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National Functions

Purpose of report

For discussion and direction

Summary

This paper sets out the current position in respect of discussions between the LGA/CFOA and CLG on National Functions.

Recommendations

Members are asked to consider and comment on the issues raised in this paper.

Action

Officers to progress work programme subject to Members' comments.

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Background

- 1 Following discussions at previous Committee meetings over the transfer to the fire and rescue sector of a number of functions previously undertaken by the Department for Communities and Local Government, discussions took place in 2010 between Lead Members and the CFOA presidential team which lead to an agreed position on specific group of those functions.
- 2 At that time it was felt that a number of functions could lie with the “political/professional axis”. Subsequent correspondence with Ministers outlined the LGA/CFOA position on:
 - 2.1 national procurement: where the proposal was to take on a central role, potentially working collaboratively with a lead authority
 - 2.2 tackling underperformance: where the proposal was to develop a sector led framework
 - 2.3 national resilience assurance where the offer was to provide the governance arrangements to support assurance
 - 2.4 operational guidance where the central role of the sector in developing the guidance was recognised, but also a number of risk issues including resourcing and liability and accountability that would need to be resolved
 - 2.5 IRMP guidance: where CFOA indicated that it would continue to lead and coordinate work on good practice and innovation
 - 2.6 workforce development: where the proposal was for a sector led overarching workforce development framework, with local flexibility built in
 - 2.7 national campaigns: where the offer was for LGA and CFOA to offer advice to government and to provide encouragement to FRAs to support activities locally
 - 2.8 fire research: where the proposal was for responsibility and funding to be transferred to the sector
 - 2.9 EU: CFOA and LGA to act together to influence European legislation
 - 2.10 equality and Diversity: proposal that this should be mainstreamed

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- 3 The Fire College, although not discussed as part of the national functions, was considered integral to many of the others.

Current position

- 4 Excellent progress has been achieved across the board in ensuring the sector is now firmly in the lead in most of these areas and actively demonstrating practical outcomes across these projects has reinforced commitment and trust in the sector to lead on important issues. As various workstreams have been developed, some have been subsumed into wider strategic developments such as the National Framework, and others remain more discreet.

National Procurement

- 5 In June 2011, all the Firebuy framework agreements were formally transferred to Wiltshire Council who is undertaking the role of Contracting Authority, as required under The Public Contracts Regulations 2006, for the duration of the existing framework agreements. The Council acts in no other capacity and The Consortium for Purchasing and Distribution Limited is responsible for the operational running of all framework agreements under the new brand name of Firebuy from The Consortium. The LGA and CFOA continue to act as the intelligent clients to the Consortium as it seeks to tailor its service to the needs of FRS's.

Tackling underperformance

- 6 CFOA and the LGA have worked together under the leadership of FSMC to develop a sector led approach to improvement. The Operational Assessment Toolkit has been revised and a new peer challenge offer is in place. Pilot peer challenges are due to take place in a range of fire authorities in the coming months. Discussions continue with DCLG to clarify the mechanism for ministerial involvement in the unlikely event that this would be necessary

National Resilience Assurance

- 7 "New dimensions" continues to be managed in service and assurance is through annual assurance reports, real time monitoring of the availability of capabilities and the operation of the National Capability Advisory Framework.
- 8 A consultation is expected soon on the form of a "strategic commissioning body" for national resilience and the assurance mechanisms to accompany the establishment of this body. This consultation will take place as part of the development of a new National Framework.

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- 9 The area of assurance across other areas of the national resilience programme such as Firelink is one where there remains a need for further clarification on the respective roles of CLG and FRAs. This issue will play out in the development of the New National Framework.

Operational guidance

- 10 CFOA/LGA have now drawn up a new model of delivery in which London Fire Brigade invests up to £2m from existing resources in order to support this function from April 2012 (subject to authority approval). Government wishes to remain assured about guidance for national resilience and interoperability and to this end, Government would commission these materials which meet this criteria from the new arrangements.
- 11 This model sees an Operational Guidance Strategic Board in place to provide strategic oversight of the efficient production, authorisation and publication of operational guidance, in line with the sector's priorities. Transition arrangements will be put in place from January 2012 to ensure a smooth handover of legacy guidance.

IRMP

- 12 CLG will no longer produce and update IRMP guidance. It is expected that there will be a continuing role for the Integrated Risk Management Plan Steering Group. The new National Framework is expected to set out in some detail the expectations of the scope and content of the IRMP and also how communities should be engaged in its development and monitoring.

Workforce Development

- 13 The expectation is that CLG will not take an active role in workforce development. The sector will need to decide on the continuing development and use of IPDS, which will no longer feature as an expectation within the National Framework. The future of workforce development within the sector is also closely tied to the future development of the fire college (see below).

National campaigns

- 14 The responsibility for national campaigns rests with CLG and is funded on a year by year basis – funding for next year is not guaranteed. CLG works through a CFOA advisory board to develop the themes for the campaign. We have highlighted the need for a review of the advisory support provided by the sector.

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Research

- 15 In order to optimise the resources committed to research both within the sector and CLG and to create a more holistic approach to such activities we have agreed there is merit in exploring a single forum by which to co-ordinate research. The aim would be to place help coordinate CLG's research programme with other research being undertaken in the sector, including commercial bodies. This position places CLG and the sector in a more balanced partnership. The Fire Research and Statistics Forum is the initial basis for this partnership. Jointly developed terms of reference are being developed through the Forum.

European Union

- 16 In relation to European issues discussions with CLG has resulted in agreement that there is merit in linking together arrangement for monitoring, advocacy and lobbying within the European Commission. This will draw on the annual EU workplan and enable CLG and the sector to explore areas of mutual interest as well as influencing the workplan itself. It has been agreed that a joint CFOA/LGA/CLG meeting will take place twice yearly. Timings of these will be determined by the process for developing the EU workplan and advice from CLG European Unit.
- 17 The development of European Standards is funded by the BSi but national standards work is not funded by BSi. In terms of the latter, there does not appear to be an appetite for CFOA/LGA to be commissioned by CLG to undertake specific national standard development work at this stage. However, CFOA remains available and willing to enter into such discussions in the future. In the meantime, CFOA will continue to provide professional input to those standards that it feels it needs to make a contribution to.

Equality and Diversity

- 18 The discussions that have taken place on Equalities and Diversity have reiterated CLG's "duty to promote" and its role as the lead central government department for fire, in developing equality objectives. This role is crucial in determining its relationship with the service. CLG's position tallies with that of LGA/CFOA in that it recognises the importance of this issue being mainstreamed and integral to service delivery.
- 19 There are no plans to set out specific equality objectives in the emerging new National Framework. Any high level monitoring of sector activity will take place by reviewing data and documents placed in the public domain by FRSs. The details of this are yet to be determined. However ensuring there is some formalised connections between DCLG and CFOA/LGAs equality support arrangements is

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important. Consideration is also to be given to transferring ownership of the “Ordinary People Extraordinary Career” website and associated material to LGA/CFOA.

Fire Service College

- 20 Following the Chairman’s meeting with the Fire Minister in October, and the closure of CLG’s market testing exercise at the end of October, officials are due to share their current thinking with us in mid November. It looks likely that CLG will launch a tendering exercise for full sale of the College to a private partner as a fire training (and potentially other emergency services) facility in the new year. In order to continue to influence the arrangements we are now discussing the advantages of protecting a proportion of the land for training purposes; advocating for a College Board to act as a sector-supplier interface; and also raising the question of supplier failure.