



**DORSET & WILTSHIRE
FIRE AND RESCUE
AUTHORITY**

Item 18/07

MEETING	Dorset & Wiltshire Fire and Rescue Authority
DATE OF MEETING	9 February 2018
SUBJECT OF THE REPORT	Draft Fire and Rescue National Framework for England 2018
STATUS OF REPORT	Open publication
PURPOSE OF REPORT	For discussion and approval
EXECUTIVE SUMMARY	This report summarises the key elements of the draft Fire and Rescue National Framework for England 2018 and proposes a consultation response from the Authority, which is required by the 14 February. It is anticipated that the final version of the National Framework will be published in April 2018 and be subject to amendments, following the outcome of the Grenfell enquiries. Once a final version is issued a gap analysis of the expectations and requirements will be undertaken, however at this stage Officers are confident that no significant issues arise from the consultation document.
RISK ASSESSMENT	None for the purposes of this report
COMMUNITY IMPACT	None for the purpose of this report
BUDGET IMPLICATIONS	None for the purposes of this report
RECOMMENDATIONS	It is recommended that Members: <ol style="list-style-type: none"> 1. Note the content of the report 2. Consider and approve the consultation response as set out in Appendix A
BACKGROUND PAPERS	Fire and Rescue National Framework for England, Government consultation, December 2017.

APPENDICES	Appendix A - Proposed response to the Fire and Rescue National Framework for England. December 2017.
REPORT ORIGINATOR	Name: Derek James, Deputy Chief Fire Officer Email: derek.james@dwfire.org.uk Tel: 01722 691072

1. Background

- 1.1 Section 21 of the Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a Fire and Rescue National Framework (the Framework) which sets priorities and objectives for fire and rescue authorities (FRAs) in England. As Members are aware, FRAs have a statutory duty to have regard to the Framework. The Act requires the Secretary of State to keep the Framework under review and revise it, subject to statutory consultation with representatives of FRAs and their employees.
- 1.2 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. The last update was in 2012.
- 1.3 In 2016, the Home Office outlined a programme of reform which it is delivering with the fire and rescue sector. The proposed National Framework seeks to embed these reforms, which include:
- enabling mayors and police and crime commissioners to take on responsibility for fire and rescue services where a local case is made;
 - establishing Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as an independent inspection regime for fire and rescue authorities;
 - developing a comprehensive set of professional standards to drive sector improvement;
 - supporting services to transform commercially with more efficient procurement and collaboration;
 - increasing the transparency of services with the publication of greater performance data and the creation of a new national fire website; and
 - driving forward an ambitious programme for workforce reform including through enhancing: professionalism; management and leadership; training and development; equality and diversity; improved culture; and options for flexible working.
- 1.4 The Framework also reflects the provisions in the Policing and Crime Act 2017 on emergency services collaboration and potential changes to fire and rescue governance. The Home Office state that they have sought the views of an external working group in drafting this framework, including the Local Government Association (LGA) and their elected members; the National Fire Chiefs Council (NFCC); and HMICFRS.
- 1.5 Importantly the consultation document states "The National Framework will continue to provide an overall strategic direction to FRAs, but Whitehall will not run fire, and fire and rescue services remain free to operate in a way that enables the most efficient and effective delivery of their services, drawing upon their

considerable skills and experience to best reduce the risks from fire. Ultimately, it is to local communities, not Government, that FRAs are accountable”.

2. Overview of consultation document

2.1 The consultation document is divided into several sections. The main points of which are:

2.2 Introduction

2.2.1 This section outlines the statutory basis of the draft Framework. Importantly it proposes the following priorities for FRAs:

- identify and assess the full range of foreseeable fire and rescue related risks their areas face;
- make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
- collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of service provision;
- be accountable to communities for the service they provide; and
- develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.

2.2.2 The Dorset and Wiltshire Fire Authority (Authority) currently operates to these priorities and has comprehensive governance; planning and performance management arrangements in place to support this.

2.3 Delivery of core functions

2.3.1 This section sets out the expectations relating to the identification and assessment of risk; responsibilities to prevent, protect and respond to emergencies and the requirement to produce an Integrated Risk Management Plan (IRMP). The Authority already has the necessary arrangements in place and is currently strengthening its approach to the IRMP through the planning and performance management arrangements, previously outlined to Members.

2.4 Inspection, accountability and assurance

2.4.1 This section provides for the introduction of new inspection regime and the need to have regard to HMICFRS reports and recommendations. As Members may be aware, section 22 of the Fire and Rescue Services Act 2004 gives powers to the Secretary of State to intervene should a FRA fail, or is likely to fail to act in accordance with the Framework. The Secretary of State is required to prepare a protocol which is outlined in the document. The remaining aspects of this section are associated with ensuring sufficient accountability and transparency arrangements are in place. The Authority is also working to these expectations including publishing a comprehensive Statement of Assurance.

2.5 Governance

2.5.1 This section outlines the provisions within the Policing and Crime Act 2017 to allow police and crime commissioners (PCC's) to develop a local proposal with options to take on governance responsibility for fire and rescue in their area, where it appears to the Secretary of State to be in the interests of economy, efficiency and effectiveness, or in the interests of public safety. The role of the NFCC and the Chief's Council is also highlighted with the expectation that fire and rescue services in England engage with the NFCC. Senior Officers and Members are already proactively engaged in these forums.

2.6 Achieving value for money

2.6.1 This section highlights that sound financial planning and decision-making should be in place and that an efficiency plan be published. Each FRA must demonstrate that it is achieving value for money for the goods and services it receives, including looking at ways to improve its commercial practices, including whether they can aggregate their procurement with other FRAs and other local services to achieve efficiencies. Each fire and rescue authority should be able to demonstrate full awareness of the objectives to standardise requirements, aggregate demand and manage suppliers of products and services within their commercial arrangements. FRAs must ensure that their commercial activities, be that the placement of new contracts or the use of existing contracts, is in line with their legal obligations, including transparency commitments and the Public Contracts Regulations, the Public Services (Social Value) Act 2012 and the Modern Slavery Act 2015. The remaining part of this section details expectations around trading; creating opportunities for inter-operability and collaboration including the statutory duty under the Policing and Crime Act 2017.

2.6.2 Officers believe that we are compliant with these expectations and are working to the published guidance as set out in the document, however the Service may need to look at the robustness of its applications of the Public Services (Social Value) Act 2012. In terms of the Modern Slavery Act 2015 this is with reference to commercial operations and business supply chains whereby there is a requirement to have a statement associated with slavery and human trafficking. Since we do not have a commercial operation we are not required to produce such a statement.

2.7 Workforce

2.7.1 This section requires each fire and rescue authority to have in place a people strategy to take into account the principles set out in the NFCC's people strategy and at a minimum cover:

- improving the diversity of the workforce to ensure that it represents the community it serves;
- equality, cultural values and behaviours;

- recruitment, retention and progression;
- flexible working;
- professionalism, skills and leadership;
- training opportunities;
- health, wellbeing and support; and
- a policy to tackle bullying and harassment.

- 2.7.2 The Service is currently unifying many of these areas following combination. Our revised planning and performance arrangements are already focused on these requirements.
- 2.7.3 In addition to the above, every fire and rescue authority must also comply with the fitness principles set out in the document. With the introduction of fitness standards in the north of the Service, Officers believe that our arrangements are broadly in place.
- 2.7.4 As Members are aware the Government is to establish a Professional Standards Body to support the development of a comprehensive set of professional standards across all areas of fire and rescue services' work, drawing on existing standards where appropriate. The document states that all FRAs *must* implement the standards approved through this work and the inspectorate will have regard to these standards as part of their inspections. As detailed in the proposed consultation response, it is felt that this not something that should be fully supported as it may prove financially disproportionate to do so in all instances. Indeed, it may be the case that there are different standards associated with a single area e.g. Investors in People; BS 76000 Human Resource - Valuing people - Management System.
- 2.7.5 Finally, within this section, the document sets out expectations on FRAs not to re-appoint principal fire officers after retirement to their previous post, except in exceptional circumstances when such a decision is necessary in the interests of public safety. Any such appointment must be transparent, justifiable and time limited. In the exceptional circumstance that a re-appointment is necessary in the interests of public safety, this decision should be subject to agreement by a public vote of the elected members of the FRA, or a publicised decision by the appropriate elected representative of the FRA. While these requirements only extend to principal fire officers, Government expects FRAs to have regard to this principle when re-appointing at any rank. The proposed changes to the future governance arrangements, that is the subject of a separate report at this meeting, will provide for these expectations.

2.8 National resilience

2.8.1 The Government retains responsibility for the provision of national resilience assets and capabilities managed and delivered through fire and rescue services. This responsibility extends to undertaking the National Risk Assessment which informs the requirements for fire and rescue national resilience capabilities. FRAs must work with the lead authority to support the national resilience assurance processes to ensure capabilities are maintained at a high state of operational readiness. FRAs are required to assess the risk of emergencies occurring and use this to inform contingency planning. To do this effectively, FRAs are 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 locally conducted and collectively brought together to provide an overall picture of their ability to meet the full range of risks in their areas. As part of their analysis, FRAs must highlight to the Home Office or the Fire and Rescue Strategic Resilience Board, any capability gaps that they believe cannot be met even when considering mutual aid arrangements, pooling and reconfiguration of resources and collective action.

2.8.2 Fire and rescue services must be able to respond to the heightened threat of terrorism and be ready to respond to incidents within their areas and across England to keep communities' safe. Fire and rescue services should also be interoperable to provide operational support across the UK to terrorist events as required.

2.8.3 Officers believe that we are already compliant with these expectations.

2.9 Timescale and scope

2.9.1 This section states that the draft framework only covers England and has an open-ended duration. The Secretary of State continues to be responsible for keeping the terms of the Framework under review under the Fire and Rescue Services Act 2004 and is required to prepare a biennial report to Parliament on the extent to which FRAs are acting in accordance with the Framework.

3. Summary and key points

3.1 The expectations and requirements outlined in the draft Framework are broadly in line with those set out in the current Framework. The revisions are largely associated with the incorporating the provisions with Policing and Crime Act 2017 and embedding the Home Office's reform programme. Although Officers believe that we are compliant with these expectations, a gap analysis will be undertaken when the final version is issued in April.

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Item 18/09 Appendix A**Proposed response**

NB: This response aligns to the requested format.

SECTION	RESPONSE
<p>Delivery of Core Functions</p>	<p>We support the expectations set out in the document as they broadly align to the existing national framework.</p>
<p>Inspection, Accountability and Assurance</p>	<p>We agree with the expectations and requirements set out within this section, much of which aligns to existing expectations. We look forward to working with the new Inspectorate.</p>
<p>Governance</p>	<p>We are supportive of the expectations outlined within this chapter.</p>
<p>Achieving Value for Money</p>	<p>We are supportive of the expectations outlined within this chapter.</p>
<p>Workforce</p>	<p>Whilst we are broadly supportive of the expectations outlined within this chapter, we do not believe that it is correct that all FRAs <i>must</i> implement the standards approved through this work as it may prove financially disproportionate to do so in all instances. Indeed, it may be the case that there are different standards associated with a single function.</p> <p>Instead we feel that it is the outcome that is important and that a standard should be discretionally applied where the outcomes are falling below expectations. The FRA should have due regard to the standard and have a justified position to either the application of proposed standards or an alternative standard that has been locally determined.</p> <p>We believe that this position supports the position about local accountability set out within the draft Framework namely: “The National Framework will continue to provide an overall strategic direction to FRAs, but Whitehall will not run fire, and fire and rescue services remain free to operate in a way that enables the most efficient and effective delivery of their services, drawing upon their considerable skills and experience to best reduce the risks from fire. Ultimately, it is to local communities, not Government, that FRAs are accountable”</p>

National Resilience	We are supportive of the expectations outlined within this chapter. We continue to be committed to supporting National Resilience and believe that the role of the NFCC and Home Office have a key role to play in creating a consistent strategic and financial framework for local action or investments.
Intervention Protocol	We are supportive of the expectations outlined within this chapter.
Other comments	Any additional statutory requirements stemming from Grenfell should be accompanied by a commensurate increase in resources.

Responses required by the 14 February 2018