

## **FIRE AND RESCUE NATIONAL FRAMEWORK FOR ENGLAND GOVERNMENT CONSULTATION**

### SUMMARY

1. Members are aware that the production, by the Secretary of State, of the Fire and Rescue National Framework (the Framework) is a requirement under the Fire and Rescue Services Act 2004. The Framework sets the governmental priorities and objectives for Fire and Rescue Authorities (FRAs) and places a Statutory Duty upon FRAs to have regard to the Framework in the discharge of their functions.
2. The Framework was last updated in 2012. Changes are now required to embed elements of the fire reform programme and the provisions within the Policing and Crime Act 2017 relating to collaboration and governance.
3. HM Government are consulting Fire and Rescue Authorities, their staff and Representative Bodies in relation to the revised Framework and also for the revised 'Protocol on Central Government Intervention Action for Fire and Rescue Authorities'. Consultation commenced on 27 December 2017 and ends on 14 February 2018. The proposed Framework document is included at Appendix 1.
4. Members received an overview of the proposed changes to the Framework and the consultation questions at the Member Day 15 January 2018.

### RECOMMENDATIONS

5. Members are asked to endorse the draft Humberside Fire Authority consultation response included in the body of this report and at Appendix 2.

### BACKGROUND

6. The priorities and objectives for FRAs as set by the Framework include:
  - (a) Identify and assess the full range of foreseeable fire and rescue related risks their areas face;
  - (b) Make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
  - (c) Collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of service provision;
  - (d) Be accountable to communities for the service they provide;
  - (e) Develop and maintain a workforce that is resilient, skilled, flexible and diverse.
7. Members can be assured that our Strategic Plan 2018/21, IRMP 2018/21 and associated workstreams take account of each priority and objective within the Framework. Members will also be aware that a statutory Annual Statement of Assurance, confirming the Authority's compliance with the Framework, is brought before HFA in July each year.

## REVISIONS OF NOTE

### 8. Prevent and Protect

The Framework describes an implicit expectation that FRAs will work closely with other organisations in the public and voluntary sector, as well as with the police and ambulance services. Including:

- Partnerships to support risk reduction services to those identified as vulnerable, including from exploitation or abuse;
- Wherever possible to share intelligence and relevant risk data;
- Making a contribution to increase the effectiveness and efficiency of public services to alleviate pressures on local response resources. However, not at the expense of core fire functions.

The Framework also places emphasis on requirements to:

- Promote fire safety, including fire prevention;
- Application of effective risk based inspection and enforcement of the Regulatory Reform (Fire Safety) Order 2005;
- Effective targeting of fire safety, prevention and protection resources.

Officers have reviewed this element of the Framework and are satisfied that it meets our current planning, understanding and expectations both internally through the development of Public Safety service delivery and in terms of our open, innovative and pro-active approach to collaboration. It is particularly pleasing to note that data sharing has been given greater prominence by government. Our feedback will include a suggestion to consider mandatory requirements across all public services to share intelligence and risk data.

### 9. Assurance and Scrutiny

The requirements placed upon fire and rescue authorities to cooperate with and support HMICFRS inspection programmes are embedded within the Framework. Officers have reviewed this element of the Framework and are satisfied that it meets our current understanding and expectations.

### 10. National Fire Chiefs Council

The role of the National Fire Chiefs Council (NFCC) in providing a co-ordinated professional, operational and technical leadership of the sector, advising and supporting central and local government, and other stakeholders is incorporated in the Framework. Officers are satisfied that this role has been accurately reflected and acknowledged.

### 11. Achieving Value for Money

The requirements placed upon FRAs in terms of operating efficiently are described in some detail under a number of headings, including:

- Achieving value for money;
- Reserves policy;
- Commercial transformation;
- Trading arrangements;
- Statutory Collaboration

Officers have reviewed the requirements within the Framework and are satisfied with the arrangements we have in place to meet the areas listed above. In particular our

unqualified external audit opinion on value for money, the Prudential Minimum General Reserve (PMGR) that is approved each year based upon a risk assessment, our transparency information and our relationship with the HFR Solutions CIC. Members are aware that collaboration opportunities are being actively pursued with partner agencies and other emergency responders. Officers agree with the listed requirements.

12. Workforce

The Framework includes an implicit requirement that FRAs have a people strategy, which takes account of the principles set out in the NFCC's People Strategy, covering as a minimum:

- 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;
- A policy to tackle bullying and harassment.

Members can take assurance that the development of a HFRS People Strategy, encompassing the principles set out in the NFCC People Strategy, is progressing and a report will be brought to HFA 16 March 2018. This may be a particular area of focus for the HR Directorate Member Champions. Officers are supportive of a strategy based upon the NFCC People Strategy.

13. Firefighter Fitness Principles

The role of the FRA in helping to ensure firefighters remain fit and are supported in remaining in employment has been embedded within the Framework. FRAs must comply with the fitness principles therein. Officers have considered the requirements and Members can take assurance that as part of any reasonable adjustment and/or redeployment all potential adjustments in role would be considered prior to considering redeployment opportunities. Members are also aware that significant financial investment has been made over a number of years to support the fitness of our firefighters with positive outcomes. A number of queries regarding detail will be included in the consultation response, including:

- In practical terms any redeployment opportunity, following consideration and/or application of all reasonable adjustment, may not be possible in role dependent upon the individual personal circumstances.
- Where an individual may not be fit enough to undertake an operational firefighter role, it may be contractually problematic to redeploy them into a different role with a different set of terms and conditions. This is not supported by any detail in the Framework.
- Where an individual, without underlying medical issues relevant to maintaining fitness, cannot be redeployed, due to a lack of suitable opportunities the Framework suggests an FRA initiated early retirement should be considered, from the age of 55, when presumably, the individual would not be prevented from other forms of meaningful employment outside of the FRS. This would incur significant strain costs on the FRA.
- There is no consideration that capability based termination of contract may be appropriate within the Framework.

14. Response to Terrorist Attacks

The Framework now features requirements on FRAs to have capability to respond to the heightened threat of terrorist attacks. Members are aware that this incorporates

our interoperability with other emergency responders and agencies, multi-agency planning and maintenance of command and response competencies. Members are also aware that the Government have invested in a national cadre of specialist Marauding Terrorist Firearms Attacks (MTFA) firefighter teams. MTFA firefighter capability is currently being developed locally on a voluntary basis, in addition our group of National Incident Liaison Officers (NILO) have also undertaken MTFA training.

The voluntary nature of our firefighter response may not provide a sufficiently robust arrangement that meets the requirements of the National Framework, alternative arrangements are being considered. Members are aware that the issue of payment for such issues considered 'new fire service work' by the FBU, and 'within existing role maps' by Employers, is a factor of the FBU pay claim negotiations.

15. Intervention Protocol

It is a requirement under section 23 of the Fire and Rescue Services Act 2004 that an intervention protocol be prepared, and for the Secretary of State to have regard to it in the exercise of their power of intervention. The intervention protocol broadly sets out the arrangements between the Secretary of State, the LGA, HMICFRS, the NFCC and FRAs should formal intervention be considered necessary. Officers consider the protocol is appropriate.

#### ENGAGEMENT AND CONSULTATION

16. A briefing was provided at the Member Day 15 January 2018. GAS Committee Members have been consulted.

#### STRATEGIC PLAN COMPATIBILITY

17. Strategic Plan 2018/21 encompasses the objectives required to meet the requirements of the National Framework.

#### FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

18. None arising.

#### LEGAL IMPLICATIONS

19. The Framework sets the governmental priorities and objectives for Fire and Rescue Authorities (FRAs) and places a Statutory Duty upon FRAs to have regard to the Framework in the discharge of their functions.

#### EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

20. Equality Assessments are completed for relevant elements of the Framework.

#### CORPORATE RISK MANAGEMENT IMPLICATIONS

21. The outcomes relating to delivery of the Strategic Plan are used when assessing and formulating strategic risks.

#### HEALTH AND SAFETY IMPLICATIONS

22. None directly arising.

#### COMMUNICATION ACTIONS ARISING

23. The Framework will be published on the HFRS Website and communicated via Siren.

BACKGROUND PAPERS AVAILABLE FOR ACCESS

24. None.

RECOMMENDATIONS RESTATED

25. Members are asked to endorse the draft Humberside Fire Authority consultation response included in the body of this report and at Appendix 2.

**C BLACKSELL**

Officer Contact: Simon Rhodes ☎ 01482 567479  
Corporate Planning Manager

Humberside Fire & Rescue Service  
Summergroves Way  
Kingston upon Hull

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