

Fire and Rescue Monthly Bulletin

Bulletin number: 21

14 May 2012

Addressed to:

The Chair of the Fire and Rescue Authority
The Chief Executive of the County Council
The Clerk to the Fire and Rescue Authority
The London Commissioner
The Chief Fire Officer

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Revised Civil Contingencies Act Regulations and Guidance

1. Background

The Civil Contingencies Act 2004 brought into being a single statutory and regulatory framework for civil protection in the United Kingdom, establishing fire and rescue authorities as Category 1 responders. The Cabinet Office set up the Civil Contingencies Act Enhancement Programme in December 2008 to review the underpinning regulations and statutory guidance, in consultation with local responders. The recently published revised regulations and guidance are products of this Programme.

The information below was circulated from the Civil Contingencies Secretariat Resilience Gateway on 2 April 2012, but is replicated here for those fire and rescue authorities who may not have seen that Gateway notification.

2. Action

As Category 1 responders, fire and rescue authorities will wish to take note of the publication of the revised regulations and statutory guidance which came into force on 1 April 2012.

The Civil Contingencies Act 2004 (Contingency Planning) (Amendment) Regulations 2012 and the Explanatory Memorandum are available online at: http://www.legislation.gov.uk/uksi/2012/624/introduction/made.

Revised chapters of Emergency Preparedness are available online at: http://www.cabinetoffice.gov.uk/resource-library/emergency-preparedness.

In summary, the main changes in the draft regulations are as follows:

- Category 1 responders must co-operate with Category 2 responders.
- Category 2 responders must co-operate with other Category 2 responders.
- Co-operation is defined more fully and must include information sharing.
- The arrangements for each Local Resilience Forum are to be agreed between all the Category 1
 responders in the local resilience area in consultation with all the relevant Category 2
 responders.
- The Local Resilience Forum is defined more fully.
- A Borough Resilience Forum must be held, in relation to each London Borough, at least once
 every six months. The revised Regulations specify that the London Local Resilience Forum
 must include, in respect of each borough, a Borough Resilience Forum that meets at least once
 every six months, but they do not specify which responders must attend them. Membership of
 the Borough Resilience Forums is to be determined by the London Local Resilience Forum.
- The scope of possible protocols between Category 1 and Category 2 responders is clarified to include provision relating to the duty to co-operate, to attend meetings of the Local Resilience Forum and to share information.
- Two further regulations relate specifically to information sharing. The purpose of the changes are to emphasise the intention that information should be shared as part of routine co-operation.

Emergency Preparedness is the statutory guidance relating to Part I of the Civil Contingencies Act and its supporting regulations. Chapters 2 (Co-operation), 3 (Formal Information Sharing) and 9 (London) have now been updated to introduce greater clarity and to reflect new practices and arrangements as well as the regulatory changes. The changes to the London chapter encapsulate the current regulatory changes as well as those made last year. The earlier changes redefined the London Resilience Area as the pan-London level; altered the duties assigned to the London Fire and Emergency Planning Authority; and named the Greater London Authority as a Category 1 responder. The final set of revised chapters will be available on the Cabinet Office website shortly.

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Strategic governance arrangements for fire and rescue national resilience

1. Background

The draft Fire and Rescue National Framework emphasises the importance of national resilience. The Government, fire and rescue authorities and fire and rescue professionals need to work in partnership in order to ensure continued national resilience. New strategic governance arrangements have been established to enable this to take place, and these arrangements will take the form of a new Fire and Rescue Strategic Resilience Board.

2. Detail

On 15 December 2011, the Department and the Chief Fire Officers' Association wrote jointly to partners about proposed strategic governance arrangements for fire and rescue national resilience. Partners were asked to comment by 16 March 2012. 18 specific responses were received and, additionally, a large number of partners commented on the proposals as part of their response to the Fire and Rescue National Framework consultation. The vast majority of responses were positive, strongly supporting the proposal to establish a new Fire and Rescue Strategic Resilience Board.

The Fire and Rescue Strategic Resilience Board will form a critical part of the strategic governance arrangements for fire and rescue national resilience. It will enable fire and rescue authorities to collectively engage with Government on national resilience issues. The Fire and Rescue Strategic Resilience Board will supplement existing resilience structures, including the existing National Resilience Board, and will provide strategic oversight of fire and rescue national resilience.

The Fire and Rescue Strategic Resilience Board will consider national resilience risks and priorities and current fire and rescue capability in relation to those risks. If it is considered that there are capability gaps and/or redundant capability, the Board will provide advice to ministers on how these should be dealt with.

The Fire and Rescue Strategic Resilience Board will report to the Fire and Rescue Minister, and it will be chaired by Neil O'Connor, Director, Fire Resilience and Emergencies Directorate, Department for Communities and Local Government. Membership of the Board will be drawn from government departments, fire and rescue professionals and fire and rescue authorities, amongst others. The terms of reference and membership of the Board will be agreed at the first meeting which will be held on 31 May 2012.

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Payment of Fire Capital Grant and Fire Revenue Grant 2012/13

1. Introduction

This item provides details of grant payments this financial year.

2. Background

As outlined in the April 2012 bulletin, Fire Capital Grant has now been paid in full for the year with payments being made to authorities on or around 1 May 2012. The amounts paid were as published alongside the Local Government Settlement 2012/13.

http://www.local.odpm.gov.uk/finance/1213/capgrants/DCLG-Fire.pdf

Monthly payments of Fire Revenue Grant have also commenced and these will be scheduled on or around the last working day of each month. Where authorities receive Olympics Security funding as part of their revenue grant, this was paid in full as an adjustment to the main grant. Updated figures can be found at:

http://www.local.odpm.gov.uk/finance/1213/specgrant/indexupd.htm

Please note that the grant is provided as an unringfenced grant and it is for fire and rescue authorities to decide how to allocate it locally.

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Secretary of State Determination under article 36 of the Fire safety Order

1. Background

This sets out the outcome of a determination request that the Secretary of State for the Department for Communities and Local Government received concerning the suitability and sufficiency of a fire risk assessment in a hotel in respect of the adequacy of the existing bedroom fire doors.

Where the 'responsible person' and the enforcing authority agree that there has been a failure to comply with one or more provisions of the Regulatory Reform (Fire Safety) Order 2005 in a premises, but do not agree on the technical solution to remedy that failure, they may agree, if appropriate, to refer the issue to the Secretary of State for determination under article 36 of the Regulatory Reform (Fire Safety) Order 2005.

2. Determination Outcome

The Secretary of State for the Department for Communities and Local Government has considered the facts of this request and has determined that, in this case, the appropriate remedy to the agreed failure to comply with article 9 of the Fire Safety Order, is for the responsible person to prepare a new risk assessment for the hotel in which the absence of intumescent strips and smoke seals on the existing bedroom fire doors is recorded and justified.

This determination is based entirely on the circumstances of the hotel in question and the decision has been taken after careful consideration of the particular circumstances relating to this case.

The analysis underpinning this determination can be found on the Department's website: http://www.communities.gov.uk/fire/firesafety/firesafety/firesafety/law/fsodeterminations/

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National Operational Guidance

1. Background

The Department for Communities and Local Government has recently published operational guidance for the fire and rescue service in relation to Operational Risk Information.

2. Recently Published National Operational Guidance

The Chief Fire and Rescue Adviser wrote to all Chief Fire Officers on the 4th April 2012 to inform them of publication by the Department for Communities and Local Government of the Fire and Rescue Service Operational Guidance – Operational Risk Information. The Operational Guidance Programme identified that there was very limited guidance on this subject area.

The Operational Guidance is available to be viewed and downloaded in an electronic format only and can be found at:

http://www.communities.gov.uk/publications/fire/operationalriskinformation

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Fire and Rescue Authority Reporting – Olympic Games Period

1. Background

The Chief Fire and Rescue Adviser has recently written to all Chief Fire Officers with regard to the reporting requirements and utilisation of the Fire and Rescue Reporting Tool during the Olympic period.

2. The Fire and Rescue Reporting Tool

Each fire and rescue authority has received training and guidance on the reporting tool and following a short period of testing, the system will go live at 0700, 15 May 2012. Fire and rescue authorities have been asked to provide a status update twice a day, at 0700 and 1900. In addition any incidents which meet the pre agreed criteria, set within the system and identified during fire and rescue training, will be reported by exception as they occur.

This reporting process is specifically for the Olympic Games and is in addition to any requirements for reporting through the Incident Recording System.

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