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WELSH STATUTORY INSTRUMENTS

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**2007 No. 1075 (W.113)**

**FIRE AND RESCUE SERVICES, WALES**

The Fire and Rescue National Framework  
(Wales) 2005 (Revisions) Order 2007

*Made* - - - - 28 March 2007

*Coming into force* - - 29 March 2007

The National Assembly for Wales makes the following Order in exercise of the powers conferred by sections 21(6), 60 and 62 of the Fire and Rescue Services Act 2004(1) and having consulted such persons as it considers appropriate in accordance with section 21(5) of that Act:

**Title, commencement and application**

1.—(1) This Order is called the Fire and Rescue National Framework (Wales) 2005 (Revisions) Order 2007.

(2) This Order comes into force on 29 March 2007.

(3) This Order applies in relation to Wales.

**Amendment to the National Framework**

2. The Fire and Rescue National Framework prepared by the National Assembly for Wales and entitled “The Fire and Rescue National Framework (Wales) 2005” published by the National Assembly for Wales in March 2005 is amended in accordance with the Schedule to this Order.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

28 March 2007

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(1) 2004 c. 21.  
(2) 1998 c. 38.

SCHEDULE 1

Article 2

Revisions to the Fire and Rescue National Framework (Wales) 2005

1. Delete paragraph 1.8 and replace with —

“The CFSC aims to take forward its work that impacts upon public safety and has agreed to widen its remit beyond fire safety, for example into areas such as road traffic collisions. To reflect these changes the CFSC will now be known as the Community Safety Committee (“CSC”).”
2. Delete paragraph 2.2 and replace with —

“The Minister for Social Justice and Regeneration stated in 2003 that it was the Assembly Government’s target to reduce deaths in fires by between 30% and 50% in the following five years, and to work with other agencies towards reducing deaths and injuries in road traffic accidents by a similar figure. The baseline figures that will be used to assess the progress of Fire and Rescue Authorities against these ambitious targets will be the figures for the calendar year 2004. During 2004 there were a total of 26 fire deaths; 21 were as a result of accidental fires and 5 as a result of deliberate fires. The Assembly Government will keep the progress under review and will consider activity and achievement against this target periodically during the five year span.”
3. Delete the following from the fourth bullet point in paragraph 2.5—

“It may be that through the auspices of the Joint Emergency Services Group (JSEG) consideration could be given to joint targets for all agencies in Wales”
4. Delete paragraphs 2.6 — 2.17 (including the title “Integrated Risk Management Plans”) and replace with —

**“Risk Reduction Plans**

**2.6** It is in everyone’s interest that Wales becomes a safer place to work and live in, travel to and visit. To assist in risk reduction, the Minister for Social Justice and Regeneration launched the Fire and Rescue Authorities Risk Reduction Plan — Wales a Safer Country on 21 March 2006, which provides that each Fire and Rescue Authority should prepare its own Risk Reduction Plan (“RRP”).

**2.7** To address risk strategically requires an approach that assesses both corporate and community risk. The Assembly Government recognises the complex environments in which Fire and Rescue Authorities operate, and therefore each Fire and Rescue Authority’s Risk Reduction Plan should clearly identify their priorities and allocate resources accordingly.

**2.8** RRP guidance advises Fire and Rescue Authorities to manage risk in a comprehensive, transparent and robust manner. It allows Fire and Rescue Authorities sufficient scope for local flexibility and innovative ways of delivering their services to citizens and communities they serve.

**2.9** Each Fire and Rescue Authority should produce a RRP or annual action plan that focuses on community and corporate risk. The Fire and Rescue Authority’s RRP provides the strategic agenda for that Fire and Rescue Authority.

**2.10** In order for Fire and Rescue Authorities to achieve the targets and standards set out in paragraph 2.2 they 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.

**2.11** As a continued commitment to collaborative working between the Assembly Government and Fire and Rescue Authorities, each Fire and Rescue Authority should informally discuss its proposals and options relating to its RRP or annual action plans with the Assembly Government before the Fire and Rescue Authority commences its public consultation on the RRP or annual action plan.

**2.12** Fire and Rescue Authorities should develop, consult, approve and publish their RRP or annual action plan by 31 October, ready for implementation in the following financial year, in accordance with guidance issued under the Wales Fire and Rescue Service Circular (06)07 entitled Fire and Rescue Authority Risk Reduction Plan — Wales a Safer Country.

**2.13** All responses to the consultation should be evaluated and formally considered by the Fire and Rescue Authority. Following its public consultation and evaluation of responses, Fire and Rescue Authorities should again contact the Assembly Government to discuss the responses to their consultation and its intended course of action, prior to formal Fire and Rescue Authority approval.

**2.14** Fire and Rescue Authorities should publish the consultation responses (with agreement from the consultees), along with their response to the issues raised, in a public document once the RRP has been approved by the Fire and Rescue Authority.

**2.15** Fire and Rescue Authorities are encouraged to use the Fire Services Emergency Cover Toolkit (“FSEC”) to gather evidence as their RRP should be forward looking and shaped by evidence rather than a response to short-term pressures.

**2.16** Each Fire and Rescue Authority has access to FSEC to enable them to predict and manage the risks within their area. Whilst FSEC is not the only modelling tool available, it is the Assembly Government’s preferred tool for gathering and interpreting evidence.

**2.17** In summary, Fire and Rescue Authorities should produce a RRP or annual action plan that:

- Addresses the issue of reducing both corporate and community risk;
- Should be subjected to wide consultation for at least 12 weeks;
- Should be produced with regard to Assembly Government guidance, policies and strategies;
- Is based on robust and reliable data clearly linked to identified corporate and community risks; and
- Should be discussed with the Assembly Government prior to consultation and prior to its formal adoption by the Fire and Rescue Authority.”

**5.—(1)** In paragraphs 2.19, 2.26, 2.39, 2.40, 2.43, 4.13, 4.17, 6.3, 6.8, 6.16, 9.6 and 9.13 substitute “RRP” for “IRMP”.

(2) In the second bullet point on page 5 relating to Chapter 2 substitute “Risk Reduction Plan (RRP)” for “Integrated Risk Management Plans (IRMP)”.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

6. Insert new paragraph after 2.23 —

“**2.23A** In the future the Assembly Government will ask the CSC to consider previous Assembly Government publicity campaigns and the effective use of media before making recommendations on future activity and funding to the Assembly Government.”

7. Add to the end of paragraph 2.26 —

“The pilot schemes will come to an end at the end of December 2007. However, the Assembly Government recognises the need to maintain continuity of activity and will continue to fund the teams whilst CSC evaluates their work and makes recommendations on their future to the Assembly Government.”

8. Insert new paragraph after 2.28 —

“**2.28A** The Arson Strategy, when finalised by the Assembly Government, will form the basis for future anti-arson activity. This Arson Strategy will be called the Wales Arson Reduction Strategy. Anti-arson activity will be kept under review by the CSC. The Assembly Government will ask the CSC to commission a similar strategy for accidental fires.”

9. Add to the end of paragraph 2.32 —

“The Assembly Government will ask the CSC to consider activity in this field, building on activity during the 2007-2008 period.”

10. Add new paragraph after 2.33 —

“**2.33A** The Assembly Government will ask the CSC to consider all activity to date in relation to community safety and arson reduction and to advise the Assembly Government on priorities and funding levels for any future activity from 2007-08 onwards, having regard not only to previous activity but also new priorities for Fire and Rescue Authorities, such as road traffic collisions.”

11. Delete paragraphs 2.39 and 2.40 and replace with —

“**2.39** The Regulatory Reform (Fire Safety) Order 2005 (S.I.2005/1541) (“FSO”) is a major reform of fire safety law. Previous fire safety legislation was contained in over one hundred separate pieces of legislation. The FSO came into force in England and Wales on 1 October 2006. The functions and powers of the Secretary of State in the FSO were transferred to the National Assembly for Wales on 8 June 2006 by the National Assembly for Wales (Transfer of Functions) Order 2006 (S.I. 2006/1458).

**2.40** The main emphasis of the reform is fire prevention at non-domestic premises and a regime of fire risk assessment to be carried out by the responsible person in order to identify, mitigate or remove any risk from fire to persons in or around the premises. Fire certificates were abolished and no longer have any status.

Advice for people responsible for their premises in relation to fire risk assessment is available in the Assembly Government’s Fire Risk Assessment Guides.

Enforcement of the FSO is principally undertaken by Fire and Rescue Authorities, though other authorities may enforce the FSO in settings such as health care and nuclear premises.

A Fire and Rescue Authority’s policy for enforcement of the FSO should form part of its overall strategy for the protection of its community, as detailed in its RRP.

In drawing up their enforcement policy, a Fire and Rescue Authority should prioritise their audit of fire risk assessments and inspections of premises that pose a significant risk to life from fire. Guidance on this matter is contained within Wales Fire and Rescue Service WFRS Circular (06) 06 — Supplementary information for FRAs on

the development of their Risk Reduction Plans (RRPs). This guidance was issued under article 26 of the RRO and does not therefore form part of this Framework.”

12. Delete paragraph 4.3 and replace with —

**“Service Standards**

**4.3** The Assembly Government acknowledges the rigidity of the “1985 Standards of Fire Cover”. They were prescriptive, inflexible and designed to limit the spread of fire from one property to another. They took little account of life safety or fire safety measures within the property.

Service Standards have now been developed to replace the “1985 Standards of Fire Cover”. The Service Standards describe a level of service that people can expect to receive.

The Minister for Social Justice and Regeneration introduced the first Service Standard on the 21 March 2005 by Wales Fire and Rescue Service WFRS Circular (06) 08. This Service Standard sets out the details of the standards expected in relation to the attendance by Fire and Rescue Authorities to fires in the home.

This Service Standard is based upon a comprehensive model that considers population, population density and population type. It is based on risk and has a three strand approach:

1. The Standard is to provide 80% of Welsh homes with an attendance to a fire in the home within 10 minutes.
2. Where the risk area is predicted by FSEC as having a casualty rate greater than 6, faster response of 5 minutes is required.
3. Where FSEC classifies an area as above average risk the Fire and Rescue Authority will need to assess the individual risk and will need to adopt an additional form of risk reduction strategy.

Fire and Rescue Authorities should ensure that a professional and effective response is available to meet the range of education and prevention activities and the emergency incidents to which they respond. This includes:

- Training staff and ensuring that they maintain professional standards, are familiar with risks and understand the concept of risk reduction and management;
- Providing effective command and ensuring control systems are in place;
- Ensuring that incident commanders have appropriate training and experience;
- Ensuring that the right equipment is available and staff are fully supported with appropriate resources to deal effectively with incidents, within agreed Service Standards, and to ensure the safety of those undertaking the tasks; and
- Working together as appropriate.”

13. Delete paragraph 4.4.

14. Add to the end of paragraph 4.14—

“In accordance with Making the Connections and Collaboration Agenda, the Assembly Government supports the case for collaboration between the emergency services, including the use of joint facilities.”

15. In paragraph 5.14 delete the following—

“and the Wales Emergencies Working Group”

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16. Delete paragraph 5.17.

17. In paragraph 5.21 delete the following—

“The arrangements, which have been produced and agreed by the WEWG, reflect the principles contained in Dealing with Disaster and provide a framework for the management of a Welsh national crisis.”

18. Delete paragraphs 5.26 to 5.29 and replace with —

#### **“Firelink**

**5.26** As announced in Wales Fire and Rescue Service Circular W-FRSC(06)09, the Assembly Government has joined with the UK Government to procure a state of the art digital radio communication system named Firelink for Fire and Rescue Authorities in Wales, Scotland and England. This new system will provide Fire and Rescue Authorities with the same technology as the Police and eventually the Ambulance Service in Wales and creates true interoperability and resilience for the first time.

**5.27** The contract for the new communications system has been let to O<sup>2</sup> Airwave Limited. The Assembly Government is investing approximately £44 million over the next 10 years in Firelink and has worked closely with the UK Government to ensure that this investment offers best value for money. The system is being funded by the Assembly Government until operational, and Fire and Rescue Authorities will then contribute to the revenue costs of the new system for the full term of the contract. The contract also provides for the maintenance of the existing radio communication systems until the new Firelink system is fully operational.

**5.28** The programme of works provides that the system should be operational in Wales and be fully interoperable across all of the UK emergency services by mid 2009. Firelink will give Fire and Rescue Authorities the capability to respond effectively to large-scale incidents throughout the UK and equip them to meet differing emergencies and the demands of today’s challenging environment.

#### **Training**

**5.29** Training for Firefighters in Wales on all elements of the New Dimension capability is being co-ordinated and carried out in collaboration with the Wales New Dimension regional Planner Team and Chief Fire Officers. The special training includes Mass Decontamination; Detection and Identification of Materials; High Volume Pumps; Urban Search and Rescue (USAR) and Command and Control. The training is being directly funded by the Assembly Government until the completion of the roll-out of the New Dimension Programme when long term funding arrangements will be put in place. The crewing costs of the USAR capability are also being funded by the Assembly Government, including new accommodation for the New Dimension vehicles and equipment, together with a new USAR Training Rig and accommodation.”

19. At the end of paragraph 6.2 insert—

“and which reflects equality legislation”.

20. Delete paragraph 6.12 and replace with —

“As at 31 March 2006 12% of the total workforce were female. However, only 2% of operational staff (wholtime and Retained duty System) were female. Ethnic minorities made up 0.5% of the total workforce.

The Assembly Government remains committed to changing the profile of the workforce in Fire and Rescue Authorities within Wales to reflect the diversity of the communities that

Fire and Rescue Authorities serve, and this will be reflected in the Human Resource Strategy currently being developed.”

21. Delete paragraph 6.13.
22. Delete paragraphs 6.15 and 6.16.
23. Delete paragraph 7.13 and replace with—  
“South Wales FRA’s new dedicated training centre, a PFI project to which the Assembly Government is providing over £15m of revenue support, officially opened during 2006.”
24. Delete paragraph 8.4.
25. Delete paragraph 8.11 and replace with —  
“During 2007-8 the Assembly Government will provide £5 million to take forward CSC’s work and other preventative activity.”
26. Delete paragraph 10.17.

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#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 21 of the Fire and Rescue Services Act 2004 requires the National Assembly for Wales to prepare a Fire and Rescue National Framework, which must set out priorities and objectives for fire and rescue authorities and may provide guidance. The National Assembly for Wales issued the Fire and Rescue National Framework (Wales) 2005 in March 2005 by virtue of the Fire and Rescue (National Framework) (Wales) Order 2005 (S.I. [2005/760](#) W.64).

This Order revises the National Framework previously issued by the National Assembly for Wales and the revisions are set out in the Schedule to this Order.