

# **POLICE AND FIRE REFORM (SCOTLAND) ACT 2012**

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## **EXPLANATORY NOTES**

### **THE ACT - OVERVIEW**

#### **Part 2: Fire Reform**

8. **Part 2** amends the Fire (Scotland) Act 2005 to establish the Scottish Fire and Rescue Service (SFRS) and transfers to it fire-fighting, fire safety and other functions under that Act. Specifically, it makes provision for:
  - The establishment and way of working of SFRS, responsible for the delivery of fire and rescue functions, and for employing the Chief Officer, fire-fighters and other staff. The Act also gives the Scottish Ministers power to direct SFRS (**sections 101 and 118**);
  - Fire and rescue functions in the Fire (Scotland) Act 2005 to be the responsibility of SFRS, and for SFRS to carry out those functions (**sections 102-112**);
  - SFRS to have a specific statutory duty to make arrangements which secure best value (**section 113**);
  - SFRS to produce, publish and review a strategic plan (**section 114**);
  - SFRS to make arrangements for local fire and rescue services, including establishing a formal statutory relationship with each local authority and designating a Local Senior Officer for each local authority area (**section 115**);
  - Monitoring and scrutiny of fire and rescue matters, including placing a specific duty on SFRS to produce an annual report, to prepare and submit for audit accounts and to provide information to the Scottish Ministers (**sections 116, 101 (inserting paragraph 17 of schedule 1A into the Fire (Scotland) Act 2005), and 117**);
  - Inspection of SFRS by newly established Inspectors of the Scottish Fire and Rescue Service. It also provides for reports by the Chief Inspector to SFRS, the Scottish Ministers and the Scottish Parliament, and requires the Inspectors and Auditor General to work together (**section 119**); and
  - The transfer of fire-fighters and other staff and assets from the existing unitary authorities, joint boards and the Scottish Ministers to the new service, with transitional arrangements for the period before SFRS takes up its functions (**section 121 and schedule 6**).