



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Fire and Rescue National Framework for Wales

2008-2011





ISBN 978 0 7504 4588 7

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CMK-22-10-086

D0420809

MINISTERIAL FOREWORD

In early 2008, we consulted extensively on the proposals contained within this Framework. I am grateful to all those individuals and organisations who took the time to respond. In developing this three year Framework we have taken account of the consultation responses. The Framework will become the blueprint for activity over the course of the document's lifetime and places fire and rescue in the context of the Assembly Government's wider agenda for Wales as outlined in 'One Wales – a progressive agenda for the government of Wales'.

The Assembly Government enjoys an excellent working relationship with the FRAs and other partners. The professionalism and commitment of personnel and leaders within the Fire and Rescue Authorities have enabled them to rise to new operational, political and wider social challenges. The Assembly Government recognises that the Fire and Rescue Authorities provide not only a vital emergency public service, but are also a key member of the public sector 'family' that must be supported in its aims to achieve high standards of delivery. The Assembly Government will continue to support the Fire and Rescue Authorities. In turn we expect them to collaborate with each other and other service providers in the interests of the people of Wales.

The next three years will bring new challenges. The Assembly Government's new programme of Government, 'One Wales', focuses on an improved public service within the context of greater social justice.

A key feature of this National Framework is to build on early collaboration successes following devolution and ensure that collaborative thinking is integral to every aspect of public service delivery. The Fire and Rescue Authorities will be aware of the constraints on spending, and the competing demands and agendas which will be faced by the public sector in the coming years. This document, therefore, provides an impetus for the Fire and Rescue Authorities to combine their talents and resources with each other and with the wider public sector for the benefit of the tax payers.

Quite rightly, the Fire and Rescue Authorities are held in high regard and affection by the public as a whole. This is testament to the excellent way in which all serving personnel, from firefighter to senior management to 'back room' staff, conduct their day-to-day work. Our aim is to continue to work with Fire and Rescue Authorities and serving personnel so that they can continue to deliver a service that they and the public can be rightly proud.

Brian Gibbons AM
Minister for Social Justice and Local Government

INTRODUCTION

The Fire and Rescue National Framework sets out the Welsh Assembly Government's vision and priorities for the three Fire and Rescue Authorities ("FRAs") in Wales. It describes what the Assembly Government expects of the FRAs during the lifespan of the Framework, and sets the FRAs' role in the context of the wider public sector agenda and 'One Wales'. The Framework creates the foundation on which to build local solutions. It aims to promote and support the further development of joint working across FRAs and with the wider public sector.

This Framework sets out three priority areas for FRAs namely:

- Providing statutory services which protect communities and meet their specific local needs by maximising and pooling resources. This will involve a more integrative, participative and collaborative approach between FRAs and the wider public sector.
- Strengthening their equality and diversity agenda to ensure that each FRA is fully representative of, and is fully engaged with, the diverse communities it serves, enabling it to meet its statutory and non statutory functions, and;
- Delivering a national resilience capability.

In this Framework the term 'FRAs' refers to the three statutory bodies responsible for providing fire and rescue services in Wales, i.e. the North Wales Fire and Rescue Authority, the Mid and West Wales Fire and Rescue Authority and the South Wales Fire and Rescue Authority.

This Framework is issued under section 21 of the Fire and Rescue Services Act 2004 ('the 2004 Act'). The power to issue the Framework is vested in the Welsh Ministers. The Welsh Ministers are members of the Welsh Assembly Government, and this Framework is issued by the Welsh Assembly Government on behalf of the Welsh Ministers.

The Framework is divided into the following chapters:

- **Chapter 1 – Vision for the Fire and Rescue Service in Wales** - sets out how the Assembly Government sees the FRAs engaging with the wider agenda for public services in Wales and 'One Wales'.
- **Chapter 2 - Governance and the relationship between FRAs and the Assembly Government** – describes the relationship between the individual FRAs and also the FRAs' relationship with the Assembly Government.
- **Chapter 3 - Prevention, Protection and Response** – sets out the main business of FRAs in analysing risks and taking action to mitigate the effect

of those risks. This chapter focuses on ensuring a professional and effective response to a range of incidents.

- **Chapter 4 – Working Together Effectively** – promoting collaborative arrangements to provide efficiencies, economies of scale and maximising the resources available.
- **Chapter 5 - Resilience**– describing the existing structure and how FRAs should work to respond to major threats.
- **Chapter 6 – People and People Development** – encouraging fair and effective management of staff recognising equality and diversity.
- **Chapter 7 – Performance Management to Drive Efficiency** – measuring progress against the Wales Programme for Improvement by the FRAs and financial management issues.

Annex A – Intervention Protocol

Annex B –Performance Indicators

Timescales and Future Frameworks

This Framework has a lifespan of three years to align with the current local authority three year funding settlements. The Framework must continue to remain current and meaningful and, therefore, the Assembly Government will keep under review in line with the statutory obligation in section 21(3) of the 2004 Act. Any significant revisions to the Framework which need to be made will be made by Order.

A Regulatory Impact Assessment has been produced as part of the Explanatory Memorandum to the Order made to bring this Framework into effect and has been placed on the Assembly Government internet pages. The Framework's equality and diversity impact has been considered against the Assembly Government's priorities in this area.

Equality and Diversity

The document has been assessed against the Assembly Government's Equality and Diversity Screening Criteria noting that strategies flowing from the Framework will be subject to full equality and diversity assessment. Furthermore, the Framework's equality and diversity impact will also be assessed and reported throughout the lifetime of the Framework.

CHAPTER 1 - VISION FOR THE FIRE AND RESCUE SERVICE IN WALES

1.1 The Assembly Government's vision is that FRAs should:

- Strive to make communities safer but in doing so be at the heart of the communities they serve, having a transparent decision making process which involves the communities.
- Work seamlessly with each other, other emergency services, other partners and the community, delivering cohesive services that maximise not only FRAs resources but also those of partner organisations.
- Recognise the impact they can have on the environment (natural and built) and society's social fabric - contributing to meeting Assembly Government sustainability objectives through operational activities, preventative action and by examining the impact of their own organisation.
- Recognise the diversity within their communities, ensure that their staff reflects the diversity in the community and be able to reach their full potential ensuring equality of opportunity for all in delivering services to the public.

Achieving the Vision

1.2 There are a number of areas on which the Assembly Government expects the FRAs to make progress under this Framework. To progress each of these areas effectively the FRAs will need to develop a collaborative approach to both their strategic planning and delivery. The key areas are:

- Developing and delivering policies on an all Wales basis by co-working with other FRAs.
- Continuing the development of a diverse workforce that has equality of opportunity.
- Ensuring sustainability of the retained duty system, which provides the service for large parts of Wales.
- Delivering resilience capability that is sufficient for the type and nature of threats facing Wales and which can also contribute to the national resilience of the UK.
- Ensuring that procurement strategies deliver efficiencies as a result of increased purchasing power. These should utilise the benefits of the wider procurement platforms of Value Wales and Firebuy. They should be sufficiently flexible to support the vision of the "Opening Doors" charter and keep a focus on sustainability, value for money and resilience.

- Sharing and pooling of both human and physical FRA resources in such a way that brings increased capacity and efficiencies which can be redirected according to risk.
- Playing a full part in working with partners and other agencies with the aim of creating safer communities.

CHAPTER 2 – GOVERNANCE AND THE RELATIONSHIP BETWEEN FIRE AND RESCUE AUTHORITIES AND THE ASSEMBLY GOVERNMENT

2.1 The members and senior officers of FRAs are responsible for governance, leadership, direction and control. Their role is to determine how best to comply with the FRAs' statutory responsibilities and ensure that the FRAs work in the public interest. Their aim should be to bring about positive outcomes for the people who use the services, whilst maintaining accountability to the Assembly Government and the regulatory environment. Elected members should seek to build their own knowledge and expertise enabling them to take an active and effective role in strategically directing the FRA, taking account of the professional advice provided by fire officers.

Wider Role of the Fire and Rescue Authorities

2.2 Organisations working in isolation are unlikely to be able to deliver the Assembly Government's aspirations for Wales in terms of ensuring continuous improvement of public services. The Assembly Government believes that this can only be achieved by the further development of joint working across the public sector. The FRAs have an important role to play in achieving the Assembly Government's objectives outlined in 'One Wales' in terms of public sector improvement and joint working. In order to play their part, FRAs will need to work with a range of partners in delivering change locally through the statutory and non-statutory partnership structures including: Community Strategies, Children and Young People, Health, Social Care and Wellbeing and Community Safety plans. The non statutory Local Service Boards ('LSBs') are leadership groups who take responsibility for connecting the whole network of public services within their area. FRAs should be involved in the work of LSBs on a flexible basis, depending on the areas identified for local partnership action.

2.3 FRA's can make a valuable contribution to society in Wales which extends further than their statutory duties. For example, they have a role to play in:

- the Assembly Government's social justice and supporting people agenda - by working with health and social services to maximise the use of resources and targeting activity at vulnerable groups, making them safer in their homes;
- Wales' economic future - by protecting people and infrastructure;
- community cohesion - by educating and using the positive role model provided by Fire and Rescue Authority staff to re-engage the disaffected young and those who are, or are at risk, of exclusion and offending;
- the environment - through reactive and proactive activity that prevents fires, particularly those which threaten the natural heritage and

landscape of Wales, but also by reducing the 'carbon footprint' of the FRAs;

- culturally - by ensuring that the fire and rescue service is bi-lingual and reflective of the diversity in Wales; and
- good governance - by being reactive to community needs and in ensuring that decisions are taken in a democratic and transparent way.

2.4 They can also make an important contribution to the four main principles of the Assembly Government's Making the Connections agenda:-

- **Citizens at centre stage** – the Assembly Government expects the FRAs to place the citizen at the heart of their activities. Strategic decisions should be open and transparent. At a local level, fire stations should be open and accessible to the public;
- **Public Engagement** – the delivery of FRAs' services should be flexible and able to respond to the most excluded and vulnerable;
- **Working together as the Welsh Public Services** – existing links, such as the Joint Emergency Services Group (of which all three emergency services and other organisations operating in the emergency field are members), should be built on so that services can be delivered through the seamless co-ordination of providers; and
- **Value for Money** – FRAs should have in place plans (including Asset Management Plans) to meet the Assembly Government's priorities for delivering value for money improvements. Key areas of focus for improvement should be smarter procurement; streamlining support functions; shaping services more effectively to meet public need; and making better use of the time, skills and expertise of staff.

Independent Advice

2.5 The Assembly Government will appoint an independent Fire and Rescue Adviser to provide strategic advice on fire and rescue related matters to Welsh Ministers. The Adviser will provide broader support on specific policy areas.

Advice through collaboration

2.6 The Assembly Government recognises the need to maintain a political and strategic dialogue with FRAs. The appropriate Welsh Minister will therefore meet with FRA Chairs, Chief Fire Officers and the Welsh Local Government Association ('WLGA') quarterly and biannually with the Fire Brigades Union to discuss issues of mutual concern.

2.7 In addition, it is the Assembly Government's intention that senior representatives of key stakeholders should also play a role in advising on

policy development. The Assembly Government will ask senior fire officers, a senior serving Police Officer, representatives of local authorities and representatives of business and industry to work with the Assembly Government's officials in the form of a forum, to be called the Fire and Rescue Consultative Forum ('FRCF'). The FRCF will operate at a strategic level advising Welsh Ministers on the development of policy and issues affecting fire and rescue. The Assembly Government will ask the FRCF to take forward the activity outlined in this Framework. The FRCF will be chaired by the Director of the Assembly Government's Community Safety Division and attended by the Fire and Rescue Adviser. In addition, the FRCF may seek to co-opt additional members on an ad-hoc basis to consider specific issues. The Assembly Government will ask the Chief Fire Officers Association's ('CFOA') lead officers to co-operate and assist FRCF in progressing issues contained within the Framework.

Intervention Protocol

2.8 In March 2007 the National Assembly for Wales published an Intervention Protocol (copy at Annex A) in accordance with section 23 of the 2004 Act. This Protocol describes how the Assembly Government will exercise powers of intervention under section 22 of the 2004 Act where the Welsh Ministers consider that a FRA is failing, or is likely to fail, to act in accordance with this Framework. Intervention is seen by the Assembly Government as a last resort and prior to any formal intervention, the Assembly Government will always look to engage informally and in partnership with FRAs, and other partners as appropriate.

CHAPTER 3 - PREVENTION, PROTECTION AND RESPONSE

3.1 This Chapter deals with the delivery of prevention and protection, which are the statutory duties for FRAs under the 2004 Act. It also deals with the response of FRAs to incidents. Traditionally the statutory function of FRAs has been fire fighting. In recent years the emphasis has been to combine intervention with prevention and education to ensure that fires do not occur in the first instance. Prevention, by identifying and eliminating risk, can be achieved in a variety of ways; for example, by influencing the design of a building; by the effective deployment of resources, and by ensuring that people know what to do when fire occurs and how to escape safely.

Fire Protection

3.2 Building Regulations are a key driver for the provision of fire protection in the built environment. 'One Wales' commits the Assembly Government to pursue the devolution of the Building Regulations to Wales. Until then, Building Regulations apply uniformly across England and Wales and the Assembly Government will continue to represent Welsh interests.

Protecting the built environment

3.3 Working in partnership with housing providers, the Assembly Government has ensured that 87 per cent of social housing has hard-wired smoke detectors. The Assembly Government has also provided funding to FRAs for the provision of long-life detectors for use in Home Fire Safety Checks ('HFSCs'). The Assembly Government will continue to support the expansion of preventative activity throughout the lifetime of the Framework. The Assembly Government will ask the FRCF to examine the effectiveness of HFSC activity to date and in particular how preventative activity links with FRA Risk Reduction Planning and Service Standard requirements.

3.4 In relation to non domestic premises, the Assembly Government has now made it a requirement of its Schools Buildings Improvement Grant that sprinklers must be installed in all school new builds and where there is a major refurbishment of a school. Supporting this, the Assembly Government has also made funding available for a programme to fund sprinkler installations in schools which are considered at risk of arson and is working with the FRAs and Arson Reduction Teams to assess schools against the programme criteria. The Assembly Government will continue to work with the FRAs to promote the introduction of sprinkler systems as an important tool to save lives.

3.5 The Assembly Government expects FRAs to be aware of guidance on the Housing Health and Safety Rating System ('Housing Health and Safety Rating System: Operating Guidance (Housing Act 2004: Part 1) (2006 No. 45)') which advises local authorities to consult with the appropriate fire authority where it identifies hazards that involve the risk of fire in all premises. Where sprinkler systems are concerned, local authorities have flexibility under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to

provide assistance to homeowners for the adaptation or improvement of living accommodation provided that the authority has adopted and published a policy relating to the exercise of the power, and the power is exercised in accordance with the policy. This power could potentially be used by the local authority to install sprinkler systems in domestic premises where appropriate and if the local authority considered it to be a local priority and had the funding available to permit them to do so.

3.6 The Assembly Government will ask the FRCF to work with the FRAs to consider how the installation of sprinklers in both domestic and non-domestic premises can be further progressed.

Protecting the Rural Environment

3.7 Deliberate grass and forest fires are a continual occurrence and their number and extent are amplified during periods of extended dry weather, often scarring the landscape and permanently damaging the natural diversity. FRA resources are often heavily committed to such incidents. It is important that FRAs continue to work with partners and engage other interested agencies who can assist in changing the attitude of people in the communities. This should include promoting learning and awareness in order to limit/reduce the occurrence of such fires.

3.8 In rural areas, outdoor fires are also regularly attended by FRAs as a consequence of uncontrolled land management practices and poor notification by land managers. FRAs should engage with other agencies and owners/managers to highlight the impact of this issue and educate them on good practice.

Risk Reduction Planning and Service Standards

3.9 In March 2006 the Assembly Government introduced guidance on Risk Reduction Planning in Wales Fire and Rescue Circular (06)07 - 'Wales a Safer Country' and on Service Standards 'Service Standards to Fires in the Home', Fire and Rescue Circular (06)08. These focus on life risk and were developed with the aim of assisting FRAs to explain to citizens, communities and businesses the process FRAs undertake in the provision of services. This approach promotes open and honest communication between the FRAs and the communities they serve and FRAs are expected to follow guidance contained within the circulars.

3.10 To assist in risk reduction, each FRA should prepare, publicly consult on, and publish for each financial year its own Risk Reduction Plan ('RRP'). Risk Reduction Planning guidance advises FRAs to manage risk in a comprehensive, transparent and robust manner. It allows FRAs sufficient scope for local flexibility and innovative ways of delivering their services to the citizens and communities they serve. The FRA's RRP will provide the strategic agenda for that FRA. The Assembly Government recognises the complex environments in which FRAs operate, and therefore each FRA's RRP should clearly identify their priorities and allocate resources accordingly.

3.11 Specifically FRAs should establish RRP's aimed at:

- Reducing the number of fires and other emergency incidents;
- Reducing the loss of life in fires and other emergency incidents;
- Reducing the number and severity of injuries in fires and other emergency incidents;
- Reducing the commercial, economic and social impact of fires and other emergency incidents;
- Safeguarding the environment and heritage, both built and natural;
- Providing services that are Value for Money;
- Integrating the activities of the Fire and Rescue Authority within the wider social justice agenda; and
- Addressing the equality and diversity proposals set out in this Framework.

3.12 All responses to public consultation should be evaluated and formally considered by the FRA. In addition, each FRA should discuss its proposals with the Assembly Government after it has consulted the public but before formal adoption. This ensures that Welsh Minister's views can be taken into account in the final production of the Plan, before formal adoption. Each FRA should publish its RRP by 31 October of each year.

3.13 The Assembly Government expects FRAs to comply with existing Service Standards which require FRAs to respond to 80 per cent of fires in homes in Wales within 10 minutes. Where there is a greater risk to life a faster response of 5 minutes should be met. For those properties outside the Standard, preventative activity and initiatives should be implemented by the FRA. In addition, FRAs should ensure that appropriate levels of resources are deployed to incidents within certain timescales.

3.14 The Assembly Government will ask the FRCF to consider developing Service Standards relating to non domestic premises and road traffic collisions. The Assembly Government may also ask the FRCF to consider developing other Service Standards in the future. In addition, the FRCF will also review the operation of existing Risk Reduction Planning guidance and Service Standards. It will also be asked to consider whether introducing new elements, such as equality impact assessment and contribution to the sustainability agenda, to the existing Risk Reduction Planning guidance is appropriate.

Working with Children and Young People

3.15 The Children Act 2004 and its associated statutory guidance documents, places a duty to co-operate on local authorities and a range of partners to

improve the well being of children in each local authority area. This includes a duty on local authorities to consult FRAs. The FRAs have an important part to play in contributing to the well-being of children and young people, for example, in joint preventative work to ensure healthy lives and safe behaviour. FRAs should undertake long term fire safety awareness/education programmes working with young people.

3.16 The Assembly Government believes that FRAs' personnel provide strong role models and have an important role to play in contributing to the development of children and young people. In addition, the Assembly Government aspires to positively influence those at risk of offending and engage and intervene with offenders to prevent re-offending. FRAs have an important role to play in this through Assembly Government funded youth intervention programs such as 'Phoenix' and 'Dragon' which look to engage with this target group. This will help deliver a key priority in the all-Wales Youth Offending Strategy, which is to stop children and young people entering the criminal justice system. FRAs should engage with the local children and young people's partnership to ensure the FRA is properly integrated within the area.

3.17 In order to take this work forward and to aid the development of partnerships between the FRAs and Youth Services, the Assembly Government has undertaken to fund a National Co-ordinator post, in line with the recommendations in the 'Developing Effective Practice with Young People across Wales' (September 2007) report. The post will be for a period of 12 – 24 months, and the post holder will seek to develop, advise and implement key partnership work and support strategy relating to children and youth services policy.

Prevention and Raising Awareness

3.18 Making provision for the promotion of fire safety is a statutory duty for FRAs under the 2004 Act and one of the methods of delivering this is general fire safety messages. General fire safety messages in Wales under the 'Fireflash' brand are aimed at all sectors of society and are available in a variety of formats and selection of languages. Fireflash was introduced in 2005 and focuses on key themes which represent the main fire threats faced by the FRAs and the people of Wales. The campaigns are now being overseen by a FRAs led National Publicity Group. The Assembly Government has now agreed to hand over co-ordination of this work to FRAs and Firebrake. These bodies will work together and with other partners to develop activity which meets the statutory responsibilities of the FRAs.

3.19 Because of the importance of engaging with children, the Assembly Government made available funding for a range of specific Key Stage materials, which recognises the importance of engaging with children and as part of the Personal and Social Education element of the National Curriculum. The Assembly Government expects FRAs to continue and develop this activity. However, in order to ensure effective targeting of educational resources, the Assembly Government will ask the FRCF to evaluate the

effectiveness of activity to date and consider how greater collaboration with the police and other agencies can help meet the wider community safety agenda.

Arson Reduction

3.20 Arson continues to be a problem in Wales, particularly in the most disadvantaged communities. Many of the initiatives already mentioned, such as the Assembly Government's youth intervention programmes and the provision of sprinklers, will have an impact on the problem. The Assembly Government's Wales Arson Reduction Strategy ('WARS'), provides a template for targeting activity and resources among those organisations involved in tackling arson. 'WARS' focuses attention on the main arson problems in Wales, such as grass and mountain fires which cause such widespread destruction to flora and fauna and disruption to communities.

3.21 The Assembly Government is providing funding up to 2011 to continue the work of Arson Reduction Teams in Wales, and put in place an all-Wales Arson Reduction Team Co-ordinator. The Co-ordinator will assist the FRAs, the Arson Reduction Teams and the Assembly Government to deliver the objectives contained within WARS.

Protecting Firefighters Carrying Out Their Duties

3.22 The Assembly Government will not tolerate attacks on firefighters and will work with the FRAs to see what can be done to tackle the root cause of attacks and what can be done to mitigate the effect of incidents when they do occur. The Assembly Government expects FRAs to make use of Violence at Work guidance prepared by CFOA and use and work with the criminal justice system to bring offenders to justice.

3.23 The Emergency Workers (Obstruction) Act 2006 came into force on the 20 February 2007. Its primary objective is to offer protection to front line emergency workers (including firefighters) both for their safety and to allow them to carry out their duties without hindrance. This Act contains two new offences:

- obstruction or hindrance of certain emergency workers responding to emergency circumstances or preparing to do so, and
- obstruction or hindrance of those who are assisting certain emergency workers responding to emergency circumstances.

3.24 A person employed by a FRA in England or Wales is an emergency worker for the purpose of the Act. Emergency circumstances are defined as circumstances which are present or imminent, and which are (i) causing or are likely to cause death or serious injury or serious illness, serious harm to the environment, serious harm to any building or other property, or a worsening of any such injury, illness or harm; or (ii) likely to cause the death of a person. The maximum penalty for an offence under this Act is a level 5 fine (currently up to £5000).

Reducing Road Traffic Collisions ('RTCs')

3.25 Emergency response to RTCs is a significant part of the FRAs' workload. Road Safety Wales is the body established to develop and sustain co-operation and interaction between local authorities, the Welsh Assembly Government, Welsh Police Forces, the Welsh Ambulance Services, NHS Trusts and Royal Society for the Prevention of Accidents. It advises the Welsh Ministers on road safety policy issues and helps monitor progress of road safety casualty reduction targets. Its mission is to further reduce casualties through collaborative working. The FRAs are expected to remain members of Road Safety Wales.

3.26 FRAs are becoming increasingly active in the RTC preventative agenda through initiatives such as Bike Safe, the All Wales RTC Scoping Study and a variety of other activities. FRAs are expected to maintain their commitment to this preventative agenda. As previously stated, the Assembly Government will ask the FRCF to consider the next stage of development of Service Standards which will include a consideration of the establishment of a Standard for the attendance of RTCs.

Fire Safety Order

3.27 The Regulatory Reform (Fire Safety) Order 2005 ('the FSO') applies to a wider range of premises than that of previous fire safety law. FRAs now have a larger number and wider range of premises in which to enforce the FSO, for example, small guest houses and bed and breakfast. To support this work the Assembly Government will issue a suite of Fire Safety Risk Assessment Guides and encourages FRAs to work with each other to develop a common approach to their duties under the FSO.

3.28 The FSO provides that FRAs, as enforcing authorities, must have regard to Fire Safety Risk Assessment guides; enforcement guides; and any other guidance issued by the Welsh Ministers when enforcing the provisions of the FSO.

3.29 Under article 36 of the FSO, Welsh Ministers are responsible for making a determination relating to disputes between the enforcing authority and the person responsible for fire safety at the premises if requested to do so by both parties. This is limited to a determination of the measures which are necessary to remedy the failure by the responsible person to comply with the FSO.

Automatic Fire Alarm Signals

3.30 Unwanted fire signals have an impact on FRA resources. Attending false alarms mean that fewer resources are then available for true emergency incidents. The Assembly Government expects the FRAs to follow guidance and to seek to work in partnership with businesses and other organisations to reduce hoax calls, unwanted signals and introduce a log of callers and properties creating the greatest demand. The FRCF will be asked to report on

activity in relation to Automatic Fire Alarms and advise on actions to address the problem.

Fire Investigation

3.31 Fire Investigation can provide an invaluable insight into the behaviour of fire and therefore can provide useful evidence on ways to manage risk in the future. Across the UK, few FRAs are in a position to deploy adequate resources to ensure effective fire investigation. This activity is one that should be delivered more effectively by FRAs by working collaboratively to share experience, costs, best practice and ensure consistency of approach. The Assembly Government would like to see FRAs working towards this. The Assembly Government note that the FRAs have already made some progress in producing a report on regional fire investigation in Wales. The Assembly Government will work with the FRAs to develop an effective policy on fire investigation.

Co-responding

3.32 First Responder schemes provide appropriately trained, equipped and competent individuals who can respond to life threatening emergencies at the request of the Ambulance Service. When a FRA acts in this role, the FRA is called a Co-responder. All Co-responder calls will attract a response from both the FRA and the Ambulance Service. The FRA Co-responder acts as agent of the Ambulance Trust, established through a formal partnership, constituted under a Memorandum of Understanding. A number of co-responder schemes already operate across Wales. The Assembly Government's aim is for a more systematic delivery of co-responding, targeting those areas where benefit would be greatest (such as rural localities) as a priority.

Research

3.33 The Assembly Government wishes to make better use of data and evidence in developing its policies, to ensure that it uses the most effective systems for service delivery. The Assembly Government will endeavour to ensure that FRAs in Wales are involved in and benefit from research undertaken by central government. The Assembly Government will monitor the department for Communities and Local Government's ('CLG') proposals for a Fire Research Academy which will provide a collaborative forum for fire related research across industry, academia and government, and will participate where appropriate. The Assembly Government will also consider the need for a separate research strategy/programme for Wales. FRAs are encouraged to collaborate on research and development projects relating to technology and equipment trials, tactical planning and policy reviews.

Statistics

3.34 Fire incident data collection will continue to be undertaken by CLG with a full data set being provided to the Assembly Government. The Assembly Government expects FRAs to fully implement the new electronic Incident Recording System by April 2009 and to continue to supply data under section 26 of the Fire and Rescue Services Act 2004 to CLG. This will be through fire data returns and via the Incident Recording System, once it has been implemented by individual FRAs. The Assembly Government will publish statistics specifically to meet the information needs of Welsh FRAs and their partners. This data will provide the public with more information about the performance of the FRAs in support of the existing Wales Programme for Improvement ('WPI') process and performance measurement framework. It will also provide evidence for the Assembly Government's policy development and for the FRAs to use in their own planning processes.

3.35 The Assembly Government will continue to collect and publish information relating to FRAs corporate and operational resources through statistical releases and bulletins and also through the Assembly Government's interactive statistic service, Stats Wales.

CHAPTER 4 – WORKING TOGETHER EFFECTIVELY

4.1 Chapter 1 explained that a key theme for this Framework is collaboration. There are already many excellent examples of the FRAs working together and with other partners to deliver a level of service to the community which they could not achieve working in isolation. The key now is to build on those existing relationships and to foster new ones in areas where collaboration does not yet occur. This will ensure that the FRAs deliver Assembly Government priorities set out in 'Making the Connections'.

Community Safety – through collaboration

4.2 The FRAs have a statutory responsibility to make provision for the purpose of promoting fire safety under section 6 of the 2004 Act. The Assembly Government believes that each FRA approaches and implements community safety activity differently. The Assembly Government would like to see an increase in collaboration across the public sector generally. In order to support the expansion of collaborative activity in community safety, the Assembly Government will ask the FRCF to examine the work of the FRAs' Community Safety Departments. For example, personnel, support services and facilities could be considered to see how greater collaboration and integration could work.

Procurement

4.3 The Assembly Government's vision is for the public sector in Wales to be exemplary in maximising the economic, social and environmental benefits of its procurement activities. Value Wales has developed the sustainable procurement assessment framework, an innovative five level model designed to assess an organisation's performance in terms of sustainability and procurement. All public sector organisations are expected to reach level 3 by 2009 and FRAs should work towards this target. Through Value Wales, and nationally via Firebuy, FRAs in Wales have the option of taking advantage of increased purchasing power and economies of scale. The decision to opt in to each procurement contract developed by Firebuy will be determined locally by each FRA based on the FRA's consideration of the merits and benefits of the contract. Working with Value Wales, FRAs have developed a procurement strategy for Wales which provides a Framework for meeting the Assembly Government's procurement agenda through a collaborative approach. FRAs should, through the CFOA Procurement Group, develop action plans for the various delivery themes identified in the strategy.

Climate Change and Sustainability

4.4 Climate change will impact on the nature and number of incidents that require response from the FRAs and the ability of the FRAs to mitigate the damaging effects on the environment. The Assembly Government expects FRAs to play their part in taking forward activity which contributes to a sustainable Wales by:

- demonstrating statutory compliance with, and corporate responsibility on, environmental issues;
- considering their own activities and aiming to reduce their impact by taking opportunities presented to improve energy consumption across their estate and vehicle fleet;
- taking part in multi agency work as part of bodies such as the Welsh Forum for the Control of Countryside Fires.

Sharing Information among Agencies

4.5 Greater collaboration and joint working has considerable potential to improve effectiveness and efficiency in the delivery of both response and prevention services.

4.6 The Crime and Disorder Act 1998 established partnerships between police, local authorities, fire and rescue authorities, health authorities and police authorities, which are known as Community Safety Partnerships. The purpose of these partnerships is to ensure that all these agencies develop and implement strategies to tackle local crime and disorder and combat substance misuse.

4.7 The Police and Justice Act 2006 included a power on the Welsh Ministers to make further provision relating to the formulation and implementation of the strategy to reduce crime and disorder and combat substance misuse. These are in the form of a framework of National Standards. These standards were introduced by the Crime and Disorder (Formulation and Implementation of Strategy) (Wales) Regulations 2007 and the Substance Misuse (Formulation and Implementation of Strategy) (Wales) Regulations 2007 and came into force on 19 November 2007.

4.8 FRAs are also engaging across the public sector in order to share information and data. The Wales Accord on the Sharing of Personal Information ('WASPI') was issued by the Welsh Assembly Government in August 2006. It enables service provision and other organisations directly concerned with the wellbeing of an individual to lawfully share information. The Assembly Government expects each FRA to formally adopt WASPI.

CHAPTER 5 – RESILIENCE

5.1 The nature, size and scale of emergencies are not predictable. The Assembly Government will continue to work with FRAs and other partners to ensure that our communities remain safe and secure places to live and work.

Contingency Planning

5.2 Business continuity management plays a vital role in ensuring that FRAs are able to discharge their statutory duties during times of large scale staff absence, (such as flu pandemics, large scale disasters which require the deployment of staff for long periods of time and periods of industrial action). The Assembly Government has worked effectively with the WLGA and CFOA to support self sufficiency in emergency cover across the country.

5.3 Each FRA should have in place a plan to provide contingency arrangements for a variety of emergency situations examples of which are set out in 5.2 above. FRAs should liaise as necessary with other relevant organisations in the development of their plans and emergency cover provision, but without reliance upon support of the Armed Forces.

Mutual Assistance

5.4 Effective emergency response arrangements are paramount for both public and firefighter safety. FRAs have for many years provided mutual support across borders for fire and non-fire related emergencies through the shared availability of fire crews and appliances. FRAs already have knowledge of working practices which spans FRAs boundaries, including borders between Wales and England, and should have in place arrangements to support each other when called upon.

5.5 FRAs should have commonality in working practices and, where possible, standard operating procedures to cover all eventualities. FRAs should seek to develop arrangements to support a potential deployment of operational staff at Gold and Silver Command levels both across Wales and across borders.

Flooding and Water Rescue

5.6 The recently published Pitt Review¹ into the floods in England in 2007 recommended that water rescue and provision for flooding should become a statutory function for FRAs. The Assembly Government will consider the implications of the Review for Wales and FRAs and will seek to discuss a way forward with colleagues in the UK Government. This will ensure an approach which reflects the needs of Wales and provides adequate resilience across borders.

¹ http://www.cabinetoffice.gov.uk/thepittreview/final_report.aspx

Civil Contingencies Act 2004

5.7 The Civil Contingencies Act 2004 aims to deliver a single framework for civil protection in the United Kingdom capable of meeting the challenges of the twenty-first century. The Act is separated into two substantive parts: local arrangements for civil protection (Part 1) and emergency powers (Part 2).

5.8 Functions under the Act have not been transferred to Welsh Ministers but Welsh Ministers have a statutory role to play in the introduction of regulations and guidance that apply to category 1 and 2 responders which relate wholly or partly to Wales. Also, emergency regulations which apply wholly or partly to Wales may not be made without consultation with the Welsh Ministers.

5.9 FRAs must participate in the four Local Resilience Forums ('LRF') in Wales and the Wales Resilience Forum in accordance with the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005. The LRF facilitates co-operation between Category 1 Responders. FRAs are category 1 responders and are therefore obliged to co-operate with other category 1 responders and with category 2 responders and should co-operate with other organisations engaged in response in the same local resilience area.

New Dimension

5.10 FRAs should remain committed to providing resilience and a New Dimension capability for Wales. This will support and protect the National Critical Infrastructure, ensuring the initial programme and investment is sustained and developed as appropriate. The Fire and Rescue Services (Emergencies) (Wales) Order 2007 ('the Emergency Order') obliges FRAs to make provision to meet emergencies involving chemical, biological, radiological or nuclear contamination, or requiring urban search and rescue capability, and to assist affected FRAs where reasonable. The FRAs will have a continuing role to maintain and deploy New Dimension resources to respond to and aid recovery from emergencies. The Emergency Order only applies to the FRAs in Wales and therefore in order to deal with national border issues the Assembly Government will seek to agree mutual aid guidance and arrangements with the Governments of the UK, Northern Ireland and Scotland. The use of New Dimension resources should not be restricted to Level 4 and 5 major emergencies² and may be used at incidents and to mitigate local risks.

5.11 The Assembly Government will put in place funding arrangements to provide for the Long Term Capability Management ('LTCM') of the New Dimension vehicles and equipment. FRAs should co-operate with and

² Level 4 incident means a major catastrophic event that requires the co-ordinated mobilisation of UK National resources from beyond the New Dimension region in which the event occurs. A Level 5 incident demands the same level of mobilisation as Level 4 incident but extends to International resources as well as UK National resources

participate in the LTCM arrangements for the maintenance, repair and replacement of the New Dimension vehicles and equipment in their possession.

5.12 A UK wide team operating under the umbrella of CFOA will be asked to provide an operational quality assurance function for the whole UK New Dimension capability.

5.13 The Assembly Government recognises the commitment that the FRAs give to international rescue through the UK Fire Services Search and Rescue Team and the continuing training provided through the Urban Search and Rescue capability.

Firelink

5.14 A vital element of resilience in Wales is the introduction of Firelink. Firelink is a common, resilient, inter-operable radio communications system that is expected to roll-out to Welsh FRAs from late 2008 and is expected to be fully operational by the end of 2009. Firelink, together with a resilient technical solution, once installed at the three control rooms, will offer a significant enhancement in the operational capability of the FRAs in Wales in order to deal with major incidents requiring local, regional or national co-operation.

5.15 The FRAs should collaborate with the Assembly Government, Firelink Project Management Team and Airwave Solutions Ltd to assist the roll-out of Firelink. The Wales Firelink Regional Roll-out Board and Regional Change Control Board will be the forum for monitoring and evaluating the delivery of Firelink to Wales.

5.16 The Assembly Government is committed to funding the essential core capital element of Firelink and will consider and adopt the most appropriate funding policy and re-charge mechanism in relation to the on-going maintenance and service fees for the duration of the contract before the roll-out of Firelink is completed and operational in Wales.

Control Rooms (resilience and tri-control)

5.17 The three FRAs are undertaking major reviews and upgrading of their command, control and mobilising functions with the advent of the roll-out of the new Firelink digital trunked radio system. FRAs should continue to engage in exploring long-term partnerships and collaborative joint working arrangements with the other emergency services to enhance operational effectiveness and best value. The arrangements should provide for resilience in respect of command, control, mobilisation and an all-Wales “fall-back” through integration and mutual support. Additionally, the Assembly Government encourages the Joint Emergency Services Group’s multi-agency control room strategy to explore the future of joint emergency services control rooms in Wales.

5.18 The Assembly Government will consider the recommendations of the Wales Firelink Roll-out Board working group which is looking at the best way to provide a solution to the vulnerability and operational continuity of control rooms in the event of complete failure or overload. It is intended that the solution they propose will be resilient and compatible with the Firelink system.

CHAPTER 6 – PEOPLE AND PEOPLE DEVELOPMENT

6.1 People at all levels within the FRAs make a vital contribution to ensuring the success of the services provided by the FRAs. The Assembly Government recognises that the quality of the services which are received by the public depends on how well FRAs manage this valuable resource. 83 per cent of the three FRAs' operating budget is spent on employing people (2005-2006 figures). FRAs should create and maintain a professional and diverse workforce which should reflect the communities it serves in accordance with equality and Welsh language legislation, and has the capability to deliver an effective and efficient service.

Human Resource Strategy

6.2 A well equipped, skilled, motivated, flexible and diverse workforce is essential for FRAs to meet the needs of the future. The Assembly Government welcomes the Human Resource ('HR') strategy that the FRAs have collaborated to produce. The strategy focuses on people management, workforce planning and workforce development, whilst embedding the Integrated Personal Development System ('IPDS') (which provides a competency based personnel management approach using role maps underpinned by National Occupational Standards) within the broader HR function. FRAs should develop local plans to support the implementation of the wider strategy and its various strands. FRAs should also collaborate to share local HR policy and good practice across Wales and should adopt the Assembly Government's Corporate Health Standard striving to achieve the highest award possible.

Workforce Development

6.3 It is vital that staff can work across organisational boundaries in order to maximise resources and improve efficiency. To do this effectively, people who are recruited by the FRAs should be developed and progressed using the same standards. The Assembly Government recognises the benefits and supports the principles of IPDS. FRAs should implement IPDS fully and consistently for all staff employed under Grey and Gold Book conditions. In addition, FRAs should apply IPDS principles to the recruitment, development and progression of all other staff. FRAs should ensure that all duty systems and staff groups have equal access to opportunities for development and progression. This should include undertaking individual annual performance reviews, including an assessment against National Occupational Standards, and ensuring that all employees have clear training and development plans that take account of lessons learnt from research and service incidents.

6.4 Through the Organisation Development Strategic Group, FRAs should develop collaborative approaches to workforce development and the delivery of IPDS. This should include undertaking a national recruitment drives where feasible, using the National Point of Entry Selection Tests. FRAs should use verified Assessment Development Centre approaches to progression, which

are recognised in Wales and the rest of the UK, to ensure transferability and interoperability of skills and competencies.

Leadership Development

6.5 FRAs also need strong and skilled leaders at all levels and in all sectors of the organisation, with the right skills and attributes to meet the on-going challenges of the service. To achieve this, staff should be afforded the opportunity of achieving their full potential through appropriately targeted development and training. FRAs in Wales have endorsed 'Aspire' which is the Fire and Rescue Service Centre for Leadership transformational leadership model. The Assembly Government supports the use of specific developmental programmes as part of a modular approach which FRAs should embrace. This should include management and leadership programmes provided through Public Sector Management Wales.

Equality and Diversity Strategy

6.6 It is important that bilingual skills are integrated into FRAs' workforce planning, in order to ensure that FRAs are able to deliver **bilingual** services in line with statutory schemes and to reach out to the communities they serve. FRAs should, for instance, close any gaps that may exist between current and required levels of bilingual skills by providing training for staff who wish to learn Welsh and recruit staff with bilingual skills to specific posts within FRAs.

6.7 The Assembly Government also recognises the need to put in place policies, processes and procedures designed to deliver a change in the performance of the FRAs with regard to equality and diversity issues and this will be reflected in the Assembly Government's Single Equality Scheme. The Welsh Language will be embedded into the implementation of the outcomes in this Single Equality Scheme.

6.8 The WLGA have developed the Equality Improvement Framework ('EIF') which replaces the Equality Standard for Local Government in Wales. It has been designed to fit into the Assembly Government's approach to performance management and improvement through WPI and can be used as a self-assessment tool. The EIF seeks to improve equality outcomes for race, disability, gender, sexual orientation, religion & belief, age, Welsh language and can be broadened to address other dimensions of inequality. During 2008 the Assembly Government will consider, with CFOA, whether to introduce EIF for FRAs in Wales and equality and diversity recruitment targets to enable FRAs to measure success locally and at an all-Wales level. If adopted, FRAs will be expected to use the EIF as the mechanism for analysing improvement in equality and diversity performance.

Retained Duty System

6.9 The Retained Duty System ('RDS') workforce in Wales constitutes 47 per cent of serving Welsh firefighters and is essential to the continued effectiveness of FRA activities. Pay and terms and conditions are key to the retention and recruitment of a workforce which has high morale and self esteem. It is important that full use is made of the valuable skills RDS personnel have and that more is done to overcome recruitment and retention challenges.

6.10 The Assembly Government wants to see FRAs working towards establishing a sustainable RDS system which recognises the importance of the individual's commitments, and rewards them sufficiently for that. The system should meet the needs of individuals and the communities they serve, acknowledge local diversity, and should be sustainable for each FRA in the long-term.

6.11 The Assembly Government recognises the innovative approaches that Welsh FRAs have taken to improve recruitment and will continue to work with FRAs in encouraging more people to apply to join the RDS. This will include working with other public sector partners to encourage the release of employees for the RDS.

6.12 The Assembly Government, working with FRAs, will, during the lifetime of this Framework, undertake a root and branch review of the operation of the RDS system in Wales, including the barriers the system faces, and make recommendations to Welsh Ministers.

CHAPTER 7 – PERFORMANCE MANAGEMENT TO DRIVE IMPROVEMENT

7.1 During the financial year 2008-2009 the Assembly Government's total fire Standard Spending Assessment for FRAs is £136m. How this money is spent by FRAs and the quality of services it provides is critically important. Performance management and financial governance need to be of a high standard as this will lead to good management and stewardship, continuous improvement, good public engagement and, ultimately, good outcomes. FRAs should have systems and structures in place to monitor performance and ensure value for money of the service they provide.

Public Sector Efficiencies

7.2 As part of the expectations of the 'Making the Connections' programme, the Assembly Government aims to deliver, through public sector organisations, a one percent efficiency target in the period 2005 to 2010. This will amount to a saving of £600m across the whole of the Welsh public sector in cash and non cash terms. FRAs reported efficiencies in 2005-2006 and 2006-2007 that exceeded this one percent target. FRAs should continue to deliver this target and report performance in their annual improvement plans and also separately to the Assembly Government. They should collaborate through the CFOA Wales Procurement Group to ensure that innovative proposals for achieving efficiencies are shared across Wales.

Managing Performance and Improvement

7.3 As Best Value Authorities, FRAs have statutory duties under the Local Government Act 1999 to secure continuous improvement and report on their performance. FRAs should apply the WPI and associated guidance which have been designed to reflect the Assembly Government's shared vision of public service improvement and local and national accountability for it. This guidance highlights the benefits of presenting a clear and cohesive picture of an FRA's performance and areas where it plans to improve, alongside its proposals for risk reduction in terms of service delivery.

7.4 The Local Government and Public Involvement in Health Act 2007 confers on the Assembly Government a Measure-making power broadly covering the Best Value regime. The Assembly Government will bring forward a Measure during the 2008-2009 legislative programme dealing with service improvement based on greater engagement with citizens and a fuller understanding of local priorities. Any statutory changes resulting from the use of these powers will result in the development of new or further guidance on the application of WPI to FRAs.

7.5 The Assembly Government continues to view Operational Assurance of Service Delivery Peer Assessment as a key element of the WPI process. The Fire and Rescue Adviser will play an important role in the future assessment process by adding a further tier of independent scrutiny.

Performance Measurement Framework and Software

7.6 In order for FRAs to demonstrate improvement, a new framework for performance measurement was implemented for 2007-2008. The framework introduces a reduced number of performance indicators developed to focus on the delivery of key Assembly Government priorities, some of which are intended to be made statutory by order. These are supported by a set of non-statutory indicators and local indicators developed by FRAs that can be used and reported more flexibly according to local circumstances. FRAs are expected to have regard to these non-statutory and local indicators in measuring their performance in the exercise of their functions. Statutory and non-statutory performance indicators are set out in Annex B.

7.7 The Assembly Government has funded the procurement of a pan Wales Performance Management Software System called Ffynnon, introduced in 2007. Ffynnon provides a tool for partners to monitor and manage performance by bringing a range of information together – performance indicators, risks, actions, projects and milestones. Ffynnon is the Assembly Government's preferred performance management system and FRAs should therefore give detailed consideration whether to implement it as local authorities in Wales have done.

Charging

7.8 The Fire and Rescue Service (Charging) (Wales) Order 2006 prescribes the circumstances in which FRAs may charge for services. The approach varies between FRAs, and it is for each FRA to determine whether they charge for a particular service and the circumstances in which they impose the charge, provided that when they do so it is in accordance with the Fire and Rescue Service (Charging) (Wales) Order 2006.

Trading

7.9 The Local Government (Best Value Authorities) (Power to Trade) (Wales) Order 2006 enables FRAs to do anything for a commercial purpose which they are authorised to do for the purposes of carrying out its ordinary functions. This is subject to conditions such as the prior preparation and approval of a business case and the recovery of any costs incurred by the FRA in anything it supplies such as accommodation, goods and services or personnel. In developing trading activities FRAs are expected to develop a consistent methodology, consulting interested parties as necessary.

Asset Management Plans

7.10 The Assembly Government's 'One Wales' document includes the commitment to establish a strategic approach to capital investment and to develop opportunities to access capital finance consistent with an accountable citizen centred public service. This can be achieved through the better use of public assets through the effective use of Asset Management Planning. FRAs are expected to have their own Asset Management Plan ('AMP'). The Assembly Government will provide the necessary guidance to FRAs to assist development of their AMP. FRAs should submit their AMP to the Assembly Government so that the information in each plan can inform the Social Justice and Local Government's AMP and the development of the Assembly Government's capital investment strategy.

ANNEX A

PROTOCOL ON INTERVENTION POWERS UNDER THE FIRE AND RESCUE SERVICES ACT 2004

Preamble

1. This protocol is prepared under the powers contained in sections 23 and 62 of the Fire and Rescue Services Act 2004 (“the 2004 Act”) (see the Appendix) and describes how the National Assembly for Wales (“NAW”) will exercise its powers of intervention under section 22 of the 2004 Act in relation to FRAs (FRAs).
2. This protocol does not relate to intervention in connection with the best value regime contained in the Local Government Act 1999.
3. It should be noted that, in accordance with paragraph 30 of Schedule 11 to the Government of Wales Act 2006, after the appointment of the First Minister following the May 2007 Assembly elections, the responsibility for the functions of the NAW in sections 22 and 23 of the 2004 Act will lie with Welsh Ministers.

Purpose

4. This protocol sets out the general principles which would underpin the exercise of the NAW’s intervention powers under section 22 of the 2004 Act.
5. Under section 21 of the 2004 Act the NAW is required to prepare a Fire and Rescue National Framework which –
 - (a) must set out priorities and objectives for FRAs in connection with the discharge of their functions;
 - (b) may contain guidance to FRAs in connection with the discharge of their functions;
 - (c) may contain other matters relating to FRAs or their functions that the NAW considers appropriate.
6. The NAW is entitled to consider using its intervention powers if it considers that an FRA is failing, or is likely to fail, to act in accordance with the National Framework prepared by the NAW. In this protocol “failure” and related terms refer to such a failing.
7. For the purposes of securing that an FRA acts in accordance with the National Framework, the NAW may by order (a section 22 order) require the FRA -
 - (a) to do something;
 - (b) to stop doing something; or
 - (c) not to do something.

Such an order may only be made if the NAW considers that making the order will promote -

- (i) public safety,
- (ii) the economy, efficiency and effectiveness of the FRA, or
- (iii) economy, efficiency and effectiveness in connection with matters in relation to which FRAs have functions.

8. In addition, a section 22 order may come about in the following circumstances (by virtue of section 24 of the 2004 Act). The Wales Audit Office (WAO) may, or if directed to do so by the NAW shall, carry out an inspection of an FRA's compliance with its duty to have regard to the National Framework in carrying out its functions. Having carried out such an inspection, the WAO's report:

- (a) must mention any matter in respect of which the WAO believes as a result of the inspection that the FRA is failing to comply with the 'have regard' duty; and
- (b) may, if it mentions such a matter, recommend that the NAW makes a section 22 order.

This protocol also applies to the NAW's exercise of its intervention powers which may arise in this way.

Welsh Local Government Association

9. Where evidence shows that an FRA is at risk of failing, there are several ways of rectifying failings. FRA members and officials have the prime responsibility for delivering quality services and addressing shortcomings and failings. The WLGA, as the umbrella organisation representing local authority bodies, including FRAs, also has a consultative and supporting role in the process. Support may also be offered by other public sector bodies or through the identification and procurement of external advice and assistance.

Principles governing intervention by the NAW

10. The NAW will consider exercising its intervention powers under section 22 of the 2004 Act only where there is clear evidence that an FRA is failing to act, or is likely to fail to act, in accordance with the National Framework. Furthermore, formal intervention will only take place after:

- (a) the NAW has drawn an FRA's actual or potential failings to its attention; and
- (b) the FRA has failed to rectify them and/or to seek the support of others to do so.

11. Whilst there is no statutory definition of a failing, each case will need to be considered on its merits. Failings arise when the severity, frequency or persistence of problems exceed that which can be dealt with informally.

Evidence leading to a need to consider intervention may come from a variety of sources, including for example:

- annual audits of financial accounts;
- audit of Risk Reduction and other performance plans;
- WAO inspections and the WPI Joint Risk Assessment Process;
- inspection reports;
- public interest reports;
- reports of inquiries, Ombudsman investigations or judicial findings;
- concerns raised about serious danger or harm to the public or environment.

12. Any such formal intervention can only be made by order and that order will only be made by the NAW if it considers that making the order will promote public safety; the economy, efficiency and effectiveness of the FRA; or economy, efficiency and effectiveness in connection with the matters in relation to which FRAs have functions. Before making any order the NAW must give the FRA in question the opportunity to make representations about what is proposed.

13. The form and extent of the intervention will be commensurate with the type and seriousness of failure.

14. Except in cases of serious failure or unless there is a need for urgent intervention, the FRA will normally be given the opportunity to make the necessary improvements itself with appropriate support as described below.

Exercise of intervention powers

15. Each case will require investigation, discussion and engagement with the FRA (and, where appropriate, partners) before any formal notification of failing is placed before the FRA.

16. In all cases of engagement, whether these lead to formal intervention or not, action will be coordinated and proportionate in line with the principles in this protocol. This could also involve taking no further formal action if the NAW is satisfied that the FRA, with or without any informal support, can address identified failings itself.

17. The NAW will work with the FRA to identify possible sources of support and guidance. However the need for engagement is identified, it will be necessary to determine as soon as possible whether action is needed to tackle any failing or weaknesses likely to lead to failings.

18. If the NAW decides that the facts of the case mean that intervention may be necessary, the usual sequence of action would be as follows (but see paragraph 19 below):

1. Following the identification of a failing or a likely failing the NAW will write to the FRA concerned alerting them to its concerns and giving

the FRA an opportunity to address the failing or likely failing. The letter will:

- state that it is written in accord with this protocol
- state that the NAW considers that the FRA is failing or is likely to fail
- outline the grounds for that concern
- invite representatives of the FRA to a meeting to discuss the areas where the NAW considers that the FRA is failing or likely to fail.

The meeting should normally take place no later than twenty working days after receipt of the letter. The meeting will consider the grounds for concern, any representations from the FRA and actions the FRA should take to address the concerns.

The NAW will attempt to agree actions to be taken by the FRA to resolve the failing and agree with the FRA a series of reports or meetings or both to monitor progress in resolving the failing. If the FRA finds it difficult to resolve the failing, the NAW will discuss with the FRA what further advice and assistance may be available (in particular from the WLGA and/or WAO).

Following the meeting, the NAW will consider whether to decide to accept any representations that there is no failing or whether it decides to agree to any proposed course of action by the FRA is required and will write again to indicate its conclusion.

2. If, following step 1, the NAW considers that intervention may still be required, the FRA, WLGA and WAO will be notified in writing as to why the NAW considers the FRA is failing or is likely to fail and that the NAW is considering making an order that the FRA:
 - do something;
 - stop doing something; or
 - not do somethingin relation to the identified failing.

The 'something' will be described in the notification.

3. The FRA will be given a specified deadline of not less than two weeks to produce a statement of action addressing and resolving the issues raised by the NAW in Step 2, or reasons why the FRA considers it is not failing or likely to fail.
4. The statement of action will need to set out clearly the actions to be carried out, the people responsible, the costs involved, the intended outcomes, the dates by which they are to be achieved and the FRA's own proposals for monitoring and implementing the statement of action;
5. If the statement of action is acceptable to the NAW, the FRA, WLGA and WAO will be informed how implementation will be

monitored, and given a deadline by which the issues raised must be resolved to the NAW's satisfaction. If during the monitoring of a statement of action evidence emerges that the FRA is continuing to fail to act in accordance with the National Framework, the NAW will inform the FRA of how it intends to proceed in accordance with this protocol.

6. If –
- the reasons given in Step 3 or the statement of action are unacceptable to the NAW, or
 - monitoring the statement of action shows that it is not being implemented effectively or the outcomes are not being met on time,
- the NAW will consider whether to make a section 22 order, and if it decides to do so it will notify the FRA, WLGA and WAO accordingly.

Intervention in cases of urgency

19. There may be exceptional cases where the severity or persistence of failure, or the continuing risk of harm or financial loss associated with such a failure, show that urgent intervention is necessary. If such circumstances prevail, and a FRA could reasonably be expected to be aware of these failings and has failed to take adequate action to address them, then the NAW retains the discretion to abbreviate the procedures outlined above as it sees necessary. When exercising its powers in this way, the NAW will notify the FRA, WLGA and WAO of the urgent intervention that is necessary and the reasons for the intervention, and will provide a full explanation of its reasons for curtailing the procedures. In any case, the NAW must always give the FRA the opportunity to make representations to the NAW about any order it proposes to make. However, FRAs should be aware that in cases of urgency the FRA will have a limited period of time to respond.

Ending of intervention

20. In cases of intervention under this protocol short of making an order, the NAW will write to the FRA, with a copy to the WLGA and WAO, when it is satisfied that there are no longer grounds for serious concern.

21. If the NAW, having made an Order, is satisfied that the FRA has fully complied with it, the NAW will write to the FRA, WLGA and WAO giving notification of the decision and reasons for it.

22. In both cases the NAW will normally undertake regular monitoring. If thought appropriate an "exit strategy" will be agreed with the FRA, WLGA and WAO in order to provide the public with the comfort that any failings have been fully rectified.

Media relations and exchange of information

23. Any announcements, publications or press releases issued by the NAW in relation to any part of the procedures for intervention covered under this protocol will always be made directly to the FRA involved, the WLGA and WAO before any statements, if any, are released to the media. Where announcements are provided on an embargoed basis they will be provided to the FRA involved, the WLGA and WAO on the same terms. The need for media strategies in cases of intervention will also need agreement between all parties involved.

ANNEX B - Fire and Rescue Authorities– Performance Indicators

Below are the performance indicators for 2007-08 onwards for the Fire and Rescue Authorities (FRA) in Wales. The indicators are made up of strategic and core indicators. These will be supported by local indicators introduced by each FRA to meet local specific needs.

Strategic Indicators

Risk Reduction and Community Safety

Reference	Indicator
FRS/RRC/S/001	<ul style="list-style-type: none"> i) Total number of fires attended per 10,000 population; ii) Total number of primary fires attended per 10,000 population; iii) Total number of fires attended which were started accidentally in dwellings per 10,000 dwellings; iv) Total number of fires attended which were started deliberately per 10,000 population.
FRS/RRC/S/002	<p>The number of:</p> <ul style="list-style-type: none"> i) Deaths caused by fires per 100,000 population; ii) Deaths caused by fires which were started accidentally per 100,000 population; iii) Deaths caused by fires which were started deliberately per 100,000 population; iv) Injuries (excluding precautionary checks) arising from fires per 100,000 population; v) Injuries (excluding precautionary checks) arising from fires which were started accidentally per 100,000 population; vi) Injuries (excluding precautionary checks) arising from fires which were started deliberately per 100,000 population.
FRS/RRC/S/003	The total number of fires in non-domestic premises per 1,000 non-domestic premises.
FRS/RRC/S/004	<ul style="list-style-type: none"> i) The number of homes that are within the above average risk category and the well above average risk category (as determined by the Fire Service Emergency Cover model ('FSEC')) that have received, within the reporting year, a home fire safety risk assessment and are within the five minute service standard. ii) The number of homes that are within the above average risk category and the well above average risk category (as determined by FSEC) that have received, within the reporting year, a home fire safety risk assessment and are within the ten minute service standard. iii) The number of homes that are within the above average risk category and the well above average risk category (as determined by FSEC) that have received, within the reporting year, a home fire safety risk assessment and are outside the ten minute service standard. iv) The total number of fires in homes in which a home fire safety risk assessment and/or associated risk reduction activity

	had taken place within two years before the fire.
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Effective Response

Reference	Indicator
FRS/EFR/S/001	Percentage of fires in dwellings, within the ten minute service standard as identified by each Fire and Rescue Authority, that were attended within ten minutes.
FRS/EFR/S/002	Percentage of fires in dwellings, which have been identified by the Fire Service Emergency Cover model as having a casualty rate greater than six, that were attended within five minutes.

Core Indicators

Risk Reduction and Community Safety

Reference	Indicator
FRS/RRC/C/001	The number of: i) Deaths caused by fires started accidentally in dwellings per 100,000 population; ii) Deaths caused by fires started deliberately in dwellings per 100,000 population; iii) Deaths caused by fires started accidentally in non-domestic premises per 100,000 population; iv) Deaths caused by fires started deliberately in non-domestic premises per 100,000 population; v) Injuries (excluding precautionary checks) arising from fires started accidentally in dwellings per 100,000 population; vi) Injuries (excluding precautionary checks) arising from fires started deliberately in dwellings per 100,000 population; vii) Injuries (excluding precautionary checks) arising from fires started accidentally in non-domestic premises per 100,000 population; viii) Injuries (excluding precautionary checks) arising from fires started deliberately in non-domestic premises per 100,000 population.
FRS/RRC/C/002	i) The total number of malicious false alarms received by the FRS per 1,000 population; ii) The % of all malicious false alarms received that were not attended by the FRS; iii) The % of all malicious false alarms received that were attended by the FRS.
FRS/RRC/C/003	Total false alarms caused by automatic fire detection and alarm systems per 1,000 non-domestic properties.
FRS/RRC/C/004	i) Number of deliberate primary fires attended by the FRS per 10,000 population; ii) Number of deliberate secondary fires attended by the FRS per

	10,000 population;
FRS/RRC/C/005	Smoke Alarms and other fire detection equipment in dwellings.

Corporate Health – Workforce

Reference	Indicator
FRS/CHR/C/001	<ul style="list-style-type: none"> i) The percentage of operational staff working the wholetime and retained duty systems who categorise themselves as having a disability. ii) The percentage of control and non-operational staff who categorise themselves as having a disability. iii) The percentage of people who categorise themselves as having a disability in the Fire and Rescue Authority (FRA) area and are aged between 18 to 54 years.
FRS/CHR/C/002	<ul style="list-style-type: none"> i) The percentage of staff who belong to a minority ethnic group ii) The percentage of people from minority ethnic groups who are aged between 18 and 54 years in the Fire and Rescue Authority (FRA) area.
FRS/CHR/C/003	The percentage of firefighters who are women
FRS/CHR/C/004	<p>The number of working days/shifts lost to sickness absence per full time equivalent employee</p> <ul style="list-style-type: none"> (i) by all staff (ii) by wholetime operational staff (iii) by control staff (iv) by non-operational staff.
FRS/CHR/C/005	<ul style="list-style-type: none"> i) Total No of ill-health retirements as a % of the total workforce; ii) Total no of Wholetime operational personnel ill-health retirements as a % of the total Wholetime operational workforce; iii) Total number of Retained Duty System(RDS) personnel ill-health retirements as a % of the total RDS workforce; iv) Total number of Control personnel ill-health retirements as a % of the total control workforce; v) Total number of Non-operational personnel ill-health retirements as a % of the total non-operational workforce.

Corporate Health – Finance

Reference	Indicator
FRS/CFH/C/001	The percentage of undisputed invoices which were paid in 30 days