

# Draft Response to Fire and Rescue Service National Framework Consultation

## Report of the Chief Fire Officer

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### 1 Purpose of Report

The Fire and Rescue National Framework sets out the Coalition Government's expectations for fire and rescue authorities (FRAs) in England. This report summarises the Framework and sets out a proposed response on behalf of the Fire Authority to the current consultation exercise.

### 2 Recommendations

The Fire Authority is recommended to:

- a) Note the contents of this report;
- b) Consider and amend / agree the proposed response to the consultation questions, set out in the appendix to this report; and
- c) Authorise officers to submit the agreed response on behalf of the Fire Authority.

### 3 Background

National Frameworks for FRAs have been in existence since 2004 and cover a broad range of activities and responsibilities, including resilience, prevention, protection and response.

In the response to the sector's *Fire Futures Reports*, the Coalition Government committed to work with the sector to develop and consult on a revised National Framework as part of resetting the relationship between central Government and FRAs. The emphasis is to promote local accountability, while focusing on issues where there is a clear national interest, for example national resilience.

At the Fire Authority's December 2011 meeting Members were presented with a tabled copy of the new draft National Framework, which was formally published<sup>1</sup> on 13 December 2011. The Framework is currently the subject of a consultation exercise that will end on 19 March 2012.

This paper summarises the new Framework and sets out a proposed response (as appended) to the key consultation questions set out by Government:

**Question 1**

Is the content of each chapter clear, specific and proportionate?

**Question 2**

Does the draft National Framework set clear and appropriate expectations of FRAs? If not, how could it be improved?

**Question 3**

Are the respective roles of FRAs and the Government set out clearly? If not, how could they be improved or made clearer?

**Question 4**

Do the requirements for FRAs on scrutiny, access to comparable performance data and assurance go too far or not far enough?

## 4 Summary of Framework

Government has pledged to empower FRAs to maintain and improve their services, rather than interfering in how they serve local communities. Fire Minister Bob Neill MP has said:

*“Government will not micromanage from the centre, but will provide overall strategic direction and support.”*

Through provisions in the Localism Act, FRAs will, he states, have even more freedom and flexibility to deliver innovative services specific to their communities, while also contributing to national resilience.

The draft Framework sets out the high-level expectations, priorities and objectives for all FRAs over the next few years (although no deadlines are specified), and how the Government will work in partnership with them and other stakeholders. The Framework does not prescribe operational matters, which will be determined locally by FRAs in consultation with their communities.

The Framework sets out the need for FRAs to assess all fire and rescue related risks that could affect their communities, and put in place arrangements to mitigate those risks, either through adjusting existing provision, more effective collaboration and partnership working, or building new capability.

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<sup>1</sup> <http://www.communities.gov.uk/documents/fire/pdf/2039159.pdf>

It adds that FRAs need to also be prepared for incidents of such scale or complexity that local resources may be overwhelmed, even when taking into account mutual-aid agreements, pooling and reconfiguration of resources and collective action.

As with earlier Frameworks the new document states that FRAs must produce an integrated risk management plan (IRMP) to identify and assess the risks, including those of a cross-border, multi-authority and / or national nature.

Despite Government's handing over greater control to FRAs, the Framework indicates that Government will retain strategic responsibility for national resilience and will continue to fund existing national resilience capabilities. However, the Framework makes it clear that the leadership role of FRAs is critical in handling any national-level emergency, and that national resilience must be based on, and drawn from, the local capability, expertise and knowledge within fire and rescue services.

According to the Framework, Government will monitor potential risks and set response benchmarks through the National Risk Assessment process and the National Resilience Planning Assumptions, led by the Cabinet Office.

In delivering the Framework's requirements, FRAs need to have the necessary capability to manage risks and may determine that collaborative working enables them to improve service delivery and achieve efficiencies.

The draft Framework explains that, as part of the IRMP process, FRAs must carry out an assessment of their existing capability and identify any gaps, working with Government to address them, particularly gaps between their existing capability and that needed to ensure national resilience.

Arguably the major theme of the Framework is the IRMP and Government sees the IRMP process as an opportunity for FRAs to have an ongoing conversation with their communities and inform them through the provision of up-to date, accessible data on risk. FRAs will be expected to ensure that IRMPs are easily accessible and publicly available, and reflect current risk analyses and the evaluation of service delivery outcomes.

With FRAs ultimately accountable to their local communities, the Framework states that all FRAs need to be transparent about decisions and actions taken, and engage with communities so local people can scrutinise and influence service delivery. They should also ensure that local communities can access information to compare the performance of their FRA with others.

The draft Framework underlines that FRAs are free to configure services in a way that makes sense to them locally, while also having capability to respond to more severe or complex risks.

## **5 Consultation Response**

The proposed response to the draft Framework is appended for Member consideration.

## **6 Financial Implications**

There are no financial consequences related to the consultation exercise.

Members, however, should note that compliance with the Framework's requirements may have additional financial consequences for the Fire Authority.

## **7 Legal Comment**

Section 21 of the Fire and Rescue Services Act 2004 provides the statutory authority for the National Framework and requires:

- The Secretary of State to prepare a National Framework for fire and rescue authorities;
- The Secretary of State to consult with representatives of fire and rescue authorities and their employees before making significant changes to the Framework;
- The Secretary of State to bring the Framework, and any significant revisions to it, into effect by a statutory instrument, subject to annulment in either of the Houses of Parliament; and
- FRAs to have regard to the Framework in carrying out their functions.

## **8 Equality Impact Assessment**

Officers have considered the Service's Brigade Order on Equality Impact Assessments (Personnel 5 Part 2) and have determined that there are no discriminatory practices or differential impacts upon specific groups arising from this report. An Initial Equality Impact Assessment has not, therefore, been completed.

## **9 Appendix**

Draft Response to Fire and Rescue Service National Framework Consultation

## **10 Background Papers**

Communities and Local Government  
Fire and Rescue National Framework for England - Consultation

## Draft Response to National Framework Consultation

Consultation Question	Proposed Shropshire and Wrekin Fire Authority Response
Question 1: Is the content of each chapter clear, specific and proportionate?	The 'must do' requirements set out within each chapter should, where appropriate, be amended to align to 'SMART' <sup>2</sup> objectives / criteria. The presented Framework content is not sufficiently time-bound.
Question 2: Does the draft National Framework set clear and appropriate expectations of FRAs? If not, how could it be improved?	<p>The Framework does not offer an overarching vision or aspiration for the nation's Fire and Rescue Services, particularly in respect of reducing deaths and injuries in the home.</p> <p>The Framework presents a strong expectation regarding the development and publication of an IRMP relevant to all fire and rescue related risks.</p> <p>The Framework offers the potential to address and define 'grey areas' regarding the perceived role and function of Fire and Rescue Authorities (FRAs) – both locally and nationally. However, the Framework presents a risk in potentially raising local community expectations, expectations that cannot be met without central leadership, guidance / policy and moreover funding.</p> <p>Whilst morally many of the Framework's requirements make common sense and would meet community / stakeholder expectations regarding the perceived role of their 'local Fire and Rescue Service', the reality still exists that some of the expectations are not adequately funded.</p> <p>There is a public expectation that FRAs are funded, equipped and trained to deal with a wide range of risks. Experiences to date, particularly with flood, water incidents and rescue from confined spaces (two of many examples), illustrate that FRAs still remain ill-equipped and lack the necessary funding to meet public expectations (<i>over and above emergencies involving fires, salvage and road traffic collisions etc</i>).</p>

<sup>2</sup> SMART – see: [http://en.wikipedia.org/wiki/SMART\\_criteria](http://en.wikipedia.org/wiki/SMART_criteria)

	<p>The Framework sets potentially over-ambitious expectations for FRAs to risk assess and deal with <b>all</b> fire and rescue related risks that could affect their communities (from local fires to terrorist attacks) (Para 4).</p> <p>The purpose of the proposed gap analysis should be extended to address local, as well as national, short-comings (e.g. response to flooding / water related incidents) that face many FRAs. Such analysis would allow capability building to take account of the full range of risks and options available, including the allocation of additional funding, where appropriate, to deliver against national standards regarding the earlier referred to ‘grey areas.’</p> <p>The Framework sets out demanding requirements regarding interoperability with Category 1 and 2 responders. As with any communication, success is a two-way process and success will only occur if other Category 1 and 2 responders are issued with reciprocal requirements to those set out within the Framework. It should also be realised that to accomplish secure and resilient, ‘compatible’ communications etc may attract significant cost implications.</p>
<p>Question 3: Are the respective roles of FRAs and the Government set out clearly? If not, how could they be improved or made clearer?</p>	<p>The role, responsibilities and makeup of the proposed strategic governance arrangements require clarity.</p> <p>FRAs can only be reasonably expected to have in place Business Continuity Plans to address service delivery risks that may manifest and emerge locally (with regards to local industrial action). It would potentially be beyond the ability of most FRAs to deal adequately with risks arising through national disputes involving employees. Where such risks arise as a result of Government policy, it is perhaps appropriate that Government accepts a level of responsibility for business continuity arrangements (arrangements that may necessitate the use of Armed Forces or other parties).</p>
<p>Question 4: Do the requirements for FRAs on scrutiny, access to comparable performance data and assurance go too far or not far enough?</p>	<p>As local service providers it is right and proper that FRAs should be accountable to local communities / stakeholders. To do so effectively, however, FRAs should be measured against ‘SMART’ Framework requirements.</p>

	<p>The ability to compare effectively the performance of FRAs presents challenges, when service provision is currently largely driven by budget rather than risk.</p> <p>The absence of national performance indicators / standards presents an unlevel playing field, when comparing FRAs.</p> <p>The information contained within Peer Reviews is considered to be confidential, with publication at the discretion of FRAs not Government.</p> <p>The publication of annual assurance statements is a sensible requirement, but clear and unambiguous guidance is required regarding the expected content of such statements. Such guidance is particularly relevant to communities / stakeholders, who may wish to compare FRAs.</p>
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