



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

REPORT REFERENCE NO.	CSCPC/13/4
MEETING	COMMUNITY SAFETY & CORPORATE PLANNING COMMITTEE
DATE OF MEETING	4 SEPTEMBER 2013
SUBJECT OF REPORT	REFERENCE FROM FULL AUTHORITY MEETING – ESTABLISHMENT OF INTEGRATED PLANNING GROUP
LEAD OFFICER	Clerk to the Authority and Director of Operations
RECOMMENDATIONS	<p>(a) <i>that, as it is in the interests of the Authority to consider information from constituent authorities (such as future planning policy, growth forecasts, nature and type of future risk), those Devon & Somerset Fire & Rescue Service officers responsible developing future Integrated Risk Management Plans (IRMP) be tasked to meet formally with each of the four constituent authorities - prior to the consultation stage of each IRMP - to confirm that assumptions being made by the Authority are correct and to inform the process;</i></p> <p>(b) <i>that, notwithstanding (a) above, it be acknowledged that any proposals associated with the Devon & Somerset Fire & Rescue Service are a matter for the Authority to determine, after considering feedback from public consultation as required and in accordance with the requirements of the Fire and Rescue Service National Framework for England.</i></p>
EXECUTIVE SUMMARY	<p>At its meeting on 10 July 2013 the Authority considered a report on the outcome of the recent consultation on proposals contained in the draft Corporate Plan 2013-14 to 2014-15. During the debate on this matter, Councillor Gordon proposed a motion for the establishment of an integrated planning group for future corporate and financial planning. The Authority agreed to refer this motion to this Committee for consideration.</p> <p>This report identifies issues that the Committee may wish to take into account when considering the referred motion.</p>

RESOURCE IMPLICATIONS	None identified at this stage. Further assessment will be required when the Committee's determination is known.
EQUALITY RISKS AND BENEFITS ANALYSIS	None arising from this report. Specific proposals on service delivery issues, to be contained in future iterations of the Corporate Plan, would need to be subject to individual analyses.
APPENDICES	Nil.
LIST OF BACKGROUND PAPERS	<p>The Devon & Somerset Fire & Rescue Authority (Combination Scheme) Order 2006.</p> <p>The Fire & Rescue Services Act 2004.</p> <p>The Fire & Rescue Service National Framework for England.</p> <p>The Local Government Act 1972.</p>

1. **INTRODUCTION**

1.1 At its meeting on 10 July 2013 Devon & Somerset Fire & Rescue Authority (the Authority) considered a report on the outcome of the recent consultation on the draft Corporate Plan 2013-14 to 2014-15. During the debate on this issue, Councillor Gordon moved:

“that the Devon & Somerset Fire & Rescue Authority establishes an integrated planning group with immediate effect with the purpose of preparing for future years’ corporate and financial planning that ensures:

- best practice with respect to both stakeholder and public engagement;
- integration with partner organisations’ plans for efficiencies; and
- comprehensive compliance with the recommendations and best practice examples summarised in Sir Ken Knight’s “Facing the Future” report of May 2013.”

1.2 The Authority agreed to refer this matter to this Committee for further consideration and this report sets out issues that may be of assistance in doing so.

2. **CONSTITUTIONAL ISSUES**

2.1 The Authority is a “body corporate” established by a Combination Scheme Order made under the Fire & Rescue Services Act 2004 for the purposes of discharging fire and rescue authority functions. As such, the Authority is a stand-alone legal entity with sole responsibility for the discharge of fire and rescue functions.

2.2 In terms of constitutional governance, the Order applies relevant aspects of the Local Government Act 1972 including the ability of the Authority to form joint committees with other authorities for the discharge of functions, subject to there being no express statutory prohibition for this.

2.3 In terms of the discharge of functions by a committee or joint committee, there are some notable exceptions:

- matters associated with the setting of the budget, specifically, levying or issuing a precept and/or borrowing money, may not be delegated and must be exercised by the full Authority itself (Local Government Act Section 101(6));
- fire and rescue authorities may enter into arrangements for the discharge of the function to extinguish fires only if the organisation with whom the arrangement is entered into also employs firefighters (Fire & Rescue Services Act 2004, Section 16(2)).

2.4 This Committee is one of several established by the Authority to assist in the discharge of its functions. The approved Terms of Reference for this Committee provide, amongst other things:

“Advisory ONLY

1. To oversee development of the Corporate Plan and make recommendations as appropriate to the Authority.
2. To develop community safety priorities and make recommendations as appropriate to the Authority.

Matters with Delegated Power to Act

3. To consider and monitor the community risk profile to ensure that services are delivered effectively.”

3. INTEGRATED RISK MANAGEMENT PLANNING

3.1 The main functions of a fire and rescue authority are set out in the Fire & Rescue Services Act 2004 (“the Act”). While the Act does not refer explicitly to integrated risk management planning (IRMP), it does provide (Part 3, Section 21):

(1) The Secretary of State must prepare a Fire and Rescue National Framework.

(2) 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;

(c) may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate.

(7) Fire and rescue authorities must have regard to the Framework in carrying out their functions.

3.2 The current iteration of the Fire and Rescue National Framework, published by the Department for Communities and Local Government (CLG) in July 2012, provides the following in relation to integrated risk management plans:

Each fire and rescue authority must produce an integrated risk management plan that identifies and assesses all foreseeable fire and rescue related risks that could affect its community, including those of a cross-border, multi-authority and/or national nature. The plan must have regard to the Community Risk Registers produced by Local Resilience Forums and any other local risk analyses as appropriate.

Fire and rescue authorities must work with communities to identify and protect them from risk and to prevent incidents from occurring.

Each fire and rescue authority integrated risk management plan must:

- demonstrate how prevention, protection and response activities will best be used to mitigate the impact of risk on communities, through authorities working either individually or collectively, in a cost effective way;
- 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.

Fire and rescue authorities must make provision to respond to incidents such as fires, road traffic accidents and emergencies within their area and in other areas in line with their mutual aid agreements, and reflect this in their integrated risk management plans.

Each fire and rescue authority integrated risk management plan must:

- be easily accessible and publicly available;

- reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies, and partners;
- cover at least a three year time span and be reviewed and revised as often as it is necessary to ensure that fire and rescue authorities are able to deliver the requirements set out in this Framework;
- reflect up to date risk analyses and the evaluation of service delivery outcomes.

4. THE CURRENT IRMP PROCESS

4.1 Planning, writing and consultation on the IRMP is undertaken as part of the Authority's Corporate Plan and delivered under the performance management system which accompanies the plan. At the local level integrated risk management planning is also carried out through the Local Community Plans. Through the planning cycle, key steps are followed each year to develop the Corporate Plan:

- i) Identifying future and current risks - Scoping the IRMP involves identifying current and future demands on the Service and the risks that exist within local communities. Risk is analysed using a number of methodologies and data sources to map the number of times an event occurs over a five year period. Mathematical techniques and subjective judgment are then used to predict future occurrences and identify Low Activity and High Activity Stations. Impact is assessed using the Fire Service Emergency Cover (FSEC) system to factor life loss, injury, property damage, heritage, environmental, social, economic, and business interruption etc.
- ii) Matching resource to risk – Organisational and local risk profiles are produced to provide information about high risk groups. The Service can then plan for and mitigate risk based on planning assumptions and ensure an appropriate balance is struck between the cost of its response and risk to public safety.
- iii) Working in partnership with local and national partners - Consultation takes place with constituent authorities, Local Resilience Forums (LRFs) and other local and national partnerships to further provide the opportunity for refinement of the IRMP/ Corporate Plan proposals before they are presented to the Authority.
- iv) Consultation with the community – Annual engagement with those living and working in Devon and Somerset is undertaken on the proposals for change contained within strategic level Draft Corporate Plans. This engagement and consultation is carried out in line with best practice and legislative requirements and a wide range of stakeholders are encouraged to make their opinions known. At the local level there are increasing levels of engagement with Community Safety Partnerships in the development of our Local Community Plans. These local level IRMP documents inform consideration of corporate level proposals and are themselves informed by the strategic level plans. The Devon & Somerset Fire & Rescue Service is at the forefront nationally on this type of local planning.
- v) Implementation – At an organisational level a Corporate Plan Implementation Support Team is established. This group provides information, guidance, support and resources to each Command and Departments to ensure full implementation. Importantly, the team provides consistency of approach across all areas and is in effect a temporary resource hub, supporting lead officers with responsibility for implementation. At a local level Community Safety Teams along with key partners deliver risk based activities as detailed in local community plans.

- vi) Performance managing and reviewing the implementation of the plan - Local risk and activities are regularly reviewed and updated in Local Community Plans, enabling the Service to respond to any changes in the local community as they happen.

5. CONCLUSION

- 5.1 There is a statutory responsibility, via the Fire and Rescue Service National Framework for England, for fire and rescue authorities to produce an IRMP covering the whole of the geographic area for which they are responsible, having regard to Community Risk Registers produced by Local Resilience Forums and any other local risk analyses as appropriate. In discharging this responsibility, the Authority engages extensively with: local communities; partnerships; parish, town and district councils; Local Resilience Forums; and constituent authorities regarding its IRMP proposals and on-going initiatives to identify and protect communities from risk and to prevent incidents from occurring.
- 5.2 As indicated earlier, by law the Authority may not delegate any function relating to levying, or issuing a precept for, a rate or borrowing money. Such functions are integral to budget setting and, in turn, integrated risk management planning drives service delivery for which the budget is required. It is, therefore, difficult to see how the development of the Authority's Corporate Plan (incorporating, as it does, the statutorily required integrated risk management plan) can be undertaken in any way other than by the Authority itself.
- 5.3 It is, however, fully appreciated that it is in the interests of the Authority to consider information such as future planning policy, growth forecasts, nature and type of future risk from constituent authorities as part of the process. To reflect this, it is proposed that those Devon & Somerset Fire & Rescue Service officers with responsibility for developing future IRMPs should be tasked to formally meet with each of the four constituent authorities prior to the consultation stage of each IRMP to confirm that assumptions being made by the Authority are correct and to inform the process.
- 5.4 At the same time, however, it should be acknowledged that – as indicated above - proposals associated with the Fire and Rescue Service are a matter for the Authority to determine after considering the feedback from public consultation and in accordance with the requirements of the Fire and Rescue Service National Framework for England.

MIKE PEARSON
Clerk to the Authority

TREVOR STRATFORD
Director of Operations