



**DORSET & WILTSHIRE
FIRE AND RESCUE
AUTHORITY**

Item 10

MEETING	Dorset & Wiltshire Fire and Rescue Authority
DATE OF MEETING	23 June 2016
SUBJECT OF THE REPORT	Primary Authority Scheme
STATUS OF REPORT	For open publication
PURPOSE OF REPORT	To provide direction on entering into a Primary Authority Scheme partnership with the Royal National Lifeboat Institute (RNLI).
EXECUTIVE SUMMARY	<p>Primary Authority enables businesses to form a statutory partnership with a single local fire authority, which then provides reliable advice and coordinates fire safety inspections and enforcement of their premises right across England and Wales. There is no requirement for Dorset & Wiltshire Fire and Rescue Service (DWFRS) staff to undertake inspections across the estate of partners.</p> <p>Primary Authority simply provides robust, bespoke advice that must be respected by all local regulators. This enables businesses to invest with confidence in products, practices and procedures knowing that the resources they devote to compliance are well spent.</p> <p>DWFRS have been approached by the Royal National Lifeboat Institute (RNLI) to enter into a unique enhanced Primary Authority Scheme partnership.</p>
RISK ASSESSMENT	<p>Risks</p> <p>Reputational risk may arise if a business decision made as a result of advice received from DWFRS results in loss of business to the partner. This is controlled by only using competent and qualified fire safety staff to provide advice in relation to the Primary Authority scheme.</p> <p>Benefits</p> <p>The Primary Authority Scheme is part of the Government’s drive to reduce burdens on business by ensuring that necessary regulations are enforced more efficiently. By participating in this scheme DWFRS will be contributing to the aims of central government. We</p>

NOT PROTECTIVELY MARKED

	will also be leading work in this area due to the unique multi country nature of the agreement.
COMMUNITY IMPACT ASSESSMENT	None undertaken as there will be no direct impact on the community
BUDGET IMPLICATIONS	Costs cannot be accurately quantified at this time. However, if the workload associated with Primary Authority schemes exceeds the capacity of one full time post then partners will provide full financial recompense of all associated costs. This expectation will be clearly established within the Memorandum of Understanding and the rate of charge will be £42.79 plus VAT per hour on a pay as you go basis.
RECOMMENDATIONS	Members consider the content of this report and approve the progression of a Primary Authority Scheme partnership with the RNLI; and sanction officers to finalise the Memorandum of Understanding to that effect.
BACKGROUND PAPERS	None associated with this paper
APPENDICES	None
REPORT ORIGINATOR AND CONTACT	ACFO Mick Stead michael.stead@dwfire.gov.uk Tel: 01722 691068 Mobile: 07767 826586

1. Introduction

- 1.1 An opportunity has arisen to participate in the Primary Authority Scheme (PAS) with the Royal National Lifeboat Institute (RNLI) covering England and Wales; and to extend this cover to Scotland, Northern Ireland, Jersey, Guernsey and the Isles of Scilly by means of a Memorandum of Understanding. It will not cover Southern Ireland.

2. Background

- 2.1 The PAS was introduced by way of the Regulatory Enforcement and Sanctions Act (RESA) 2008 part 2, as part of the better regulation agenda. This was established following the publication of Sir Phillip Hampton's report in 2005 'Reducing administrative burdens: effective inspection and enforcement'.
- 2.2 Part 2 of the RESA was established as a statutory means to secure greater co-ordination and consistency of enforcement and activity by local authority regulators, thereby providing companies with confidence to invest and develop economic growth.
- 2.3 The Regulatory Reform (Fire Safety) Order 2005 (the Order) was originally exempt from the provisions of part 2 by statutory instrument. This followed the failure to resolve concerns presented by the Chief Fire Officers Association (CFOA) and the Department for Communities and Local Government (DCLG) which included:
- Concerns regarding the potential impact on Integrated Risk Management Plans (IRMP).
 - Concerns on the potential for local managed resources to be directed by another authority.
 - Concerns regarding the ability to be directed into partnerships by a Government body.
 - Concerns regarding an additional burden placed on finite resources.
 - Concerns on focusing resources on premises not regarded as high risk.

These concerns have now all been addressed.

- 2.4 The PAS provides the following benefits to the partnered business;
- Assured advice provided by the regulator to the business which is accepted on a national basis by other fire and rescue services
 - Inspection plans agreed by the regulator and the business, which may contain frequency of inspections and what should be inspected.
 - Enforcement referral provides the ability for a regulator to block enforcement action being proposed by another Fire Authority including prosecution (only applies to England and Wales).

3. RNLI estate

- 3.1 The Royal National Lifeboat Institute have a building stock of over 400 premises spread across England, Wales, Scotland, Northern Ireland, Jersey, Guernsey and The Isles of Scilly. They also have building stock in the Republic of Ireland, although permission has not been gained to bring this part of the estate within the scope of the proposed agreement. The Memorandum of Understanding would refer specifically to the estate in countries other than in England and Wales and establish that DWFRS would be acting on behalf of RNLI.
- 3.2 There has been a strong working relationship with the RNLI previously and it is expected that this will be reinforced by the Memorandum of Understanding and the work that is undertaken. This may allow DWFRS to look at other areas of business to see if there are more collaborative opportunities.

4. Risks

- 4.1 Reputational risk may arise if a business decision made as a result of advice received from DWFRS results in loss of business to partners. This is controlled by only using competent and qualified fire safety staff to provide advice in relation to the Primary Authority scheme.
- 4.2 A company's house search is normally carried out prior to establishing a PAS relationship with a partner. This has not been carried out in this case due to the status of the RNLI; but a detailed check has been carried out over the last eighteen months to ensure their estate complies with all applicable fire safety legislation.

5. Benefits of active participation

- 5.1 The PAS is part of the government's drive to reduce burdens on business by ensuring that necessary regulations are enforced more efficiently. By participating in this scheme Dorset & Wiltshire Fire and Rescue Service will be contributing to the aims of central government.
- 5.2 We will also be involved in a partnership with a charity that has a world-wide reputation as a rescue organisation. In addition, we will be part of the first multi country agreement. Further partnership working opportunities may also become apparent when working with such a large rescue and prevention based charity.

6. Capacity and Finances

- 6.1 The structure within the Protection team was developed to ensure there was sufficient capacity within Dorset & Wiltshire Fire and Rescue Service to be an active participant in the PAS. We already have partnership arrangements in place with Aster, Colton Care and Oak furniture land.
- 6.2 One full time equivalent post was included in the structure to deal with this work. If the work develops beyond this then the partnered business would be expected to reimburse the

Service on a full cost recovery basis. Ongoing cost recovery would be charged at a rate of £42.79 plus VAT per hour and travelling would be charged at 0.45p per mile.

7. Summary

- 7.1 DWFRS have been approached by the RNLI to enter into a unique enhanced PAS partnership. Primary Authority enables businesses to form a statutory partnership with a single local fire authority, which then provides reliable advice and coordinates fire safety inspections and enforcement of their premises right across England and Wales.
- 7.2 The PAS is part of the government's drive to reduce burdens on business by ensuring that necessary regulations are enforced more efficiently. By participating in this scheme Dorset & Wiltshire Fire and Rescue Service will be contributing to the aims of central government.
- 7.3 The structure within the Protection team was developed to ensure there was sufficient capacity within Dorset & Wiltshire Fire and Rescue Service to be an active participant in the PAS. If the work develops beyond this then the partnered business would be expected to reimburse the Service on a full cost recovery basis.
- 7.4 There has been a strong working relationship with the RNLI previously and it is expected that this will be reinforced by the Memorandum of Understanding and the work that is undertaken. This may allow DWFRS to look at other areas of business to see if there are more collaborative opportunities.