

**EXPLANATORY MEMORANDUM TO**  
**THE FIRE AND RESCUE AUTHORITIES (NATIONAL FRAMEWORK)**  
**(ENGLAND) ORDER 2018**

**2018 No. 560**

**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

- 2.1 This Order gives effect to the Fire and Rescue National Framework prepared by the Home Secretary and entitled “The Fire and Rescue National Framework for England”. This was published by the Home Office on 8th May 2018. This Order succeeds the Fire and Rescue Authorities (National Framework) (England) Order 2012, and the Fire and Rescue National Framework for England to which that Order gave effect. This Framework sets out the priorities and objectives for fire and rescue authorities in England.

**3. Matters of special interest to Parliament**

*Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 None.

*Other matters of interest to the House of Commons*

- 3.2 As this instrument is subject to negative resolution procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

**4. Legislative Context**

- 4.1 This Order revises and brings into effect the Fire and Rescue National Framework for England.
- 4.2 Section 21 of the Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a Fire and Rescue National Framework setting out the priorities and objectives for fire and rescue authorities in England. The Framework can also contain guidance and other matters relating to fire and rescue authorities or their functions. Fire and rescue authorities are required to have regard to the Framework in carrying out their functions. Under section 21(6) of the Act, any significant revision to the Framework must be brought into effect by order. The Secretary of State has fulfilled his statutory duty under section 21(5) of the Act to consult on revisions made to the National Framework.
- 4.3 The current version of the Fire and Rescue National Framework for England was brought into effect by the Fire and Rescue Authorities (National Framework) (England) Order 2012 S.I 2012/1886.

## **5. Extent and Territorial Application**

- 5.1 The extent of this instrument is England and Wales.
- 5.2 The territorial application of this instrument is England.

## **6. European Convention on Human Rights**

- 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

### *What is being done and why*

- 7.1 The Fire and Rescue National Framework for England (“the Framework”), published on 8th May 2018, sets out the Government’s priorities and objectives for fire and rescue authorities in England as required by the Fire and Rescue Services Act 2004.
- 7.2 The Framework has been revised to take account of the fire reform programme, such as the creation of the fire and rescue services inspectorate and the National Fire Chiefs Council and its work programme, and also provisions in the Policing and Crime Act 2017 on emergency services collaboration and fire and rescue governance.
- 7.3 Priorities in the Framework are for fire and rescue authorities to:
  - a) make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
  - b) identify and assess the full range of foreseeable fire and rescue related risks their areas face;
  - c) collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of service provision;
  - d) be accountable to communities for the service they provide; and
  - e) develop and maintain a workforce that is resilient, skilled, flexible and diverse.

## **8. Consultation outcome**

- 8.1 The draft Framework was issued for consultation on 27 December 2017. There were 71 responses received as part of the consultation process and, following consideration, they have been reflected in the final Framework where appropriate.
- 8.2 One key issue raised was around business continuity; the requirement in the draft Framework, that FRAs ‘must meet the full range of service delivery risks and national resilience duties’, was disputed. Some respondents said that this could not be guaranteed during periods of industrial action. This position was accepted by the Government and the wording in the Framework has been changed to “must make every endeavour to meet the full range of service delivery risks and national resilience duties and commitments”.
- 8.3 A full summary of responses has been published on the gov.uk website<sup>1</sup>.

---

<sup>1</sup> <https://www.gov.uk/government/consultations/a-revised-fire-and-rescue-national-framework-for-england>

## **9. Guidance**

- 9.1 Support and guidance is available to fire and rescue authorities to comply with the Framework. For example, there is existing Government issued guidance on the content of assurance statements available on the gov.uk website<sup>2</sup> and the Association of Policing & Crime Chief Executives has produced guidance for police and crime commissioners who wish to consider fire governance changes. The fire and rescue services inspectorate – Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services – has issued an inspection programme and framework on the nature of their inspections and will shortly issue judgement criteria.
- 9.2 Another element of the Government’s fire reform programme is the development of professional standards for fire and rescue services which should support compliance with the Framework.

## **10. Impact**

- 10.1 There is no impact on business, charities or voluntary bodies.
- 10.2 The impact on the public sector is limited to fire and rescue authorities in England. No additional financial burdens are expected as a result of this Order.
- 10.3 An Impact Assessment has not been prepared for this instrument.

## **11. Regulating small business**

- 11.1 The legislation does not apply to activities that are undertaken by small businesses.

## **12. Monitoring & review**

- 12.1 The Secretary of State is responsible for keeping the terms of the Framework under review, under section 21(3) of the Fire and Rescue Services Act 2004, and will consider whether changes need to be made to the document. In particular, the outputs from the Grenfell Tower Inquiry and the Independent Review of Building Regulations and Fire Safety will be considered on an ongoing basis; further changes may be made to the Framework as required. Any such changes will be subject to consultation.
- 12.2 Under section 25 of the Fire and Rescue Services Act 2004, the Secretary of State must report to Parliament every two years on fire and rescue authorities’ compliance with the Framework. Separately, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services will inspect the effectiveness and efficiency of every fire and rescue authority in England from summer 2018. As part of its work, the inspectorate will consider compliance with the National Framework and their advice will be sought in relation to future revisions.

## **13. Contact**

- 13.1 Alan Turnbull at the Home Office (telephone: 02070353558 or email: [alan.turnbull@homeoffice.gsi.gov.uk](mailto:alan.turnbull@homeoffice.gsi.gov.uk)) can answer any queries regarding the instrument.

---

<sup>2</sup> <https://www.gov.uk/government/publications/statements-of-assurance-for-fire-and-rescue-authorities-in-england>