 Fire and rescue authorities must put in place arrangements to prevent and mitigate these risks, either through adjusting existing provision, effective collaboration and partnership working, or building new capability. Fire and rescue authorities should work through the Strategic Resilience Board where appropriate when determining what arrangements to put in place.

Prevent and Protect

- 2.3 Fire and rescue authorities must make provision for promoting fire safety, including fire prevention, and have a locally determined risk-based inspection programme in place for enforcing compliance with the provisions of the Regulatory Reform (Fire Safety) Order 2005 in premises to which it applies.
- 2.4 We expect fire and rescue authorities to target their fire safety, prevention and protection resources on: those individuals or households who are at greatest risk from fire in the home; those most likely to engage in arson or deliberate fire setting; and on those non-domestic premises where the life safety risk is greatest. Consideration could also be given to non-domestic premises which are at risk from fire in order to mitigate loss to economic wellbeing.
- 2.5 To identify those at greatest risk from fire, we expect fire and rescue authorities to work closely with other organisations in the public and voluntary sector, as well as with the police and ambulance services. Wherever appropriate, we expect fire and rescue services to develop partnerships to support risk reduction services to those identified as vulnerable, including from exploitation or abuse, and wherever possible to share intelligence and relevant risk data.
- 2.6 In many cases, fire and rescue staff may be in a position to identify individuals' wider vulnerabilities and exposure to risks beyond fire. By working closely and collaboratively with other public and voluntary sector organisations – both nationally through the National Fire Chiefs Council (NFCC) and through local arrangements – we recognise fire and rescue authorities can make an important contribution to increasing the effectiveness and efficiency of public services and alleviating pressures on local response resources. However, this should not be at the expense of effective delivery of their statutory core fire functions.
- 2.7 In all their prevention and protection activities, fire and rescue authorities should assess what they are aiming to achieve through the activity, what type of intervention is most likely to achieve the aims and how best to measure and evaluate outcomes. Fire and rescue authorities should share details of their interventions to support each other to understand and improve the evidence base of what works best and what is most cost-effective.

2.8 Given the wide range of roles that fire and rescue personnel undertake, including with people with complex needs and vulnerabilities, fire and rescue authorities will need to ensure that all their staff in public-facing roles have the necessary skills and training to meet such demands. They also should have appropriate safeguarding arrangements in place – including ensuring staff have appropriate vetting clearance - to provide the public with the reassurance and confidence that they have every right to expect.

Respond

2.9 Fire and rescue authorities must make provision to respond to incidents such as fires, road traffic collisions and other emergencies within their area and in other areas in line with their mutual aid agreements.

2.10 Fire and rescue authorities must, so far as is practicable, enter into reinforcement schemes, or mutual aid agreements, with other fire and rescue authorities for securing mutual assistance.

2.11 Fire and rescue authorities must have effective business continuity arrangements in place in accordance with their duties under the Civil Contingencies Act 2004. Within these arrangements, fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties and commitments that they face. Business continuity plans should not be developed on the basis of armed forces assistance being available.

Collaboration

2.12 The Policing and Crime Act 2017 created a statutory duty on fire and rescue authorities, police forces, and ambulance trusts to:

- keep collaboration opportunities under review;
- notify other emergency services of proposed collaborations that could be in the interests of their mutual efficiency or effectiveness; and
- give effect to a proposed collaboration where the proposed parties agree that it would be in the interests of their efficiency or effectiveness and that it does not have an adverse effect on public safety.

2.13 The duty is deliberately broad to allow for local discretion in how it is implemented and recognises that local emergency services are best placed to determine how to collaborate for the benefit of their communities. However, the duty sets a clear expectation that collaboration opportunities should be considered.

2.14 The duty does not preclude wider collaboration with other local partners, such as local authorities and wider health bodies. To reflect their wider role, ambulance trusts are required to consider the impact of the proposed collaboration on their wider non-emergency functions and the NHS when determining if it would be in the interests of their efficiency or effectiveness.

2.15 Fire and rescue authorities must collaborate with other fire and rescue authorities to deliver intraoperability (between fire and rescue authorities) and interoperability (with other responders such as other emergency services, wider Category 1 and 2 responders and Local Resilience Forums) in line with the Joint Emergency Services Interoperability Principles (JESIP). Fire and rescue authorities must collaborate with the National Resilience Lead Authority to ensure interoperability is maintained for National Resilience assets.

2.16 Intraoperability includes, but is not limited to:

- compatible communications systems, control rooms and equipment;
- common command and compatible control and co-ordination arrangements;
- effective information, intelligence and data sharing;
- compatible operational procedures, and guidance with common terminology;
- compatible training and exercising (both individually and collectively); and
- cross border working with other English fire and rescue authorities and those in the devolved administrations.

2.17 Interoperability includes, but is not limited to:

- compatible communications systems, control rooms and equipment, as appropriate;
- compatible command, control and co-ordination arrangements;
- effective inter-agency working and liaison and, where appropriate, information, intelligence and data sharing;
- shared understanding of respective roles and responsibilities, operational procedures, guidance and terminology;
- robust multi-agency plans for managing risks identified in the National Risk Assessment and community risk registers;
- multi-agency training and exercising; and
- cross border working with other responders in England and the devolved administrations.

3. NATIONAL RESILIENCE

- 3.1 The Government retains responsibility for the provision of national resilience assets and capabilities managed and delivered through fire and rescue services. This responsibility extends to undertaking the National Risk Assessment which informs the requirements for fire and rescue national resilience capabilities. In meeting this responsibility, the Government has committed significant financial resource to build national resilience capabilities and to support their ongoing maintenance.
- 3.2 The Government relies on the strategic leadership role of the NFCC to maintain fire and rescue national resilience capabilities in a high state of operational readiness through a comprehensive assurance regime delivered through lead authority arrangements.
- 3.3 Fire and rescue authorities must work with the lead authority to support the national resilience assurance processes in order to ensure capabilities are maintained at a high state of operational readiness. This includes co-operation of fire and rescue authorities, as necessary, on devolved training and, where applicable, on the long-term capability management arrangements.
- 3.4 Fire and rescue services, through the NFCC's representation on the Strategic Resilience Board, must also work with Government to identify and address any national resilience capability gaps identified through ongoing analysis of the National Risk Assessment.

Gap Analysis

- 3.5 Fire and rescue authorities' risk assessments must include an analysis of any gaps between their existing capability and that needed to ensure national resilience (as defined above).
- 3.6 Fire and rescue authorities are required to assess the risk of emergencies occurring and use this to inform contingency planning. To do this effectively, fire and rescue authorities are expected to assess their existing capability and identify any gaps as part of the integrated risk management planning process. This gap analysis needs to be conducted by fire and rescue authorities individually and collectively to obtain an overall picture of their ability to meet the full range of risks in their areas.
- 3.7 As part of their analysis, fire and rescue authorities must highlight to the Home Office or the Fire and Rescue Strategic Resilience Board, any capability gaps that they believe cannot be met even when taking into account mutual aid arrangements, pooling and reconfiguration of resources and collective action.
- 3.8 The Home Office, in liaison with other government departments and the devolved administrations, will support fire and rescue authorities in considering and defining the gap between existing capability and the capability required to ensure national resilience.

National Coordination and Advisory Framework

3.9 The National Coordination and Advisory Framework (NCAF) has been designed to provide robust and flexible response arrangements to major emergencies that can be adapted to the nature, scale and requirements of the incident. Fire and rescue authorities must proactively engage with, and support, the NCAF arrangements including the NFCC's lead operational role.

Response to Terrorist Attacks or Marauding Terrorist Firearms Attacks

3.10 Fire and rescue services must be able to respond to the threat of terrorism and be ready to respond to incidents within their areas and across England. Fire and rescue services should also be interoperable to provide operational support across the UK to terrorist events as required. Government recognises the critical contribution of fire and rescue services when responding to acts of terrorism. This is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service ("the Grey Book") and is encompassed within the broad descriptions within the existing agreed firefighter role maps: to save and preserve endangered life, and safely resolve operational incidents.

3.11 To enhance resilience to terrorist risks, the Government has committed significant financial resources to develop a Marauding Terrorist Firearms Attack (MTFA) capability, with the support of fire and rescue services. This is aligned to the National Risk Assessment and provides a specialist response across the country. Fire and rescue authorities are responsible for maintaining the robustness of this capability.

3.12 MTFA arrangements shall be further enhanced by putting in place an appropriate multi-agency assurance mechanism that will ensure the capability is effective and delivered to the agreed standard.

National Resilience Assurance

3.13 Fire and rescue authorities must continue to work collectively and with the Fire and Rescue Strategic Resilience Board and the national resilience lead authority to provide assurance to government that:

- existing national resilience capabilities are fit for purpose and robust; and
- risks and plans are assessed and any gaps in capability that are needed to ensure national resilience are identified.

3.14 Fire and rescue authorities with MTFA teams must work with police forces and ambulance trusts to provide tri-service assurance of this capability.

4. GOVERNANCE

- 4.1 Fire and rescue authorities operate with a range of different locally determined governance arrangements including an individual – either a police, fire and crime commissioner (PFCC) or a mayor – having sole responsibility for being the fire and rescue authority for an area. Each fire and rescue authority has a statutory duty to ensure provision of their core functions as required by the Fire and Rescue Services Act 2004.
- 4.2 Where police and crime commissioners under the Fire and Rescue Services Act 2004 – and mayors – wish to develop a local proposal to take on governance responsibility for fire and rescue in their area, fire and rescue authorities must provide them with such information that they reasonably require to develop a proposal. The Secretary of State can only give effect to a fire governance proposal where, in their view, it appears to be in the interests of economy, efficiency and effectiveness, or in the interests of public safety. The Secretary of State cannot give effect to a proposal if, in their view, it would have an adverse effect on public safety.
- 4.3 In London, the Mayor appoints a London Fire Commissioner who, in addition to being the fire and rescue authority, may have an operational role. The Mayor of London, who has overall responsibility for setting the strategic direction for the London Fire Brigade and holding the Commissioner to account, should give due regard to the advice of the London Fire Commissioner when making decisions about the service. The London Fire Commissioner is responsible for ensuring fire and rescue services in London are efficient and effective and prepares the Integrated Risk Management Plan for approval by the Mayor.

Managing the Fire and Rescue Service/Chief Fire Officer

- 4.4 Each fire and rescue authority will appoint an individual – commonly known as a Chief Fire Officer – who has responsibility for managing the fire and rescue service. This role does not have to be operational but includes managing the personnel, services and equipment secured by the fire and rescue authority for the purposes of carrying out functions conferred on it by the Fire and Rescue Services Act 2004, Civil Contingencies Act 2004, and other enactments. Each fire and rescue authority must hold this person to account for the exercise of their functions and the functions of persons under their direction and control.
- 4.5 The chief fire officer must, in exercising their functions, have regard to the fire and rescue authority's Integrated Risk Management Plan and any set objectives and priorities which may be outlined in a strategic plan. The fire and rescue authority should give due regard to the professional advice of the Chief Fire Officer while developing the Integrated Risk Management Plan and when making decisions affecting the fire and rescue service.

Documents to be Prepared

4.6 Each fire and rescue authority is required to produce (see Annex A for further details):

i. Integrated Risk Management Plan

Each plan must:

- reflect up to date risk analyses including an assessment of all foreseeable fire and rescue related risks that could affect the area of the authority;
- demonstrate how prevention, protection and response activities will best be used to prevent fires and other incidents and mitigate the impact of identified risks on its communities, through authorities working either individually or collectively, in a way that makes best use of available resources;
- outline required service delivery outcomes including the allocation of resources for the mitigation of risks;
- set out its management strategy and risk-based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat;
- cover at least a three-year time span and be reviewed and revised as often as it is necessary to ensure that the authority is able to deliver the requirements set out in this Framework;
- reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners; and
- be easily accessible and publicly available.

ii. Annual statement of assurance

The statement should outline the way in which the authority and its fire and rescue service has had regard – in the period covered by the document – to this National Framework, the Integrated Risk Management Plan and to any strategic plan (e.g. the Fire and Rescue Plan – see 4.10 below) prepared by the authority for that period. The authority must also provide assurance to their community and to government on financial, governance and operational matters. For PCC FRAs, this statement is subject to scrutiny by the Police, Fire and Crime Panel. The name of this statement differs across governance models (e.g. in the case of PCC FRAs it is called the ‘Fire and Rescue Statement’ and in Greater Manchester the ‘Fire and Rescue Declaration’).

iii. Financial plans

A medium-term financial strategy, an efficiency plan and a reserves strategy. These can be combined or published separately. Please see section 5 for further details.

PFCC FRAs

4.7 A police, fire and crime commissioner (PFCC) must additionally produce a **fire and rescue plan**. The plan should set out the fire and rescue authority’s strategic vision, priorities and objectives for their fire and rescue service over the period of the document in connection with the discharge of their functions. This plan can be revised as frequently as considered necessary but the Government’s expectation is that a plan should be produced and issued shortly after the PFCC takes office. In

developing this plan, the PFCC must make arrangements for obtaining the view of the community as they currently do in preparing their Police and Crime Plan. These views can cover both the Fire and Rescue Plan and the Integrated Risk Management Plan and so there is no need for separate consultations to be undertaken, although local areas can consult as often as they consider necessary. The Government's expectation is that this plan should inform the Integrated Risk Management Plan which should in turn outline how the PFCC's priorities will be met.

- 4.8 The PFCC must have regard to both the Fire and Rescue Plan and the Police and Crime Plan when carrying out their functions. The plans can be combined. Where a joint Police, Crime and Fire and Rescue Plan is developed, the plan must set out both policing and fire and rescue priorities and objectives. Such plans are subject to scrutiny by the Police, Fire and Crime Panel.
- 4.9 The function of preparing and issuing the Integrated Risk Management Plan may be delegated to the Chief Fire Officer – or Chief Officer where a single employer has been put in place – however, the plan must be approved by the PFCC as the fire and rescue authority.

National Fire Chiefs Council

- 4.10 The NFCC brings together the operational leadership of the UK's fire and rescue services to provide co-ordinated professional, operational and technical leadership of the sector, advising and supporting central and local government, and other stakeholders.
- 4.11 The NFCC fulfils a multifaceted role that is reflected throughout this document and other national frameworks. The NFCC represents the sector in local and national structures, helping to develop national policies and strategies. The NFCC is the first line of operational advice to central and local government during major incidents. This is outlined within the National Coordination and Advisory Framework (NCAF), which fire and rescue services must proactively engage with.
- 4.12 The NFCC has a role to drive continuous improvement and development throughout the sector. Fire and rescue services should consult the NFCC for advice and support when developing improvement plans, particularly in response to inspections.
- 4.13 The expectation is that fire and rescue services in England engage with the NFCC and, in turn, that the NFCC works to support and represent every service.

5. ACHIEVING VALUE FOR MONEY

- 5.1 Fire and rescue authorities must manage their budgets and spend money properly and appropriately, and ensure the efficient and effective use of their resources, pursuing all feasible opportunities to keep costs down while discharging their core duties effectively. Fire and rescue authorities should regularly review the numbers and deployment of firefighters and other staff to ensure that their fire and rescue service has a workforce that is commensurate with the risks that they face.
- 5.2 Fire and rescue authorities must ensure that financial decisions are taken with the advice and guidance of the chief finance officer and that decisions are taken with an emphasis on delivering value for money to the public purse. Fire and rescue authorities should ensure that management of their finances is undertaken with regard to published guidance including those set out at Annex B.
- 5.3 Combined and Metropolitan Fire and Rescue Authorities should produce and publish a medium term financial plan, efficiency plan and a reserves strategy (see para 5.8 below). The efficiency plan and reserves strategy can form part of the medium term financial plan and do not need to be separate documents. Where fire and rescue is part of a County Council, Unitary Authority or Mayoral Body we expect that these requirements will be included within the parent authorities' documentation. In the case of London, the efficiency plan and reserves strategy will be produced by the London Fire Commissioner.
- 5.4 The medium term financial plan should include funding and spending plans for revenue and capital. The plan should take into account multiple years, the inter-dependencies of revenue budgets and capital investments, the role of reserves and the consideration of risks. It should have regard to affordability and also to CIPFA's Prudential Code for Capital Finance in Local Authorities. The strategy should be aligned with the fire and rescue authority's Integrated Risk Management Plan and – if appropriate – the Fire and Rescue Plan.
- 5.5 Local Authorities (including combined fire and rescue authorities) were required to produce robust, transparent and locally owned efficiency plans and publish them on their website in order to receive a four year funding settlement from 2016/17 to 2019/20. Each fire and rescue authority should publish an annual report on their progress against these efficiency plans, and publish any updated efficiency plan if produced. Again, this can form part of the medium term financial plan.

Reserves

- 5.6 Sections 31A, 32, 42A and 43 of the Local Government Finance Act 1992 requires billing and precepting authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.
- 5.7 Fire and rescue authorities should establish a policy on reserves and provisions in consultation with their chief finance officer. General reserves should be held by the fire and rescue authority and managed to balance funding and spending priorities and to manage risks. This should be established as part of the medium-term financial planning process.

- 5.8 Each fire and rescue authority should publish their reserves strategy on their website, either as part of their medium term financial plan or in a separate reserves strategy document. The reserves strategy should include details of current and future planned reserve levels, setting out a total amount of reserves and the amount of each specific reserve that is held for each year. The reserves strategy should cover resource and capital reserves and provide information for the period of the medium term financial plan (and at least two years ahead).
- 5.9 Sufficient information should be provided to enable understanding of the purpose(s) for which each reserve is held and how holding each reserve supports the fire and rescue authority's medium term financial plan. The strategy should be set out in a way that is clear and understandable for members of the public, and should include:
- how the level of the general reserve has been set;
 - justification for holding a general reserve larger than five percent of budget; and
 - details of the activities or items to be funded from each earmarked reserve, and how these support the FRA's strategy to deliver a good quality service to the public. Where an earmarked reserve is intended to fund a number of projects or programmes (for example, a change or transformation reserve), details of each programme or project to be funded should be set out.
- 5.10 The information on each reserve should make clear how much of the funding falls into the following three categories:
- a. Funding for planned expenditure on projects and programmes over the period of the current medium term financial plan.
 - b. Funding for specific projects and programmes beyond the current planning period.
 - c. As a general contingency or resource to meet other expenditure needs held in accordance with sound principles of good financial management (e.g. insurance).

Commercial Transformation

- 5.11 Each fire and rescue authority must demonstrate that it is achieving value for money for the goods and services it receives. Every fire and rescue authority should look at ways to improve its commercial practices including whether they can aggregate their procurement with other fire and rescue authorities and other local services (e.g. police) to achieve efficiencies.
- 5.12 Fire and rescue authorities must demonstrate and support national and local commercial transformation programmes where appropriate. Each fire and rescue authority should be able to demonstrate full awareness of the objectives to standardise requirements, aggregate demand and manage suppliers of products and services within their commercial arrangements.
- 5.13 Fire and rescue authorities must ensure that their commercial activities, be that the placement of new contracts or the use of existing contracts, is in line with their legal obligations, including but not limited to the Public Contracts Regulations, the Public Services (Social Value) Act 2012, the Modern Slavery Act 2015 and transparency commitments.

Research and Development

- 5.14 Fire and rescue authorities should engage with national research and development programmes, including those overseen by the NFCC, unless there is a good reason not to.
- 5.15 Where fire and rescue services embark on research and development outside of any national programme, processes should be put in place to ensure it meets quality standards and, where possible and appropriate, is available to the sector to enable good practice to be shared.

Trading

- 5.16 Fire and rescue authorities have the power to trade and make a profit but they must ensure that their commercial activities are performed in accordance with the requirements of the Local Government Act 2003, the Fire and Rescue Services Act 2004 (as amended by the Localism Act 2011), the Local Government Order 2009 and the Local Authorities (Goods and Services) Act 1970. Fire and rescue authorities must also ensure that such commercial activities are exercised through a company within the meaning of Part 5 of the Local Government and Housing Act 1989.
- 5.17 A trading company is a separate legal entity and elected members and officers should at all times be aware of potential conflicts of interest when carrying out their roles for their authorities, or when acting as directors of trading companies.
- 5.18 Fire and rescue authorities must ensure any actions taken in respect of their trading companies are considered against the requirements of competition law. Any financial assistance – in cash or in kind – given by an authority that establishes or participates in it, should be for a limited period, set against the expectation of later returns, and re-paid by those returns. Any assistance should be provided under a formal agreement with the company and must be entered into for a commercial purpose. Before entering into such an agreement, the authority should satisfy itself that it will achieve its objective, and the company should satisfy itself that it will meet its objective in terms of its business plan. The parties should consider any State Aid implications and obtain their own expert advice where necessary.

6. WORKFORCE

People Strategy

- 6.1 Each fire and rescue authority should have in place a people strategy that has been designed in collaboration with the workforce. This should take into account the principles set out in the NFCC's people strategy and at a minimum cover:
- continuously improving the diversity of the workforce to ensure it represents the community it serves;
 - equality, cultural values and behaviours;
 - the various routes available in terms of recruitment, retention and progression;
 - flexible working;
 - professionalism, skills and leadership;
 - training opportunities;
 - health and safety, wellbeing, disabilities and support (e.g. mental health and physical support); and
 - tackling bullying, harassment and discrimination.
- 6.2 The Home Office collects and publishes a range of workforce data which fire and rescue authorities are required to provide. This includes workforce diversity, information on new joiners, reasons for leaving and firefighter injuries.

Professional Standards

- 6.3 To enhance professionalism of fire and rescue services, a coherent and comprehensive set of professional standards across all areas of fire and rescue services' work will be developed, drawing on existing standards where appropriate. The development of new standards will be on an ongoing basis.
- 6.4 All fire and rescue authorities must implement the standards approved through this work and the inspectorate will have regard to these standards as part of their inspections.

Fitness Principles

- 6.5 Firefighting is a physically demanding occupation and it is essential that firefighters have sufficient levels of fitness to enable them to carry out their tasks as safely and effectively as possible. As such, this requires higher levels of fitness than most other occupations and therefore there is a requirement for operational personnel to maintain levels of personal fitness. It is recognised that fitness levels may decline with age and whilst this may be mitigated by fitness training, diet and other lifestyle changes, it is acknowledged that there may be a general decline in fitness as a result of the ageing process.
- 6.6 Fire and rescue authorities have an important role in helping to ensure their firefighters remain fit and are supported in remaining in employment. Each fire and rescue authority must comply with the fitness principles set out at Annex C.

Re-engagement of Senior Officers

- 6.7 The re-appointment of principal fire officers to the same or similar posts within the same fire and rescue authority, a short time after they have retired, has caused concern in recent years and increases costs for taxpayers. These individuals very often receive their pension benefits on retirement (such as their tax free lump sum) and then return on favourable terms, including an increase in take-home pay through avoiding paying employee pension contributions.
- 6.8 Fire and rescue authorities must not re-appoint principal fire officers¹ after retirement to their previous, or a similar, post save for in exceptional circumstances when such a decision is necessary in the interests of public safety. Any such appointment must be transparent, justifiable and time limited.
- 6.9 In the exceptional circumstance that a re-appointment is necessary in the interests of public safety, this decision should be subject to agreement by a public vote of the elected members of the fire and rescue authority, or a publicised decision by the appropriate elected representative of the fire and rescue authority, taking into account the legislative requirements of PCC FRA Chief Fire Officer appointment procedures. The reason why the re-appointment was necessary in the interests of public safety, and alternative approaches were deemed not appropriate, must be published and the principal fire officer's pension must be abated until they cease to be employed by a fire and rescue authority.
- 6.10 To ensure greater fairness and the exchange of talent and ideas, all principal fire officer posts must be open to competition nationally, and fire and rescue authorities must take account of this in their workforce planning.
- 6.11 While the above requirements only extend to principal fire officers, we expect fire and rescue authorities to have regard to this principle when re-appointing at any level.

¹ For the purpose of this Framework, Principal Officers refers to those officers at Brigade or Area Manager level, and above, or those with comparable responsibilities to those roles.

7. INSPECTION, INTERVENTION AND ACCOUNTABILITY

Inspection

- 7.1 Independent inspection of fire and rescue authorities in England – and the fire and rescue service they oversee - is delivered by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). The chief fire and rescue inspector and inspectors of fire and rescue authorities in England have powers of inspection given to them by the Fire and Rescue Services Act 2004, as amended by the Policing and Crime Act 2017.
- 7.2 The inspectorate will provide a crucial assurance function to consider how effective and efficient fire and rescue authorities are, how well they manage their people and whether they are fulfilling their statutory obligations. The inspectorate will also highlight good practice and identify areas where improvement is needed so that remedial or constructive action can be taken. Alongside the inspectorate, other mechanisms exist for fire and rescue authorities to seek assurance or views on how they operate and/or the service they deliver, for example the Local Government Association’s sector improvement support. The Government’s expectation is that these mechanisms should complement inspection rather than duplicate or hinder it.
- 7.3 The Policing and Crime Act 2017 requires the chief fire and rescue inspector for England to publish an inspection programme setting out what inspections of fire and rescue authorities in England they propose to carry out, and an inspection framework setting out the manner in which inspections will be carried out, including the matters that will be inspected. The inspection framework and programme applies to every fire and rescue authority in England. The 2017 Act also requires the chief fire and rescue inspector for England to submit an annual report to the Secretary of State providing an assessment of the efficiency and effectiveness of fire and rescue authorities in England for the period in respect of which the report is prepared.
- 7.4 All fire and rescue authorities must cooperate with the inspectorate and its inspectors to enable them to deliver their statutory function. This includes providing relevant data and information to inform inspections. The Home Office and HMICFRS will work together to align data and information collections where possible to avoid duplication.
- 7.5 Fire and rescue authorities must give due regard to reports and recommendations made by HMICFRS and – if recommendations are made – prepare, update and regularly publish an action plan detailing how the recommendations are being actioned. If the fire and rescue authority does not propose to undertake any action as a result of a recommendation, reasons for this should be given. When forming an action plan, the fire and rescue authority could seek advice and support from other organisations, for example, the National Fire Chiefs Council and the Local Government Association; and, for those areas where a PFCC has responsibility for fire governance, the Association of Police and Crime Commissioners.

Intervention

- 7.6 Section 22 of the Fire and Rescue Services Act 2004 gives powers to the Secretary of State to intervene should a fire and rescue authority fail, or be likely to fail, to act in accordance with this Framework. The Secretary of State is required to prepare a protocol about the exercise of these powers and to have regard to it when exercising the section 22 powers. The intervention protocol for these powers is attached at Annex D.

- 7.7 The 2004 Act allows the Secretary of State, by order, to require the fire and rescue authority to do something; to stop doing something; or not to do something in order to ensure the fire and rescue authority acts in accordance with this Framework. An order could be made if the Secretary of State considers it would promote public safety or the economy, efficiency and effectiveness of the relevant fire and rescue authority. Before any such order is made the Secretary of State must give the authority an opportunity to make representations about the order proposed.
- 7.8 Use of this power is a last resort and intervention would only be considered if there was clear evidence that an authority was failing to act in accordance with the Framework, and that the failure was sufficiently serious as to warrant Government intervention. The expectation is that the fire and rescue authority should put in place remedial measures to overcome any concerns, seeking sector-led support as appropriate.
- 7.9 The Secretary of State also has other powers of intervention (for example, under section 15 of the Local Government Act 1999) but the Protocol on Central Government Intervention Action for Fire and Rescue Authorities at Annex D relates solely to ensuring fire and rescue authorities act in accordance with the National Framework.

Accountability

- 7.10 Fire and rescue authorities are expected to have governance and accountability arrangements in place covering issues such as financial management and transparency, complaints and discipline arrangements, and compliance with the seven principles of public life.²
- 7.11 Each fire and rescue authority must hold the individual who has responsibility for managing the fire and rescue service – an operational or non-operational Chief Fire Officer – to account for the delivery of the fire and rescue service and the functions of persons under their direction and control. In London, the Mayor of London must hold the London Fire Commissioner, as fire and rescue authority for Greater London, to account for the exercise of the Commissioner's functions.
- 7.12 In demonstrating their accountability to communities for the service they provide, fire and rescue authorities need to:
- be transparent and accountable to their communities for their decisions and actions;
 - provide the opportunity for communities to help to plan their local service through effective consultation and involvement; and
 - have scrutiny arrangements in place that reflect the high standard communities expect for an important public safety service.

² Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership

Assurance and scrutiny

7.13 More broadly, a Police, Fire and Crime Panel will perform a scrutiny function, providing both support and challenge to the PFCC on the exercise of their functions and scrutiny of their Fire and Rescue Plan and Fire and Rescue Statement (see Section 4). The powers, responsibilities and membership requirements of PFCCs are set out in the Police Reform and Social Responsibility Act 2011 and apply in relation to fire as they do policing.

Transparency

7.14 Each fire and rescue authority must comply with their statutory transparency requirements. The nature of the requirements is dependent on the legal basis of the authority; for example, combined fire and rescue authorities would be subject to the Local Authority Transparency Code 2015 while PCC FRAs must comply with requirements under section 11 of the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Specified Information) Order 2011. All fire and rescue authorities should therefore publish certain information, including: senior salaries; register of interests; staffing; income and expenditure; property; rights and liabilities; and decisions of significant public interest. Fire and rescue authorities must make their communities aware of how they can access data and information on their performance.

7.15 Furthermore, section 26 of the Fire and Rescue Services Act 2004 states that a fire and rescue authority must:

- a) submit to the Secretary of State any reports and returns that are required; and
- b) give the Secretary of State any information with respect to its functions that are required.

7.16 Fire and rescue authorities also have a responsibility to provide regular data to the Home Office as stipulated by MHCLG's Single Data List process. The data supplied are the source for the official and national statistics published by the Home Office and are used for the purposes of policy development across a range of organisations including Government as well as providing a publicly available national overview of activity by fire and rescue services.

8. TIMESCALE AND SCOPE

Timescales

- 8.1 This Framework has an open-ended duration. The Secretary of State continues to be responsible for keeping the terms of the Framework under review under section 21(3) of the Fire and Rescue Services Act 2004 and is required under section 25 to prepare a biennial report to Parliament on the extent to which fire and rescue authorities are acting in accordance with the Framework.

Scope

- 8.2 The Framework covers England only. It does not apply to Northern Ireland, Scotland or Wales where responsibility for fire and rescue is devolved.

Annex A - Requirements on Fire and Rescue Authorities in England

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	Metropolitan FRA	Combined FRA	County/unitary FRA	PFCC FRA	London	Mayor led FRA
Overall responsibility for fire and rescue functions	FRA	FRA	FRA/ council committee	PFCC	London Fire Commissioner	Mayor
Who scrutinises decision making?	FRA	FRA	FRA/ council committee	Police, Fire and Crime Panel	London Assembly	Mayor (or specific committee if created)
Need to identify priorities and objectives?	No	No	No	Yes ('Fire and Rescue Plan')	Yes	Yes (Greater Manchester (GM): 'local risk plan')
Need to provide an assessment of all foreseeable fire and rescue related risk and how those risks will be mitigated?	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP' – 'London Safety Plan')	Yes (GM: 'local risk plan')
Need to produce an annual assurance statement about compliance with the National Framework?	Yes ('National Framework Annual Statement of Assurance')	Yes ('National Framework Annual Statement of Assurance')	Yes ('National Framework Annual Statement of Assurance')	Yes ('Fire and Rescue Statement')	Yes	Yes (GM: 'fire and rescue declaration')
Need to produce a medium term financial plan ('MTFP')?	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation.
Need to produce an efficiency plan? (This can be part of the 'MTFP')	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation.
Need to produce a reserves strategy? (This can be part of the 'MTFP')	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation
Service subject to HMICFRS inspection?	Yes	Yes	Yes	Yes	Yes	Yes

Annex B - Published Financial Guidance (see Chapter 5)

- The Accounts and Audit Regulations 2015 issued by the Ministry for Housing, Communities and Local Government which sets the financial reporting framework for local government bodies, including fire and rescue authorities.
- The Code of Practice on Local Authority Accounting in the United Kingdom issued by CIPFA /LASAAC, which constitutes proper practices for local government bodies, including fire and rescue authorities.
- The Public Sector Internal Audit Standards (PSIAS) issued by CIPFA as the relevant internal audit standards setter for local government and the fire and rescue service.
- Local Government Application Note for the United Kingdom Public Sector Internal Audit Standards issued by CIPFA.
- Delivering Good Governance in Local Government: Framework issued by CIPFA/SOLACE.
- Statement on the Role of the Chief Financial Officer in Public Service Organisations issued by CIPFA.
- Standing Guide to the Commissioning of Local Authority Work and Services issued by CIPFA.
- Prudential Code for Capital Finance in Local Authorities issued by CIPFA.
- Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes issued by CIPFA.
- Audit Committees: Practical Guidance for Local Authorities and Police issued by CIPFA.
- Position Statement on Audit Committees in Local Authorities and Police issued by CIPFA.
- Statutory guidance for local authorities on the framework for flexible use of capital receipts issued by the Ministry for Housing, Communities and Local Government.
- Local Authority Accounting Panel (LAAP) and CIPFA bulletins that provide topical guidance on specific issues and accounting developments.

Annex C - Fitness Principles

Fire and rescue authorities have an important role in helping to ensure their firefighters remain fit and are supported in remaining in employment. Each fire and rescue authority must:

- have a process of fitness assessment and development to ensure that operational personnel are enabled to maintain the standards of personal fitness required in order to perform their role safely;
- ensure that no individual will automatically face dismissal if they fall below the standards required and cannot be deployed operationally;
- ensure that all operational personnel will be provided with support to maintain their levels of fitness for the duration of their career;
- consider where operational personnel have fallen below the fitness standards required whether an individual is able to continue on full operational duties or should be stood down, taking into account the advice provided by the authority's occupational health provider. In making this decision, the safety and well-being of the individual will be the key issue;
- commit to providing a minimum of 6 months of development and support to enable individuals who have fallen below the required fitness standards to regain the necessary levels of fitness;
- refer an individual to occupational health where underlying medical reasons are identified that restrict/prevent someone from achieving the necessary fitness; and ensure that individual receives the necessary support to facilitate a return to operational duties; and
- fully explore opportunities to enable the individual to remain in employment including through reasonable adjustment and redeployment in role where it appears the medical condition does not allow a return to operational duties.

In those circumstances where there are no such opportunities and suitable alternative employment is either unavailable or, where available, is not agreed by the individual, then the fire and rescue authority will commence an assessment for ill-health retirement through the Independent Qualified Medical Practitioner process.

If no underlying medical issues are identified, and following a programme of development and support it becomes apparent that an individual will be unable to regain the necessary levels of fitness, then a fire and rescue authority will fully explore opportunities for reasonable adjustments and/or suitable alternative employment. In those circumstances where there are no opportunities for reasonable adjustments or suitable alternative employment, the fire and rescue authority will in the case of an employee aged at least 55, consider commencement of the authority initiated early retirement process for it to determine whether the individual should be retired with an authority initiated early retirement pension.

Annex D - Protocol on Central Government Intervention Action for Fire and Rescue Authorities

Introduction

1. It is a requirement under section 23 of the Fire and Rescue Services Act 2004 (the 2004 Act) that an intervention protocol be prepared, and for the Secretary of State to have regard to it in the exercise of their power of intervention.
2. The Secretary of State's order-making powers under section 22 of the 2004 Act are to ensure that fire and rescue authorities act in accordance with the Fire and Rescue National Framework for England (the Framework). Intervention is by order, subject to the negative Parliamentary procedure, and can only be made if the Secretary of State considers it would promote public safety; and the economy, efficiency or effectiveness of the relevant fire and rescue authority, or the services it provides.
3. To date there has been no formal intervention in the operations of a fire and rescue authority by the Secretary of State under these powers. Use of this power is seen as a last resort. The expectation is that the political and professional leadership of the fire and rescue authority will put in place processes to ensure that sector-led support is provided to any fire and rescue authority that needs it.
4. This intervention protocol ("the protocol") broadly sets out the arrangements between the Secretary of State, the Local Government Association (LGA), the Association of Police and Crime Commissioners (APCC), Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the National Fire Chiefs Council (NFCC) and fire and rescue authorities should formal intervention be considered necessary.
5. In this protocol the term 'intervention' is used to refer to action by the Secretary of State in exercise of their powers under section 22 of the 2004 Act. Although the Secretary of State also has other powers of intervention (for example, under section 15 of the Local Government Act 1999) this protocol does not apply to an intervention under those powers.

Role of partners in supporting fire and rescue authorities at risk

6. HMICFRS will play a leading role in identifying any fire and rescue authority that is failing, or is likely to fail, in providing efficiency, effectiveness and leadership for the public. The NFCC and the LGA and/or APCC, will play an important liaison role in engaging the wider sector in supporting those authorities at risk and work collaboratively with key bodies,³ identify at an early stage serious risks to performance or the requirement to act in accordance with the Framework⁴. The NFCC and/or Local Government Association and/or the Association of Police and Crime Commissioners will work with these bodies to prevent the escalation of those risks to avoid any risk to public safety or any negative impact on the reputation of the sector.

³ This could refer to fire and rescue authorities, the relevant professional leadership including the National Fire Chiefs Council, other sector-owned bodies, inspection bodies and HMICFRS in particular, and/or government departments

⁴ There is a joint initiative by the LGA and NFCC, "Sector Support", to adapt the previous process of Peer Review or Peer Challenge to create a mechanism to support FRSs to improve. This specifically includes a provision for those services/authorities that may be at risk of failing.

7. If there are specific concerns in respect of performance, or if there is evidence that indicates a fire and rescue authority is failing or is at risk of failing to act in accordance with the Framework, either through inspection by HMICFRS or through sector-led processes, the NFCC and/or the Local Government Association, and/or the Police, Fire and Crime Panel, and/or the Association of Police and Crime Commissioners will work with the authority to help them address the issues and seek improvement.

Circumstances leading to statutory intervention

8. No intervention would be considered unless there was clear evidence that an authority was failing to act in accordance with the Framework and that the failure was sufficiently serious as to require Government intervention.
9. If, following a sustained and determined attempt to resolve problems through sector-led improvement an issue cannot be resolved, or if a fire and rescue authority is unwilling or unable to engage with sector-led improvement measures, the Secretary of State can, under section 28 of the Fire and Rescue Services Act 2004, commission HMICFRS to lead an investigation. Under this provision, the Secretary of State also has the power to require HMICFRS to undertake any further inspection of fire and rescue authorities in England as required for the purpose of furthering their efficiency and effectiveness. The Secretary of State may also seek advice and information from other persons/bodies (for example, the NFCC) in respect of specific identified issues.
10. The Secretary of State has a range of powers including to request information about a fire and rescue authority's functions⁵ and conferring on a fire and rescue authority functions relating to emergencies⁶. Inspection powers – powers to obtain information and access premises – are also held by HMICFRS' inspectors.⁷

What happens upon statutory intervention?

11. In the event that statutory intervention is considered necessary, the Secretary of State will consult the authority concerned and any other body or authority which is considered necessary, such as HMICFRS, the NFCC and the Local Government Association, before exercising powers of intervention under section 22 of the 2004 Act.
12. The form or extent of any formal intervention will be a matter for determination on a case by case basis, taking into account the views of the fire and rescue authority, HMICFRS, the NFCC, the Local Government Association, the Association of Police and Crime Commissioners, the Police Fire and Crime Panel and any other consultees, depending on the nature and the severity of the failure under consideration. Following such deliberations, the Secretary of State will agree a course of action, and how the required improvement will be delivered.

⁵ Section 26 of the 2004 Act

⁶ Section 9 of the 2004 Act

⁷ Section 28 of the 2004 Act



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