



Home Office

Fire and Rescue National Framework for England

Government response to consultation

May 2018

Ministerial Foreword

The Fire and Rescue National Framework for England provides the overall strategic direction to fire and rescue authorities in England. I felt the Framework, last revised in 2012, no longer fully reflected the changing role and landscape of fire and rescue in England, nor the Government's reform programme.

In close partnership with the sector, we are delivering a reform programme that seeks to support the continuous improvement of fire and rescue services, enabling them to be more accountable, effective and professional than ever before, building on the great strides in prevention and collaboration that they have already made. I therefore wanted to revise the National Framework to embed these reforms, including:

- outlining how the transformed local governance of fire and rescue should operate, including the requirements placed on mayors and police and crime commissioners who take on responsibility for their fire and rescue service;
- establishing how fire and rescue authorities should work with the National Fire Chiefs Council and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), in particular how they should respond to inspections;
- supporting the development of a comprehensive set of professional standards to drive sector improvement;
- encouraging services to transform commercially with more efficient procurement and collaboration, including engaging in national commercial programmes; and
- explaining what we require from fire and rescue authorities to support delivery of our ambitious programme for workforce reform.

It is against this backdrop that the Government launched a consultation on our revisions – as well as the contents of the wider Framework – in December 2017. I am grateful to all those who took the time to respond to the public consultation. This document sets out the results of that public consultation. We have carefully considered each and every comment received and have amended the Framework accordingly. The final revised National Framework has been published separately. Some comments received were outside the scope of the Framework but are nevertheless incredibly useful in shaping our wider policy thinking which we are undertaking with the fire sector.

Finally, I will update the National Framework - as required - to ensure that the learning and recommendations from Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety, as well as those from the wider Grenfell Tower Inquiry, are captured and reflected. Should changes be considered necessary the Government will undertake a further consultation.



Rt Hon Nick Hurd MP

Minister of State for Policing and the Fire Service

Introduction

1. In December 2017, the Government launched a consultation on revisions to the Fire and Rescue National Framework in England ('the Framework'). This document provides a summary of the responses to the consultation and sets out the Government's response. It is being published alongside the revised Framework.

Background

2. Section 21 of the Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a Fire and Rescue National Framework which sets priorities and objectives for fire and rescue authorities (FRAs) in England in connection with the discharge of their functions. FRAs have a statutory duty to have regard to the Framework. The 2004 Act requires the Secretary of State to keep the Framework under review. Revisions to the Framework may be made, with significant revisions subject to statutory consultation with representatives of fire and rescue authorities and their employees, and any other persons deemed appropriate.
3. The National Framework was last updated in 2012 apart from an addendum in 2014 on fitness principles. Changes are needed which warrant a full revision of it at this time to embed the fire reform programme. This includes outlining how reforms should work in practice such as the role and responsibilities of the new inspectorate for fire and rescue and the National Fire Chiefs Council with how services should in turn engage with them; and how the provisions in the Policing and Crime Act 2017 on emergency services collaboration and changes to fire and rescue governance should apply.
4. The public consultation ran from 27 December 2017 to 14 February 2018 and comments were invited on each section of the Framework. Please note that in response to the consultation we have since re-ordered some chapters and moved some text within the final Framework and so this Government response reflects the consulted on version of the Framework.
5. Within the Workforce chapter of the draft National Framework, the section on 're-engagement of senior officers post-retirement' had been the subject of an earlier, separate consultation which the Government responded to in December 2017¹. In our consultation document we outlined that we were not consulting on this text further. The National Framework includes the proposed wording following our initial consultation and no further changes to that section have been made.
6. The consultation included, as an annex, a revised 'Protocol on Central Government Intervention Action for Fire and Rescue Authorities'. The Government is also required to consult on revisions to this protocol which we have done as part of this consultation. The final version of the protocol is being published as an annex to the Framework and the Government's response to the issues raised on the protocol raised through this consultation is included within this response.

¹ <https://www.gov.uk/government/consultations/re-employing-senior-fire-officers-after-their-retirement>

7. The Government intends for the new National Framework to come into effect on 1 June 2018 prior to the commencement of fire inspection. The outputs from the Grenfell Tower Inquiry and the Independent Review of Building Regulations and Fire Safety will be considered on an ongoing basis and further changes may be made to the Framework as required. Any such changes will be subject to a separate consultation.

Responses

8. A total of 71 responses were received: 39 from FRAs, 8 from police and crime commissioners (PCCs), 9 from representative bodies, 8 from other bodies and 7 from members of the public. 23 were received via the online form and 48 via e-mail or post. Responses provided online which were either incomplete or not formally submitted were not considered as part of the consultation response. Annex A lists the key stakeholders that responded to the consultation.
9. Respondents were asked to comment on each section within the draft Framework in free-text rather than answer specific questions. Respondents were also given the opportunity to add any other views or comments, or raise any other related issues as part of the consultation.
10. Not all respondents to the consultation provided comments on each chapter of the draft Framework as some limited their responses to particular areas of interest. All views expressed have been taken into consideration and changes have been made to the published Framework in light of the comments received.
11. A summary of the responses received to each chapter and the Government's conclusions are set out in the following pages.

Delivery of Core Functions

12. Out of 71 overall responses received, 61 provided comments on this section. A number of responses commented that they found the section clear, specific and proportionate. They agreed and supported the changes made and overall were content with the section.
13. Some responses sought clarification on the requirement for FRAs to “identify and assess the full range of foreseeable fire and rescue related risks their areas face” as they considered that this could be much broader than focusing on statutory responsibilities of the fire and rescue authority and that this would directly impact on resourcing requirements to deliver against any local plans. It was suggested that guidance was required on how to assess all foreseeable fire and rescue related risks.

Response – The requirement for FRAs to “identify and assess the full range of foreseeable fire and rescue related risks their areas face” is not new and was included in the existing Framework which FRAs have been operating to since 2012. These risks should be captured in their Integrated Risk Management Plan (IRMP) in addition to their core functions. It is for each fire and rescue authority to determine what they regard as foreseeable fire related risks and other related risks as the nature of the risks faced by services will vary from area to area and will need to take account of local circumstances.

14. While welcoming the focus on prevention and protection, some responses sought clarity around the statement that wider prevention activity that may increase the effectiveness and efficiency of public services should not be engaged in ‘if it impacts adversely on core fire functions’ as it appeared to weaken local discretion. Other responses asked for the reference to be changed to ‘statutory core functions’.

Response – The revised Framework has been changed to clarify (para 2.6) that “this should not be at the expense of effective delivery of their statutory core fire functions”. The Government has retained the requirement that wider activity should not be at the expense of core functions as fire and rescue services are ultimately funded to deliver core functions as outlined in the Fire and Rescue Services Act 2004 and no additional activity should be at the detriment of that.

15. Although fully supportive of the need to ensure robust business continuity planning arrangements are in place, some FRAs expressed concern regarding the wording around meeting the full range of service delivery duties and commitments. Based on previous experience of managing industrial action and withdrawal of labour from the operational workforce, the services doubted whether they could give absolute assurance that they would meet this requirement, especially in relation to specialist services.

Response – FRAs are under a statutory duty to have business continuity plans in place that ensure that they are able to continue to perform their functions. This is not a new requirement as it was included in the 2012 version of the Framework. However, in recognition of the issues raised the wording in revised Framework has been changed to include “must make every endeavour to” in respect of the following sentence: “Within these arrangements, fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties”.

16. A number of responses mentioned functions, types of emergency or prevention initiatives that they thought should be covered in the Framework. For example, reference to sprinkler schemes and the principle of invest to save, road safety, flooding, water safety, Emergency Medical Response (EMR), ‘Safe and Well’ visits and Primary Authority Schemes (PAS).

Response – The Home Office welcomes and supports the efforts of FRAs in terms of the work being done on prevention, protection and response across a number of important areas. However, this section of the National Framework concentrates on the core functions of FRAs, leaving decisions on additional functions to FRAs and their communities – as identified through their risk analyses and their IRMP. But as the Framework states, these additional functions should not be at the expense of their statutory core functions.

The Government believes FRAs already have the discretionary powers they need to respond to all local incidents including major flooding under their general duties in the Fire and Rescue Services Act 2004 and Civil Contingencies Act 2004, and in response to the risks set out in their Integrated Risk Management Plans.

We strongly support emergency services collaboration and EMR between fire and ambulance services. This is a key area where we believe collaboration could potentially deliver better outcomes for local communities. The decision as to whether to undertake emergency medical responding is for individual fire and rescue authorities and ambulance trusts given they are best placed to understand local requirements. The requirements under the Police and Crime Act 2017 supports collaboration and we would not want to specify any further.

The Framework encourages sharing of best practice, which may include - but is not limited to - PAS. We decided against including reference to PAS in the Framework in case it was seen to be limiting or under-valuing other protection interventions. There will also be instances where PAS is not appropriate.

The appropriate fire protection intervention will depend upon a number of factors and we do not prescribe what would be best. Sprinklers are an effective life and property protection measure but they are not necessarily the only – or the most cost-effective - option. The Hackitt Review is examining the whole system of building regulations and fire safety as it applies to the construction and occupation phases of the life cycle of a building. Upon publication the recommendations from the Review will inform and be incorporated into the National Framework as required.

17. Some FRAs questioned the section on evaluation (now paragraph 2.7) saying that it suggests that services should only pursue those prevention and protection activities that demonstrably reduce risk effectively and cost-efficiently and that some prevention activity will only show impact over time, such as long-term changes in people's safety related behaviour.

Response – We have clarified the wording of this paragraph to take into account comments received. Fire and rescue services undertake a range of prevention and protection activity which we believe should have clearly measured outcomes and be evaluated to identify if the activity met its desired outcome. We recognise the nature of the evaluation will need to be tailored to the specific activity. The Framework now says that FRAs “should assess what they are aiming to achieve through the activity, what type of intervention is most likely to achieve the aims and how best to measure and evaluate outcomes”.

18. There was some demand in responses for further guidance on Integrated Risk Management Plans (IRMP).

Response – The NFCC's commissioned Community Risk Programme is in the process of developing a comprehensive, evidence-based and accredited risk analysis toolkit which should be used by FRAs to inform IRMPs. However, given the nature of the Framework, we have not made specific reference to this work.

Inspection, Accountability and Assurance

19. Out of 71 overall responses received, 52 provided comments on this section. A number of responses commented that they fully support and agree with the expectations and requirements set out within this chapter.

20. While generally very supportive of the new inspection process, some responses commented that if the inspection regime leads to fire and rescue authorities pulling resources away from front line delivery to deal with inspections, then it may be to the detriment of local service delivery.

Response – A key Home Office principle for the new inspectorate has always been to ensure burdens placed on fire and rescue authorities should be kept to a minimum. The Home Office has been working closely with HMICFRS throughout its inspection development to ensure this principle will be met and we believe their proposed inspection methodology is proportionate and resource requirements kept to a minimum.

It is ultimately a local decision for fire and rescue authorities to determine the level of resource to allocate to service the inspectorate. However, we will keep this issue under review.

21. Further guidance was also sought regarding the responsibilities of FRAs in responding to the independent inspection and that the phrase 'give due regard' to reports and recommendations would benefit from being expanded and strengthened, as would the expectation around how the reports and action plans should be scrutinised.

Response - The Framework has been amended to ensure it appropriately mirrors the requirements on policing to respond to HMICFRS recommendations in the Policing Act 1996, including the need to provide reasons if an FRA does not propose to undertake any action as a result of a recommendation.

22. In terms of intervention powers, responses sought clarity on whether or not PCC fire and rescue authorities will be subject to the same powers.

Response - The Framework and intervention protocol in the Annex make clear that PCC FRAs – like all FRAs regardless of governance - will be subject to intervention powers as a last resort.

23. Some responses suggested making it clear that the inspectorate was only one way of providing assurance and that there is also a raft of other such assurance methods such as external and internal audit and peer reviews.

Response - The Home Office recognises that other assurance mechanisms are available, including the LGA's sector improvement support, and that these can complement inspection. We are therefore content to reference alternative mechanisms and this has been included in the revised Framework.

24. In terms of transparency, responses pointed out that as a result of different legislation there is a difference in transparency requirements between FRAs, in particular with PCC FRAs. While relatively minimal, this will mean that different authorities are publishing different information. It was suggested that opportunities to streamline this should be sought so that one set of transparency information is required from all FRAs.

Response - Where a PCC takes on responsibility for the fire and rescue service(s) in their force area and becomes a Police, Fire and Crime Commissioner, the Policing and Crime Act 2017 provides that they are subject to transparency requirements set out in section 11 of the 2011 Act in relation to their FRA functions. This means that they are no longer subject to the transparency requirements set out in the Local Authority Transparency Code 2015.

Governance

25. Out of the 71 overall responses received, 50 commented on this section. Many responses commented that they welcomed what is proposed in the draft framework, that it provided clarity and was aligned to legislation.

26. However, some responses indicated that the Governance section would benefit from greater clarity, particularly to prevent different interpretations that may serve to confuse the public. Issues highlighted included confusion between IRMP and fire and rescue plans (FRP), their lifespans, consultation requirements and governance arrangements in London and Mayoral Bodies.

Response – We have re-drafted this section to provide further guidance around what plans FRAs should produce and we have inserted a table (Annex A) to provide additional clarity. The time periods of the IRMP and FRP can be being linked, however, where a PCC takes on governance, they will inherit an IRMP which will remain extant until replaced which the PFCC may wish to do before the end of the IRMP period.

27. Responses said that there appears to be no requirement for fire and rescue expertise to be represented on the Police, Fire and Crime Panel (PFCC) and also that the differences between Police, Fire and Crime Panels and Police and Crime Panels needs to be clarified, particularly in relation to their relative powers, responsibilities and membership requirements.

Response – As mentioned in the Introduction, the Framework does not repeat all the duties placed on FRAs in connection with the discharge of their functions. The Policing and Crime Act 2017 requires a PFCC to review its membership and to make any required changes to its membership to ensure that the panel has the necessary skills, expertise and knowledge to fulfil its functions in relation to fire and rescue. The Act also extends the role of police and crime panels to scrutinise the exercise of the PCC's fire and rescue functions in the same way as they scrutinise the PCC's policing functions.

28. A number of FRAs expressed the view that the whole framework gives focus to PCC FRAs above and beyond other governance models and that equity should be struck where possible.

Response – This was not the intention, although the Home Office wanted to use the revised Framework to provide further detail about PCC FRAs which were only recently created by the Policing and Crime Act 2017. However, we have reviewed the Framework and sought to better balance the contents where possible so that it is reflective of all governance mechanisms.

29. There were a number of different comments on the role of the NFCC as outlined in the Framework including "...it is not clear however the mechanism or method by which a fire and rescue authority can effectively consult with the NFCC", "there is a concern over the capacity of the NFCC to support potential expectations", "the reference to NFCC needs to be stronger as the professional leadership and voice of FRs" and "Home Office should provide the NFCC with financial support to best equip it to ensure it fulfils its remit".

Response - The NFCC has been involved in the drafting of the Framework and their views have been fully considered in its development. Home Office is content to discuss all relevant issues with the NFCC, including funding and structure, however we do not see these as being issues for inclusion in the Framework. Within the Framework, there is an expectation for engagement between the NFCC and individual FRAs and it is for them to determine the best mechanism for doing so.

Achieving Value for Money

30. Out of 71 overall responses received, 48 commented on this section. Many responses said that they were supportive of the principles outlined in the draft Framework.

31. The main issues raised on the section were the need to provide further clarity on efficiency plans and the reserves strategy, and whether this amounted to a new burden, and also clarity on which types of FRAs were required to provide which documents.

Response - The requirement for a medium term financial plan, efficiency plan and reserves strategy applies to single purpose, metropolitan, and PFCC fire and rescue authorities. We have re-drafted this section to clarify that where fire and rescue is part of a County Council, Unitary Authority or Mayoral Body we expect that these requirements will be included within the parent authorities' documentation. In the case of London, the efficiency plan and reserves strategy will be produced by the London Fire Commissioner.

The Framework clarifies the Home Office's expectations on how reserves information should be presented in a way that is clear and understandable to members of the public. This is in line with existing statutory requirements and financial reporting best practice and should therefore not result in additional costs for authorities. The reserves strategy can be published either as part of their medium term financial plan or as a separate reserves strategy document. Efficiency plans can also be included as part of the medium term financial plan. The National Framework requires justification for holding a general reserve larger than five percent of Net Budget Requirement (as opposed to total reserves and/or General Expenditure).

32. In the section on commercial transformation relating to aggregation of procurement, one organisation commented that: "the 45 FRSs in England have functioned largely autonomously until recently and have tended to be divergent rather than collaborative. Suppliers to the Services have found, for example, that they must paint their fire appliances differing shades of red or provide one of 97 variants of ladder depending on which FRS is the customer. ...Collaborative procurement must be underpinned by greater standardisation where possible and output-based specifications that should be agreed between the FRSs collectively and the supply industry".

Response - The importance of transforming the way FRAs undertakes its commercial activities is a key part of the overall fire reform programme and the NFCC is already undertaking significant work in this area with the creation of a new commercial strategy. The National Framework highlights the objectives of the Fire Commercial Transformation Programme and looks to embed these within the decision making of individual FRAs, including the need for standardisation and aggregation where appropriate.

33. On trading, one organisation had concerns about FRAs offering commercial services to public or private organisations as this could create a conflict of interest and gives them an advantage through their status.

Response - The wording in the Framework makes clear that FRAs must ensure that their commercial activities are performed in accordance with all existing legislative requirements and any actions taken in respect of their trading companies are considered against the requirements of competition law.

Workforce

34. Out of 71 overall responses received, 53 commented on this section. Many said that they welcomed and fully supported the requirement for a people strategy as outlined in the draft framework.
35. Comments on the Workforce section from a representative body included that there was “no reference made to the National Joint Council and its work and yet makes reference to the NFCC’s people strategy”. Also that “the draft Framework requires each FRA to have a people strategy that has been designed in collaboration with the workforce yet makes no reference to engaging with representative bodies or encouraging good industrial relations”.

Response - The NFCC people strategy clearly articulates the areas which fire and rescue services should consider and put in place as part of their own workforce strategy. The framework allows flexibility for other strategies and work by other organisations to be considered by only stating minimum requirements. It would not be feasible to include every organisation and strategy that exists.

Although we are supportive of productive industrial relations, it is down to individual fire and rescue services how they engage with unions and whether they do so in developing people strategies and is not something we would want to prescribe as part of the National Framework.

36. Several responses commented that this section mentions 'wellbeing' but doesn't mention mental health or learning disabilities.

Response - Mental health is already covered within the wording of the Framework; however, we have re-drafted this to make it explicit so now the People Strategy section reads to 'support including health and safety, wellbeing and disabilities.'

37. One representative body found the detail in the Workforce section light and lacking any 'teeth' and invited Home Office to consider the re-introduction of national targets or diversity measures, or to require FRS to set local targets/diversity measures underpinned through appropriate data for their local communities.

Response – The current lack of diversity amongst firefighters is unacceptable and although we have seen improvements in the most recent data on new joiners for whole-time staff, there is still a lot further to go. Firefighters should represent the communities they serve which is why diversity targets should be set locally rather than nationally. We would expect FRAs to have an improvement plan in place and consider and scrutinise available data to improve diversity year on year.

38. One representative body strongly expressed the view that the Framework should make direct reference to measures that will ensure firefighter safety.

Response – Firefighter safety is of paramount importance and should be a key consideration in all activities undertaken by fire and rescue services. FRAs have a duty to ensure the safety of their employees. However, as the Framework does not repeat all legislative requirements fire and rescue services are subject to, we had not felt this needed to be referenced. However, in order to respond to this point we have now amended the People Strategy section to include 'health and safety'.

39. A number of responses sought greater clarity on the proposal for development of professional standards, including further detail, timing and links to National Operational Guidance. There was also concern over the wording that FRAs “must implement the standards approved through this work”.

Response – The Home Office will provide further details on this element of the fire reform programme shortly. The Framework outlines the importance of all fire and rescue authorities implementing these national standards which will be produced by the fire and rescue sector. The requirement for FRA’s to implement these standards should not result in additional costs for authorities as any financial contributions made by fire and rescue authorities are expected to remain within established budgets for this type of work and will enhance collaboration and efficiency between services through the use of common standards. HMICFRS will consider their implementation and impact as part of their inspections and will in turn provide feedback - where necessary - to inform their future development.

40. There were numerous comments received on the Fitness Principles, with views differing depending on whether they were from an FRA or a representative body. For example, an FRA said that “it is disappointing that these are simply reiterated from the previous addendum to the Framework They appear to be generous and allow someone who fails their fitness test for no good reason, a minimum of 6 months to regain their fitness”. Another said that “the existing Fitness Principles ... are overly prescriptive and build in significant and unnecessary cost for authorities”. Whereas one representative body said that the Framework “(still) does not provide the protection in line with the Government guarantee made to firefighters in relation to fitness and capability in December 2014”.

Response – The fitness principles were added to the National Framework as an addendum in 2014 to respond to concerns that changes to the pension scheme would leave firefighters - if they were unable to maintain their fitness to a higher retirement age - without access to a job or with a reduced pension. We therefore consider it is important to maintain the principles as part of this revised Framework, but will keep this section under review. Although HMICFRS will not consider this issue in isolation, they will consider it as part of their full inspection framework and we will reassess in light of their findings.

41. As mentioned in the introduction to both the consultation document and this response document (see paragraph 5 above), as we had previously consulted on the section about ‘re-engagement of senior officers post-retirement’ we were not seeking further comments. However, several comments questioned whether this section was compatible with the principle of ‘appointment on merit’. In addition, there was a query about whether this could adversely affect a whole-time employee wishing to move to or continue as part of the ‘retained duty system’ (RDS).

Response - If the retired senior officer was appointed through fair and open competition as being the best person for the job, the principles in this section of the Framework would not apply. In terms of an RDS role, this would be seen as a different role in the organisation and the principles would not apply. We did not believe any changes were needed to this section.

National Resilience

42. Several concerns were raised about the paragraphs dealing with response to terrorist attacks. One FRA said that “The draft framework makes the assertion that responding to acts of terrorism, and by extension MTFAs, is part of the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the Grey Book). Although there are differing legal opinions on this, the majority view of the Authority is that MTFAs are not currently part of the Grey Book which is why it remains the subject of negotiation between the National Joint Council and the Fire Brigades Union (FBU). The Authority understands the framework’s emphasis on maintaining national resilience. The Authority would expect to be able to provide all national assets (including MTFAs specialist teams) when required. However... asking fire and rescue services to provide a guarantee to ‘ensure their teams are fully available at all times, including periods when business continuity arrangements are in place’ is an unrealistic and excessive burden”.

Response – Responding to acts of terrorism is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the Grey Book), and is encompassed within the broad descriptions within the existing agreed firefighter role maps: to save and preserve endangered life, and safely resolve operational incidents. To ensure no misunderstanding we have re-drafted this section to distinguish between terrorist attacks in general and Marauding Terrorist Firearm Attacks (MTFA) so now the Framework does not assert that MTFAs have specifically been agreed as part of the Grey Book.

Additionally, the Response section of the framework has been redrafted to clarify the position that fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties - including MTFAs - at all times, including periods when business continuity arrangements are in place. The draft Framework had restated this requirement within the MTFAs section and that duplication has been removed.

43. Regarding gap analysis of national resilience capabilities, one FRA response commented that “the previous Framework referenced that where there is a gap that needs to be filled, if necessary - and where appropriate - this will involve funding of new national resilience capabilities, in line with the new burdens doctrine. Though the Framework outlines steps which may be taken to address such gaps, greater clarity on the funding of any gaps which do remain would be beneficial”.

Response – Any national resilience capability gaps raised by FRAs would be considered and/or discussed at the Fire and Rescue Strategic Resilience Board. Following liaison, as necessary, with other government departments and the devolved administrations, decisions will be taken which would seek to address the matter raised. These matters will be considered on a case-by-case basis, with the solution not always being one relating to, or requiring, additional funding. Therefore, we believe it would be over prescriptive, and not add further clarity, to indicate any further funding at this stage.

44. Although supportive of the lead authority concept, one response raised the “need to be mindful of fair competition for things such as ‘devolved training’ – whilst the words ‘as necessary’ are included, the framework could be interpreted as directing FRS “to use the Lead Authority as the sole training provider”.

Response - This paragraph relates to National Resilience as the lead authority is the centrally-funded training provider for the national resilience capabilities. The lead authority co-ordinates the training needs assessment, and arranges for appropriate courses, which is provided both by them, by other appropriate FRAs who are also training providers, and/or by external trainers, as appropriate. The reference in the Framework to FRAs co-operation on devolved training relates solely to national resilience training for which there is Home Office-provided grant funding; it does not bind authorities to use the lead authority on other FRA training which they may elect to undertake at their own costs.

Intervention Protocol (Annex A)

45. Various responses suggested additions to Intervention Protocol including:

- “powers under section 10 of the Local Government Act 1999 which were recently used to carry out a best value inspection of Avon Fire Authority”;
- the joint initiative by the LGA and NFCC to adapt the previous process of Peer Review or Peer Challenge to create a mechanism to support FRs to improve, to be branded as 'Sector Support';
- the Policing Panels’ role in supporting and challenging PFCCs in their roles could be critical in bringing about improvements in a way that is transparent and accountable to local people;
- that it is made clear for PCC-style FRAs that the APCC rather than the LGA will have a role as required; and
- more detail on what would constitute a failing Service.

Response - The Intervention Protocol is required by the Fire and Rescue Services Act 2004. The Secretary of State must prepare, and may revise, a protocol about the exercise of his power when a fire and rescue authority is failing, or is likely to fail, to act in accordance with the Framework in terms of promoting public safety, or the economy, efficiency and effectiveness of the fire and rescue authority. There is no intervention protocol required for Best Value inspections. The intervention protocol is clear that, in terms of a failing service, this is one failing to act in accordance with the Framework. However, the failure would have to be sufficiently serious as to require Government intervention, and only as a last resort. The Intervention Protocol has been amended in places to take on the other suggestions.

Other comments

46. In Chapter 8, Timescales and Scope, it was commented that it would support FRA long term planning if the anticipated period of currency and review date for this Framework document was set.

Response- Home Office is committed to keeping the National Framework under continuous review, taking on board key developments that affect the sector. However, there is no intention to revert to fixed term revisions.

Annex A

Respondents to the consultation

Responses were received from the following organisations.

Fire and Rescue Authorities/Services

Avon Fire & Rescue Authority
Buckinghamshire Fire & Rescue Authority
Cambridgeshire and Peterborough Fire & Rescue Authority
Cheshire Fire & Rescue Authority
Cleveland Fire & Rescue Authority
Cornwall Fire & Rescue Authority
Cumbria Fire & Rescue Authority
Derbyshire Fire & Rescue Authority
Devon & Somerset Fire & Rescue Authority
Dorset & Wiltshire Fire & Rescue Authority
East Sussex Fire & Rescue Authority
Greater Manchester Combined Authority
Gloucestershire Fire & Rescue Authority
Hertfordshire Fire & Rescue Authority
Hampshire Fire & Rescue Authority
Herefordshire and Worcestershire Fire & Rescue Authority
Humberside Fire & Rescue Authority
Kent & Medway Towns Fire & Rescue Authority
Lancashire Fire & Rescue Authority
Lincolnshire Fire & Rescue Authority
Leicester, Leicestershire and Rutland Fire & Rescue Authority
London Fire & Emergency Planning Authority
Merseyside Fire & Rescue Authority
Nottinghamshire and City of Nottingham Fire & Rescue Authority
Northamptonshire Fire & Rescue Authority
Norfolk Fire & Rescue Authority
Oxfordshire Fire & Rescue Authority
Royal Berkshire Fire & Rescue Authority
Shropshire Fire & Rescue Service Authority
Stoke-on-Trent and Staffordshire Fire & Rescue Authority
Surrey Fire & Rescue Authority
Suffolk Fire & Rescue Authority
South Yorkshire Fire & Rescue Authority
Tyne and Wear Fire & Rescue Authority
North Yorkshire Fire & Rescue Authority
West Sussex Fire & Rescue Authority
West Midlands Fire & Rescue Authority (2)
West Yorkshire Fire & Rescue Authority

Representative bodies

Local Government Association
National Fire Chiefs Council
Fire Officers Association
Fire Brigades Union
Women in the Fire Service

Retained Firefighters Union
The Association of Police & Crime Commissioners
Association of Policing and Crime Chief Executives
Fire Leaders Association

Police, Fire and Crime Commissioner

Essex Police, Fire and Crime Commissioner

Police and Crime Commissioner

Northamptonshire Police & Crime Commissioner
Merseyside Police and Crime Commissioner
Hertfordshire Police and Crime Commissioner
Cambridgeshire Police and Crime Commissioner
Lancashire Police and Crime Commissioner
North Yorkshire Police and Crime Commissioner
Warwickshire Police and Crime Commissioner

Other Bodies

British Approvals for Fire Equipment
Fire Industry Association
Avon Fire Scene Examination Services Ltd
Institution of Fire Engineers
Forensic Science Regulator
Fabcic (specialising in juvenile firesetting behaviour)
Centre for Public Scrutiny Ltd
Nottingham Trent University

Members of public

7 member of the public responded



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