

report

meeting	NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY	
date	23 JULY 2004	agenda item number

REPORT OF THE CHIEF FIRE OFFICER

THE NEW ROLE OF HER MAJESTY'S FIRE SERVICE INSPECTORATE

1. PURPOSE OF REPORT

The purpose of this report is to inform Members of the future role of HM Fire Service Inspectorate (HMFSI), and to provide details of a new Memorandum of Understanding (MoU) between the Fire & Rescue Service Improvement Team (FRIST), HMFSI and the Audit Commission.

2. BACKGROUND

2.1 Members will recall that the former role of the HMFSI was to carry out inspections of Fire Services and produce reports on their findings. HMFSI also carried out thematic inspections giving direction and recommendations which helped with the setting of standards within Brigades. HMFSI has also acted as an advisory body for the Government and was represented on the Central Fire Brigade's Advisory Council.

2.2 The new role of HMFSI has now been agreed by Ministers and the reorganisation of the ODPM Fire Directorate has been decided.

Recently HMFSI have contributed to the modernisation agenda in the following subject areas:-

- The Fire Service White Paper
- Fire & Rescue Services Bill
- National Framework
- New Dimensions work
- Firelink
- Integrated Personal Development System
- Integrated Risk Management Planning

2.3 Inspections of Fire Services previously undertaken by HMFSI are now to be completed by the Audit Commission under Comprehensive Performance Assessment for the Services.

2.4 The HMFSI role with regard to direction and development has now been transferred to the Fire and Rescue Service Improvement Team (FRSIT).

2.5 The Fire & Rescue Service Improvement Team (FRSIT) are a new body that has been set up as a result of the Fire & Rescue Service National Framework Document. The team are based at the ODPM and are involved predominantly in "change management".

3. THE REPORT

HMFSI – NEW ROLE

- 3.1 HMFSI will have its principal interest at the level of strategic development and to this end the role supports both the National Framework and the Fire & Rescue Services Bill. HMFSI's prime duty will be to provide professional and technical advice to Ministers and Department Officials. They will achieve this through information gathered in dialogue with Fire Authorities and also through documentation provided by those Authorities.
- 3.2 HMI will provide advice and assistance to fire authorities when requested to do so, as it has in the past. The approach of the Inspectorate will be one of working on themes and issues in support of the modernisation programme.
- 3.3 To maximise effectiveness and to provide continuity, a number of inspectors will undertake a lead advisor role in specialist topics. It is intended that this will be in conjunction with the Chief Fire Officers Association and the Local Government Association where appropriate.
- 3.4 In addition to the above HMFSI will also:-
- Retain the responsibility for the National Community Fire Safety Centre.
 - Support the Audit Commission with the work on Comprehensive Performance Assessment.
 - Initiate strategic studies on issues of National importance from time to time and publish reports in order to disseminate good practice.
 - Continue to work with the Fire Service College to assist with the transition of the new role expected of the College.
- 3.5 A senior member of the Inspectorate will liaise with Fire Authorities on a regular basis and also with the Government Office for each region. As part of this liaison, HMFSI will continue to advise upon honours and awards for Fire & Rescue staff. A copy of the letter from Sir Graham Meldrum is attached as Appendix A.

MEMORANDUM OF UNDERSTANDING

- 3.6 The Memorandum of Understanding (MoU) sets out standing arrangements to be followed by the Audit Commission, HMFSI and FRSIT. It came into force on 10 May 2004 and will expire on 31 December 2005. A copy is attached as Appendix B.
- 3.7 The ODPM will set National Performance Indicators for the Fire Service and will work with the Audit Commission to develop a new CPA for the Service.
- 3.8 The FRSIT are tasked with acting as a catalyst for change and reform, whilst ensuring the strategic direction of all the institutions is focussed.
- 3.9 FRSIT will also monitor the rate of change and will report to Ministers and the public on progress. They will work with Fire Authorities on improvements following the publication of CPA outcomes.

- 3.10 The three signatories to the MoU will share information and combine resources into joint teams, so that an undue burden is not placed upon staff resources in Fire Authorities in relation to visits. They also intend to avoid duplication of reports or plans put into the public arena.
- 3.11 Any revised terms of reference will be notified to each part involved in the MoU.
- 3.12 The Audit Commission, HMFSI and FRSIT will discuss good practice and share information and draft CPA reports with Fire Authorities. This process will have regard to the auditors appointed by Fire Authorities.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from this report.

5. PERSONNEL IMPLICATIONS

- 5.1 There are no direct personnel implications arising from this report.

6. EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 There are no direct equal opportunity implications arising from this report.

7. RISK MANAGEMENT IMPLICATIONS

- 7.1 Nottinghamshire Fire & Rescue Service must fully engage with all parties. Failure to do so may mean that the organisation falls short of the standards required nationally.

8. RECOMMENDATION

- 8.1 That Fire Authority members note the content of the report.

9. BACKGROUND PAPERS FOR INSPECTION

- 9.1 letter from Sir Graham Meldrum (Appendix A)
- 9.2 Memorandum of understanding – First, HMFSI and The Audit Commission (Appendix B)

Paul Woods
CHIEF FIRE OFFICER



HM FIRE SERVICE INSPECTORATE
Sir Graham MeSdrum CBE OStJ QFSM Duniv FIFireE CCMI
HM Chief Inspector of Fire Services

19 May 2004

Mr T Austin
Nottinghamshire Fire Authority
Nottingham City Council
The Guildhall
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THE NEW ROLE OF HM FIRE SERVICE INSPECTORATE

For some time now Ministers and Fire Directorate officials have been referring, at various conferences and presentations, to the new role of HM Fire Service Inspectorate. This role has now been agreed by Ministers and, with the reorganisation of the ODPM Fire Directorate now decided, I am able formally to bring this to your attention.

Our principal interest will be at the level of strategic development and, as you would expect, our new role supports the aims of the National Framework and the Fire and Rescue Service Bill. We will work closely with all the other Divisions within the Directorate and will focus our energy and resources on providing practical support to fire authorities and their chief officers. Our contribution to the White Paper, National Framework, Fire and Rescue Services Bill and of course, New Dimension, Firelink, IPDS and IRMP ideally equips us for this purpose.

Our role will comprise of a number of elements. Our prime duty will be to provide professional and technical advice to Ministers and Departmental officials. To enable us to do this we will use, amongst other sources, information gathered through dialogue with fire authorities and material published by each Service.

The Inspectorate will also provide advice and assistance to Fire and Rescue Authorities, when requested to do so, very much as we have in the past. Wherever appropriate this will be on a confidential basis.

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To maximise effectiveness and continuity a number of inspectors will undertake a lead adviser role in specialist topics in support of the Directorate and the wider service. Working together with CFOA and the LGA whenever appropriate; we will draw on support from members of the service and elsewhere to assist in our responsibilities and endeavours.

The Inspectorate will maintain responsibility for the National Community Fire Safety Centre and ensure that it plays a vital role in supporting fire authorities' community fire safety work.

We will continue to support the Audit Commission in their work on Comprehensive Performance Assessment, through assistance to the Commission and to fire authorities.

From time to time we will undertake or contribute to Strategic Studies on issues of national importance to the Service, sometimes in partnership with Fire and Rescue Authorities and other stakeholders. Subsequent reports will be published in support of our role of disseminating good practice. The issues for such studies will be discussed with stakeholders before being recommended to Ministers and the Audit Commission.

Our work on strategic studies, taken together with our continuing dialogue with fire authorities, will enable us to identify current and emerging best practice. Working in appropriate liaison with the Audit Commission, we will make such best practice known generally, for the benefit of all fire authorities.

We will work with the Fire Service College to assist its transition to the new central role envisaged for it; especially in conjunction with the evolution of a national workforce development strategy, the modernisation of leadership development and the development of a modern service culture with equality and diversity at its core.

To maintain effective arrangements with fire and rescue services, authorities and new regional structures, a senior member of the Inspectorate will maintain liaison with each Fire Authority on a regional basis. This relationship will also be carried forward into the Government Offices of the Regions to enable proper feedback on regional as well as fire authority issues. As part of this liaison the Inspectorate will continue to advise upon honours and awards for fire and rescue service staff. Further and more detailed guidance to chief officers about this will shortly follow.

Our normal approach will be to work on themes and issues in support of the modernisation programme, drawing upon local experience to inform future policy. Exceptionally, however, we may be required to report on individual authorities. Where this is the case we shall always give prior notice. At all

times our engagement with authorities will be proportionate to needs and will take account of the requirements of other regulators and stakeholders* who interface with them. Liaising in particular with the Audit Commission, we will establish working practices and lines of communication designed to make sure we eliminate overlap and duplication of work.

**A memorandum of Understanding between the Audit Commission, FRSIT and HMFSI will be issued shortly.*

Ministers have indicated their wish to be assured of the overall effectiveness of operational and technical matters that are particular to fire and rescue services. These areas of activity are not covered directly by the CPA process and the Inspectorate has been tasked with providing this assurance. We expect to achieve this, in most cases, through strategic discussion with Divisional Managers in the Fire and Rescue Service Directorate and Service managers and, where appropriate, observation of local practice through engagement with planned arrangements in each Service, rather than by special or specific additional activity. We may also need, from time to time, to enquire into operational incidents of significant national interest.

We are very conscious of the demands of the current change programme and of the efforts being made by fire and rescue authorities and their officers to achieve delivery of this. The Inspectorate's new role is as much to support you in these endeavours as it is to provide professional and technical support to the central departments. In this way we expect to be an effective resource to all of those subscribing to the modernisation of the service.

I believe that the Inspectorate has a great deal to contribute to the future development of the Fire and Rescue Service by providing high quality, professional advice and guidance to Ministers and their officials. It can only fulfil this function by attracting personnel from all sections of the Fire and Rescue Service, as part of their career development. It can only obtain such people with your support and guidance.

SIR GRAHAM MELDRUM CBE HM
Chief Inspector of Fire Services

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Office of the Deputy
Prime Minister

Creating sustainable communities

To: The Chief Executive to
the County Council
The Clerk to the Fire and Rescue
Authority
The Clerk to the Fire and Civil
Defence Authority The Clerk to the
Combined Fire and Rescue
Authority The Commissioner of the
London Fire and Emergency
Planning Authority
The Chief Fire Officer Members of
the Practitioners' Forum Members
of the Business and
Community Safety Forum

Dear Sir or Madam

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www.odpm.gov.uk June

2004

MEMORANDUM OF UNDERSTANDING - FRISIT, HMFSI AND THE AUDIT COMMISSION

For your information I enclose a copy of the recently signed Memorandum of Understanding between the Fire & Rescue Service Improvement Team, HM Fire Service Inspectorate and the Audit Commission. You will have noted that Sir Graham Meldrum referred to the MOU in his recent letter concerning the future role of HMFSI.

The agreement is intended to provide an effective framework for joint working, information exchange and co-ordinated planning in fulfilling the different roles of each party. We will be keeping the agreement under review so if you have any comments please let me know.

Yours faithfully

DAVE LAWRENCE

local and regional government • housing • planning • fire • regeneration • social exclusion • neighbourhood renewal

Memorandum of understanding

between the

ODPM and the Audit Commission

concerning the

Fire and Rescue Service in England

May 2004



Office of the Deputy
Prime Minister

Memorandum of Understanding

- 1 This document is a memorandum of understanding (MOU). It sets out certain standing arrangements to be followed by the Audit Commission, the Fire & Rescue Service Improvement Team (FRSIT) and HM Fire Service Inspectorate (HMFSI). It covers all aspects of performance management and assessment in the Fire & Rescue Service in England for which the signatory parties are responsible. Separate arrangements will be made for the rest of the UK.
2. It came into force on 10 May 2004 and will apply until 31 December 2005. It may be revised or revoked before that date.
3. This MOU assumes the intentions expressed in the White Paper published by the Office of the Deputy Prime Minister (ODPM) on 30 June 03 and the draft National Framework published on 11 December 03 (as subsequently amended) will become legislation.
4. An extract from the White Paper concerning comprehensive performance assessment (CPA) is attached as Appendix 1. CPA was developed by the Audit Commission as a framework for measuring performance by local government. It aims to support improvement in local authorities and can lead to increased freedoms and flexibilities.

Responsibilities

ODPM

5. The ODPM will work closely with the Audit Commission and stakeholders as the Commission develops a new CPA for the Fire and Rescue Service
6. The ODPM has responsibility for setting national performance indicators for the Fire and Rescue Service.

FRSIT

1. The Fire & Rescue Service Improvement Team is part of the ODPM. The aims of FRSIT are:
 - > To act as a catalyst for change, promoting reform and working with all fire and rescue service institutions to ensure change happens, in particular, to ensure that the change of focus to prevention takes place.
 - > To monitor the overall rate of change, to report to ministers and the wider public on that progress and thereby highlight any problems or concerns.
 - > To ensure that the overall strategic direction of all the institutions is focused on the programme of reform and change in a coherent way.

To fulfil its role, FRSIT will co-ordinate work with fire and rescue authorities (FRAs) on their improvement plans following the publication of CPA outcomes.

HMFSI

8. The primary functions of HMFSI are to:
- > Provide assurance and advice to the Deputy Prime Minister and the ODPM, in respect of professional and technical matters.
 - > Assist in identifying the Fire and Rescue Service leaders of the future. > Generate, identify and promote good practice.
 - > Support the Audit Commission in developing the new CPA function for the Fire and Rescue Service.
 - > Support the implementation of CPA and work with FRSIT, in responding to the outcome of CPA.
 - > Advise FRSIT in developing measures to support improvement in FRAs
 - > Develop and support professional and technical improvements in fire and rescue services operations.
 - > Contribute to the development of fire safety statute, standards and national guidance.
 - > Provide support for specific activities of other ODPM divisions related to improvements in service delivery.

AUDIT COMMISSION

9. The Audit Commission has a function to inspect compliance by best value authorities with Part I of the Local Government Act 1999, principally in relation to the duty to secure continuous improvement in the exercise of functions, having regard to economy, efficiency and effectiveness. Fire authorities are best value authorities under the Local Government Act 1999.
10. The Audit Commission may carry out studies, from time to time, in accordance with AC powers and strategy. Under section 33 of the Audit Commission Act the Commission carries out studies where it has identified a need and has consulted formally.
11. Under section 11 of the Local Government Act 1999, inspectors (being officers, servants or agents of the Commission) may require information from best value authorities for the purposes of undertaking an inspection. Auditors appointed by the Commission may require information, under section 6 of the Audit Commission Act 1998, for the purposes of undertaking an audit.
12. The Audit Commission can make a recommendation to the Secretary of State to give a direction (section 13(4) of the Local Government Act 1999. Measures in the Fire and Rescue Service Bill could extend this provision.
13. The Audit Commission will implement a new CPA for the fire service.
14. The Audit Commission continues to be responsible, under the Audit Commission Act 1998, for the appointment of external auditors to FRAs. See Appendix 2 for the role of the auditors.

Avoiding duplication

15. To avoid duplication of effort and ambiguity, it is helpful to understand the differences in the nature and scope of the remit of each party as regards each party's work concerning the Fire and Rescue Service. The table below gives a summary.

Activity	Responsibilities		
	<i>FRSIT</i>	<i>HMFSI</i>	<i>Audit Commission</i>
<i>Setting agenda for Modernisation</i>	Responsible for policy which will be expressed through the National Framework.	Provides professional advice related to policy development.	CPA may offer contributions to policy making, through identifying good practice and areas for service improvement.
<i>Inspection Policy</i>	Advises Ministers on policy. Performance expectations expressed through the National Framework.	Supports development of ODPM policy through Core Advisory Team.	Considers how best to undertake inspections of fire authorities in accordance with its statutory remit.
<i>Delivery of CPA</i>	Advice to Ministers on policy. Provides advice, support and funding for design and delivery.	Provides advice and support.	Designs, leads and delivers. Produces reports.
<i>Best Value Review</i>	Determines policy.	Provides strategic support.	May consider the outcomes, as part of CPA or audit.
<i>Pursue and promote good practice in service delivery</i>	Agrees and promotes.	Identifies, agrees and promotes.	CPA or audit may identify good practice.
<i>National Studies</i>	Identifies need. Agrees and commissions activity.	Identifies need. Agrees and commissions activity.	May carry out studies.
<i>Professional support for FRAs</i>	Identifies need.	Identifies need. Helps respond to need in consultation with FRSrr.	Not applicable.
<i>Operational Service Delivery</i>	Requires assurance.	Provides assurance.	CPA assesses corporate arrangements and

			compliance with guidance and service standards.
<i>Advice and Guidance to Ministers on Performance of Brigades</i>	Ministerial lead. Direct by report.	In liaison with FRSIT and the Audit Commission. Direct by report.	No direct reporting to Ministers, but reports in the public domain, from both CPA and audit.
<i>Require Information from Authorities</i>	Using existing powers under the local government Act 1999 and new powers proposed in the Fire and Rescue Services Bill.	As for FRSU.	Using existing powers.
<i>Failing Authorities and Intervention</i>	Advise Ministers on action required.	Provide professional support and guidance. Support agreed intervention strategy.	Assesses and reports. Audit teams support improvement planning. Can make recommendations to the Secretary of State.

Arrangements for co-operation

16. In order to minimise overlap, maximise value, and reduce the burden of inspection on FRAs, FRSIT, HMFSI and the Commission agree to the following standing procedures.

Communication

17. FRSIT, HMFSI and the Audit Commission shall meet regularly to share current thinking, review recent work done and consider plans.

18. There shall be a nominated communications officer in each of the three bodies, responsible for making sure the meeting agendas are up to date and comprehensive, and for dealing with any urgent communication outside the meetings.

19. The communications officers shall be responsible for identifying any potential overlap or omission and for making sure it is brought to the attention of the appropriate senior officers concerned, whether by means of the regular meetings or as may be required.

Shared planning and information exchange

20. FRSIT, HMFSI and the Audit Commission undertake to bring to the regular meetings sufficient information on their planning as will facilitate the avoidance of duplication.

21. In particular, FRSIT, HMFSI and the Audit Commission undertake to share:

- > where practicable, information on FRA performance and plans for visiting FRAs, in order to develop a co-ordinated scheme of site visits so that only a reasonable demand (consistent with good quality work) shall be placed on management and staff time, and proper advance notice can be given to management, to help them plan their time efficiently;
- > plans for publications, to avoid any risk of duplication and to keep all parties well informed, in advance, of any reports or other material to be put in the public arena.

Terms of reference

22. FRSIT, HMFSI and the Audit Commission undertake to keep each other informed of new or revised terms of reference for any project or assignment in time for the other parties concerned to consider any implications and to express a view.

Joint working and shared resources

23. Wherever possible and appropriate, FRSIT, HMFSI and the Audit Commission will combine resources into co-ordinated joint teams. Leadership and the terms of reference for such teams will depend on the circumstances of the tasks being undertaken.

24. To avoid difficulties arising as regards independence and statutory responsibilities, resources may be seconded from one body to another as required.

Reporting

25. It is important that reports produced by the Audit Commission and the ODPM reach their primary audiences in the Fire & Rescue Service as promptly as possible.

26. FRSIT, HMFSI and the Audit Commission undertake to:

- > discuss in advance any good practice to be promoted to FRAs;
- > share, at the earliest possible stage, any information which provides evidence that the operational capacity of any FRA could be compromised;
- > share draft reports concerning CPA for the FRAs to the extent consistent with the different requirements and statutory limitations placed upon them, provided such sharing does not cause undue delay.

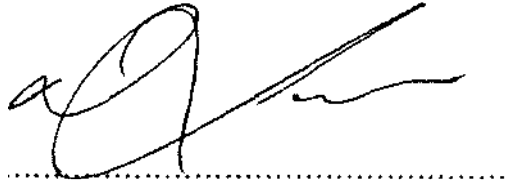
Other parties

27. FRSIT, HMFSI and the Audit Commission will have appropriate regard to the work of the auditors appointed to each FRA, and will co-operate with the auditors, subject to responsibilities and statutory duties.

Approval

Signed for and on behalf of

FRSIT Name



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Signed for and on
behalf,



.....

Name

Title

Date

HM Chief Inspector of Fire Services
14th Aug 2004

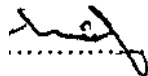
JL

Signed for

Audit Commission

m, Name

Title Date



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Appendix 1

An extract from the Fire & Rescue White Paper published by the ODPM on 30 June 2003

Comprehensive Performance Assessment

6.9 The Local Government White Paper *Strong Local Leadership - Quality Public Services* introduced the concept of Comprehensive Performance Assessment (CPA) for local authorities. The Audit Commission, working with other inspectorates and key stakeholders, developed and implemented the methodology for CPA, which brings together performance indicators, plan assessments and inspection. These procedures provide an overall assessment of performance on service delivery and of each authority's corporate strengths and weaknesses. Last year, the Audit Commission published CPA outcomes for all county and single-tier local authorities. It is currently implementing an appropriate CPA framework for district councils. This framework provides for each local authority:

- > an improvement planning baseline for each council to work with government to deliver better services for local communities;
- > the means to communicate clearly to local people a picture of the performance of their council;
- > a basis for government to reduce and rationalise assessment measures and to reward high performance with increased flexibilities (such as reduced levels of inspection);
- > priorities for the targeting of capacity support and inspection resources; and
- > a means to identify and deal with failure.

We are asking the Audit Commission to work with us and other stakeholders to develop a performance assessment framework, using the lessons from local government CPA, as the basis for assessing the performance of fire and rescue authorities and their services, and for improvement planning. This framework will also form the basis for determining which fire and rescue authorities merit increased freedoms and flexibilities as a result of consistently good performance as measured against the tough national targets which we will set

Appendix 2

Auditors appointed by the Audit Commission

The Audit Commission's appointed auditors can be an employee of the Commission or a private firm of accountants. Appointed auditors are statutorily independent of the Commission. In carrying out their statutory responsibilities they are required to comply with the Commission's Code of Audit Practice, which is approved by Parliament at five-yearly intervals.

The Code requires auditors to review and report on:

- > The financial aspects of the audited body's corporate governance arrangements as they relate to:
 - The legality of transactions that might have significant financial consequences
 - The financial standing of the audited body "
 - Systems of internal financial control
 - Standards of financial conduct, and the prevention of fraud and corruption
- > The audited body's financial statements
- > Aspects of the audited body's arrangements to manage its performance, as they relate to:
 - Economy, efficiency and effectiveness in the use of resources
 - The audited body's arrangements for preparing and publishing specified performance information
 - The audited body's compliance with statutory requirements in respect of the preparation and publication of its best value performance plan

Under the Code, appointed auditors are required to exercise their professional judgement independently and to comply with all current professional standards, both technical and ethical.

Auditors' work programmes are based on their assessment of the key business risks that apply to the audited body, which are relevant to their statutory responsibilities.

In planning and carrying out their work, appointed auditors are required to seek to cooperate with, and have regard to the work of, other auditors, inspectors and statutory review agencies, wherever appropriate.

The results of audit work are summarised in an annual audit letter addressed to the fire authority, which the auditor has a statutory duty to publish. Auditors also have the power to issue a public interest report on any matter that comes to their attention in the course of the audit so that it can be considered by the body concerned or brought to the attention of the public.