



# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

<b>REPORT REFERENCE NO.</b>	<b>DSFRA/12/8</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY (BUDGET MEETING)</b>
<b>DATE OF MEETING</b>	<b>17 FEBRUARY 2012</b>
<b>SUBJECT OF REPORT</b>	<b>FIRE AND RESCUE SERVICE NATIONAL FRAMEWORK FOR ENGLAND – CONSULTATION</b>
<b>LEAD OFFICER</b>	<b>CHIEF FIRE OFFICER</b>
<b>RECOMMENDATIONS</b>	<p>(a) <i>that the Chief Fire Officer, in consultation with the Chairman, be authorised to submit on behalf of the Authority a response to the Department for Communities and Local Government consultation on the proposed Fire and Rescue Service National Framework for England by the deadline of 19 March 2012;</i></p> <p>(b) <i>that Authority Members be invited to submit, by no later than Monday 12 March 2012, views to inform the final response.</i></p>
<b>EXECUTIVE SUMMARY</b>	<p>The current National Framework covers a broad range of activities and responsibilities for fire and rescue authorities including resilience and prevention, protection and response. In the response to the sector's Fire Futures Reports, the government committed itself to work with the sector to develop and consult on a revised National Framework as part of resetting the relationship between central government and fire and rescue authorities, placing an emphasis on local accountability while focusing on issues where there is a clear national interest, for example national resilience.</p> <p>Work has been completed to develop a draft National Framework for public consultation. A National Framework Partner Working Group including representatives from the Local Government Association, the Chief Fire Officers' Association, the Fire Brigade Union and the Fire Sector Partnership has met a number of times to consider and contribute to the draft Framework.</p>

	<p>On national resilience issues, the Partner Working Group has been supported by a National Resilience Sub-Group, which includes members from across the sector and the government.</p> <p>The public consultation on the draft National Framework was published on Tuesday 13 December 2011 and will end on Monday 19 March 2012. This consultation gives partners across the sector and the general public the opportunity to share their views.</p> <p>The revised National Framework will be in place for 2012. The existing National Framework remains in force until the new one is brought into effect.</p>
<b>RESOURCE IMPLICATIONS</b>	Nil associated in responding to the Consultation
<b>EQUALITY IMPACT ASSESSMENT</b>	Not applicable
<b>APPENDICES</b>	Nil.
<b>LIST OF BACKGROUND PAPERS</b>	Fire and Rescue Services National Framework for England - Consultation

## 1. **BACKGROUND**

1.1 The Department for Communities and Local Government (CLG) published its consultation on the Fire and Rescue Service National Framework for England on 13 December 2011. A copy of the consultation document is available on request or can be found by following the link below:

[www.communities.gov.uk/fire/nationalframework/](http://www.communities.gov.uk/fire/nationalframework/)

1.2 The Framework is produced under Section 21 of the Fire and Rescue Services Act 2004 and sets out the Government's priorities and objectives for fire and rescue authorities in England as follows:

- to identify and assess the full range of fire and rescue related risks their areas face, make provision for prevention and protection activities and respond to incidents appropriately;
- to work in partnership with their communities and a wide range of partners locally and nationally to deliver their service; and
- to be accountable to communities for the service they provide.

1.4 Alongside the public consultation, the CLG will also be working with key partner organisations, including the Local Government Association and the Chief Fire Officers' Association, to determine the appropriate strategic governance arrangements for national resilience, as introduced in the draft Framework.

## 2. **DRAFT FRAMEWORK – ETHOS AND CONSULTATION QUESTIONS**

2.1 In the foreword to the National Framework, Bob Neill MP makes clear that the Framework is intended to reflect the localist agenda. He states that:

“...the best thing central government can do to improve the services provided by fire and rescue authorities and the professionals they employ is not to micro manage from the centre, but to provide an overall strategic direction and support, to empower and encourage them but not to interfere in the way in which they serve their communities.”

2.2 The Fire Minister is also clear that “...ultimately, it is to local communities, not central government, that fire and rescue authorities are accountable.” In addition, Bob Neill MP reiterates the government's overarching responsibility for resilience.

2.3 The consultation document is set out under three broad headings:

- Safer Communities;
- Accountable to communities; and
- Assurance.

2.4 In addition to seeking general comments, the consultation poses four specific questions:

- **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 fire and rescue authorities? If not, how could it be improved?
- **Question 3:** are the respective roles of fire and rescue authorities and the government set out clearly? If not, how could they be improved or made clearer?

- **Question 4:** do the requirements for fire and rescue authorities on scrutiny, access to comparable performance data go too far or not far enough?

2.5 The following sections of this report summarise the contents of the consultation document.

### **3. SAFER COMMUNITIES**

3.1 In relation to national resilience, fire and rescue authorities will be 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 area.

3.2 Fire and rescue authorities must work collectively, through agreed strategic governance arrangements, with the CLG to agree whether and/or how to address any capability gap identified through the gap analysis. As indicated earlier, CLG is, alongside this public consultation, working with key partner organisations to determine the appropriate strategic governance arrangements for national resilience might be.

3.3 The draft Framework also highlights that fire and rescue authorities must have effective business continuity arrangements in place to meet the full range of service delivery risks. It also makes clear that business continuity plans should not be developed on the basis of Armed Forces assistance being available.

### **4. ACCOUNTABLE TO COMMUNITIES**

4.1 This section of the draft Framework reiterates the need to make integrated risk management plans accessible to communities. In addition, it states that "...fire and rescue authorities must have arrangements in place to ensure that their decisions are open to scrutiny. The draft Framework goes on to say that, in practice, this means "...fire and rescue authorities need to satisfy themselves that the arrangements they put in place provide the level of scrutiny their communities expect." The draft Framework provides some examples of scrutiny arrangements but, as a result prior intervention by the Local Government Association, does not stipulate or impose any particular arrangements.

4.2 Scrutiny is a statutory duty for shire fire and rescue authorities (by virtue of the Local Government Act 2000) but not for combined fire and rescue authorities such as Devon & Somerset. That having been said, it has been widely recognised that scrutiny by external organisations acting as critical friends can help drive service improvement, promote community engagement and, by fostering open and transparent governance, can help build trust between service providers and users. Recent examples of this for the Devon & Somerset Fire & Rescue Authority include the initial assessment against the European Framework for Quality Management (EFQM), undertaken as part of the Service drive for "excellence", and the Peer Challenge which has seen the Authority being designated at "achieving level" against the Fire & Rescue Services Equality Framework.

4.3 In relation to the scrutiny aspect of the draft Framework, the Authority may wish to note that the Local Government Association (LGA) has commissioned the Centre for Public Scrutiny to produce a good practice guide which it is intended should be launched at the forthcoming annual Fire Conference in March 2012. The LGA considers this to be a better way of promoting ideas and challenge rather than prescribing in the Framework a specific scrutiny approach. It is suggested the Authority may also wish to endorse this approach.

## 5. **ASSURANCE**

5.1 The Framework sets out a requirement that fire and rescue authorities must publish an annual statement of assurance on financial, governance and operational matters. The draft Framework indicates that government will work with the sector to determine the precise nature of the assurance statements but also expresses the view that the contents of such statements already exist in information held or published by fire and rescue authorities already (e.g. as part of an annual report or service plan). At this stage, though, it is not clear if the requirement for assurance statements simply complements existing processes or imposes a significant new burden on fire and rescue authorities. The LGA is currently exploring this issue with CLG officials.

## 6. **COMMENTS**

6.1 By way of general comment, it is perhaps pleasing to note that the draft Framework appears to build on the good practice and existing activities of fire and rescue authorities. Where the document is prescriptive (i.e. fire and rescue authorities **must**), this prescription is at a high strategic level and the precise means of complying with the prescription are – in line with the overall ethos of localism – for fire and rescue authorities themselves to determine.

6.2 The Integrated Risk Management Plan (IRMP) remains the means by which fire and rescue authorities identify and assess all relevant risks and demonstrates how prevention, protection and response activities will best be used to mitigate the impact of risk. For the Devon & Somerset Fire & Rescue Authority, the IRMP has for a number of years been incorporate into the Service Corporate Plan which is refreshed annually and subject to extensive stakeholder consultation. It is suggested, as such, that this Authority has already made considerable strides towards making its IRMP accessible to communities.

6.3 The Authority has on previous occasions been informed that the Service already has in place robust business continuity plans designed to address any continuity event without the need for reliance upon the armed forces. As indicated in paragraph 4.2 above, this Authority is no stranger to the concept of external scrutiny and actively welcomes it. In terms of a more formal approach, however, it is suggested the view of the LGA – that this should be a matter for individual authorities to determine, perhaps with the benefit of some “best practice” guidance – should be supported.

6.4 While the draft Framework reflects discussions that have taken place to date between CLG and the sector on “national functions”, and encompasses a greater level of devolution to fire and rescue authorities on operational issues, it also includes some additional and potentially significant changes particularly around governance of national resilience arrangements.

- 6.5 It should also be noted that both the Chief Fire Officers Association (CFOA) and the LGA are still formulating their responses to the draft Framework and that, for some areas (e.g. assurance) further information/clarification is being sought. Consequently, while this report outlines some considerations in relation to an Authority response, it does not propose a definitive response itself. Rather, it is intended that such a response should be as informed as possible – taking account of the views of other interested parties such as CFOA and the LGA.
- 6.6 It is proposed, therefore, the Chief Fire Officer be delegated authority to respond to the draft Framework consultation by the deadline of 19 March 2012 and that Members be invited to submit views, by 12 March 2012, to help inform and shape this Authority's final response.

**LEE HOWELL**  
**Chief Fire Officer**