

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: Miscellaneous

Section 167 – Performance and governance of fire and rescue authorities

728. This section inserts a new section 21A into the Fire and Rescue Services Act 2004 to provide powers for the Welsh Ministers to make regulations relating to the performance and governance of FRAs in Wales.
729. **Section 21A(1), (2) and (3)** gives the Welsh Ministers powers to make regulations requiring FRAs in Wales to make a plan in relation to the exercise of their functions, and to impose requirements in respect of that plan, including its content, preparation and revision, publication and the period to which it relates.
730. In relation to the plans' content, the Welsh Ministers may, in particular, impose a requirement to set out:
- the authority's priorities and objectives;
 - an explanation of the extent to which the plan reflects the Fire and Rescue National Framework prepared by the Welsh Ministers under section 21;
 - the actions the FRA will take to, for example, deliver its priorities and objectives; and
 - how it intends to assess its performance.
731. **Section 21A(4)** enables the Welsh Ministers to make regulations making provision for assessing and reporting on an FRA's performance, including imposing related requirements on FRAs. This may include specifying a range of performance measures, for example, performance indicators, qualitative techniques (case studies and surveys) and analytical techniques (benchmarking) for FRAs to use to assess their performance and progress against their plans. It may also include information on the appropriate timing of, and audience for, performance reporting.
732. **Section 21A(5)** requires the Welsh Ministers to consult FRAs (or persons representing FRAs), employee representatives, and any other persons whom the Welsh Ministers consider appropriate before making regulations under that section.