

POLICY NOTE

THE SCOTTISH FIRE AND RESCUE SERVICE (FRAMEWORK AND APPOINTED DAY FOR STRATEGIC PLAN) ORDER 2013

SSI 2013/97

The above instrument was made in exercise of the powers conferred by sections 40(4) and 41A(7) of the Fire (Scotland) Act 2005 (“the 2005 Act”), as amended by the Police and Fire Reform (Scotland) Act 2012 (“the 2012 Act”). The instrument is subject to negative procedure.

Policy Objectives

The 2012 Act established a single Scottish Fire and Rescue Service (“SFRS”) to replace the existing fire and rescue authorities and joint fire and rescue boards. It further amended the 2005 Act to require that a framework document and strategic plan be prepared in relation to the new Service. Accordingly, the purpose of this Order is twofold: it brings into effect the Fire and Rescue Framework for Scotland 2013 on 29 April 2013, and sets 1 October 2013 as the appointed day by which SFRS is to have used its best endeavours to secure the Scottish Ministers’ approval for its first strategic plan.

The Scottish Ministers have prepared the Fire and Rescue Framework for Scotland 2013 (“the framework document”) in accordance with their statutory duty under section 40(1) of the 2005 Act (as amended). Its purpose is to set out priorities and objectives for SFRS, in connection with the carrying out of its statutory functions, and provide such related guidance as the Scottish Ministers consider appropriate. The priorities and objectives have been set in line with the Scottish Government’s purpose and strategic objectives, and are aimed at bringing together the best from the existing fire and rescue services to build a modern, effective and efficient SFRS.

This Order (article 2) is required, by section 40(4) of the 2005 Act, to bring the framework document into effect. SFRS must have regard to the framework document in carrying out its functions, otherwise the Scottish Ministers can require it to do so under section 41 of the 2005 Act (as amended).

The framework document was published in March 2013 and is available on the Scottish Government’s website: <http://www.scotland.gov.uk/fireframework2013>. It will replace the Transitional Fire and Rescue Framework for Scotland 2012, which was brought into effect by the Fire and Rescue Services (Framework) (Scotland) Order 2012 (“SSI 2012/146”) and continues to apply to the existing fire and rescue authorities and joint fire and rescue boards until they are abolished on 1 April 2013 (by virtue of article 7 of the Police and Fire Reform (Scotland) Act 2012 (Commencement No. 1, Transitional, Transitory and Saving Provisions) Order 2012). Accordingly, this Order (article 4) revokes SSI 2012/146.

SFRS must prepare a strategic plan under section 41A of the 2005 Act (as inserted by the 2012 Act), which is subject to the Scottish Ministers’ approval. This Order (article 3) requires SFRS to use its best endeavours to secure that approval by 1

October 2013. The strategic plan will set out how SFRS proposes to carry out its functions during the three year period beginning on 1 October 2013, and also the outcomes by which its performance will be measured. SFRS must have regard to the framework document when preparing its strategic plan.

Consultation

The Fire and Rescue Framework for Scotland 2013 was subject to full public consultation from 26 November 2012 to 18 February 2013. This involved all statutory consultees listed in section 40(6) of the 2005 Act (as amended). A full list of those consulted, including the 43 organisations which responded, will be attached to the consultation report to be published on the Scottish Government's website. Responses were received from several local authorities, community planning partnerships, joint boards, voluntary organisations and, in addition, from:

- Scottish Fire and Rescue Service;
- Fire Brigades Union;
- Equality and Human Rights Commission;
- Maritime and Coastguard Agency;
- Chief Fire Officer Association (Scotland);
- NHS Scotland Resilience; and
- Association of Chief Police Officers in Scotland.

SFRS, when preparing its first strategic plan, will also be required to consult in accordance with section 41A of the 2005 Act (as inserted by the 2012 Act).

Impact Assessments

An equality impact assessment (EQIA) has been completed on the Fire and Rescue Framework for Scotland 2013. The EQIA accompanied the framework document during the consultation. While the Order itself has no specific equality impact issues, the framework document seeks to address a number of equality matters relating to SFRS. The EQIA is attached.

SFRS will be responsible for assessing the impact of its strategic plan.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed and accompanied the framework document during the consultation. The impact of the policy on business is negligible. The BRIA is attached.

Scottish Government
Safer Communities Directorate

March 2013