

26 January 2018

Fire and rescue national framework for England consultation

Purpose of report

For discussion.

Summary

The Home Office launched its public consultation of the Fire and Rescue National Framework for England in December. The framework is annexed to this paper. Members are invited to discuss and subsequently feedback by 6 February in order to inform the LGA's response. The consultation will close on 14 February 2018.

Recommendation

That the LGA respond to the consultation as directed by members of the Fire Services Management Committee.

Action

Officers to proceed as appropriate.

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Fire and rescue national framework for England consultation consultation

Background

1. The Home Office launched its public consultation of the Fire and Rescue National Framework for England in December. The consultation document is attached at **Appendix A**.
2. The National Framework sets priorities and objectives for fire and rescue authorities (FRAs) in England in connection with the discharge of their functions. Fire and rescue authorities have a duty to have regard to the Framework.
3. The National Framework was last published in 2012 and the new draft seeks to embed the fire reform programme and provisions in the Policing and Crime Act 2017.

Issues

4. The LGA was consulted on an earlier draft of this document and raised a number of issues which are summarised below along with the responses given by the Home Office in order to aid members' consideration of the framework.
5. The LGA's primary concerns were around the apparent disparity between the expectations of Police and Crime Commissioner (PCC) style FRAs and other FRAs in relation to the production of Integrated Risk Management Plans (IRMPs) and the additional requirements the Policing and Crime Act 2017 placed on PCC-style FRAs to produce:
 - 5.1. A 'Fire and Rescue Plan' (which sets out the Policing Fire and Crime Commissioner's strategic priorities for the fire and rescue service); and
 - 5.2. A fire and rescue statement (which relates to the way in which the authority has had regard to the Framework and to the authority's fire and rescue plan).
6. In response we have been assured that:
 - 6.1. The IRMP remains the basis for all fire and rescue service activity and the National Framework continues to require all FRAs - regardless of governance model - to produce an IRMP setting out how each FRA will deliver its core functions.
 - 6.2. In some cases elements of the Fire and Rescue Plan may be included within the IRMP, however, the Home Office sees these as two separate documents: the Plan as a strategic document to be subject to Police, Fire and Crime Panel (PFCP) scrutiny, and the IRMP, as a mainly operational document, to be subject to Her

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Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspection.

- 6.3. The inspectorate will inspect all IRMPs and how each service understands its current and future demand and risk.
7. The LGA raised further concerns that HMICFRS will consider the assurance statement of FRAs but not of PCC-style FRAs, whose statements will be considered by Police, Fire and Crime Panels. The LGA suggested this could create different and therefore inconsistent inspection regimes.
8. The Home Office responded that the approach that HMICFRS will take to inspection will be rigorous in all cases and they should drill down to the key elements in relation to efficiency, effectiveness and public safety of each service. The assurance statement and its supporting evidence is likely to be considered by the inspectorate in advance of an inspection. While HMICFRS is currently finalising their inspection methodology for public consultation, they will inspect the same issues, and ask the same questions, to each FRA regardless of their governance model. The inspection process will go much deeper than the contents of the statement and this approach will be unaffected by the type of FRA being inspected.
9. Other clarifications and assurances we have received are summarised here:
- 9.1. The Home Office undertook to consider the section on Marauding Terrorist Firearms Attack (MTFA) and resilience needs in the context of ongoing discussions at NJC between now and publication of the Framework and make any amendments as considered necessary.
- 9.2. References to published efficiency plans and financial strategies (either as a part of the financial strategy or separately) are new requirements in the Framework but are existing requirements for FRAs.
- 9.3. The reserves strategy is a new requirement. The Home Office view is that FRAs which have effective arrangements in place to produce their medium-term financial plans will not find the inclusion of a reserves strategy an additional burden, as the information required for the reserves strategy is already produced by the FRA. Members will want to be satisfied that this does not represent an additional burden.
- 9.4. The Home Office will consider on an ongoing basis the outputs from the Grenfell Tower Public Inquiry and the Independent Review of Building Regulations and Fire Safety and make further changes to the Framework as required. Any Grenfell Tower Public Inquiry or Building Regulations Review related changes would be subject to further consultation.

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9.5. The framework says FRAs must have effective business continuity arrangements to meet the full range of service delivery risks and national resilience duties and commitments that they face. This is a carry-over from the previous Framework, with the addition of 'national resilience' duties. Although this is a change, The Home Office has said that it only clarifies an existing statutory duty in primary legislation.

9.6. The Home Office is committed to fund National resilience capabilities until the end of the current contract in 2024.

10. There are no consultation questions as such. Respondee are invited to comment on sections.

Recommendation

11. Members are invited to discuss the draft Framework and to direct officers as to the LGA's response to the consultation.

Implications for Wales

12. The framework only applies in England.

Financial Implications

13. None.

Next steps

14. In addition to feedback comments at the meeting, members are invited to submit comments on the National Framework to officers by 6 February.

15. Officers will then draft a response to the consultation based on members' views with the final response being agreed by Lead Members.