



SHROPSHIRE

Fire and Rescue Service

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BRIGADE ORDER OPERATIONS NO. 1

PART 2

OPERATIONAL RESPONSE COLLABORATION

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PART 2 – OPERATIONAL RESPONSE COLLABORATION

PURPOSE

This Order sets out how, Shropshire and Wrekin Fire Authority secures robust operational support through collaborative agreements with other fire and rescue authorities.

STRATEGIC AIMS AND OBJECTIVES

This Order supports the following Strategic Aims and Objectives:

Strategic Aim 2 – “Protect life, property and the environment from fire and other emergencies”

And Corporate Objective 5 – “Ensure the provision of an appropriate response to non-fire emergencies”

and Objective 6 – “Minimise the effect of our intervention actions on the environment”.

ROLES, RESPONSIBILITIES AND REVIEW

The **Deputy Chief Fire Officer** is responsible for ensuring this Order is implemented across the Brigade.

The **Deputy Chief Fire Officer** will be responsible for the day to day operation of the Order.

The **Deputy Chief Fire Officer** will review this Order biennially in *September* and as and when organisational changes take place.

INTRODUCTION

As part of our Integrated Risk Management Plans, the Fire Authority seeks to find the most, effective and efficient means to deliver a competent local fire and rescue service to the communities and people of Shropshire. Part of this process is seeking to secure collaborative arrangements with other fire authorities and relevant agencies to deliver a service that meets the needs of people and satisfies the requirements of law.

This Order sets out how we secure collaboration through these agencies and describes the collaborative agreements currently in place.

As risk is dynamic these arrangement will change frequently.

LEGAL FRAMEWORK

The Fire and Rescue Services Act 2004 applies to these agreements.

Section 13 and 14: Reinforcement schemes and directions as to reinforcement schemes.

These sections re-enact the provisions of the repealed Fire Services Act 1947 on reinforcement schemes and extends them to apply to road traffic collisions and other serious emergencies (as defined by order under Section 9).

Section 13 obliges fire and rescue authorities (FRAs) to participate with each other, so far as practicable, to provide mutual assistance. If there are cases where fire and rescue authorities are unable to come to an agreement about participating in such a scheme, and one of the authorities concerned requests it, Section 14 enables the Secretary of State to direct the fire and rescue authorities involved to make, vary or revoke such a scheme.

Before giving a direction, the Secretary of State must give the authorities concerned the opportunity to make representations to him/her and he/she may hold an inquiry.

Sections 16 and 17: Arrangements for discharge of functions by others

Section 16 provides fire and rescue authorities with the ability to enter into contractual arrangements with others (including other fire and rescue authorities) to provide services in the execution of their functions (covered by sections 6 - 9 and 11). An example would be an agreement where a fire and rescue authority contracts with a local education authority to promote fire safety within its schools. Another example would be where a fire and rescue authority specialises in rope rescue (as it has the power to do under section 11, see above) and a neighbouring authority contracts with it to provide some, or all, of its response to incidents requiring rope rescue.

A fire and rescue authority can only delegate its fire fighting functions to another fire and rescue authority or others that employ firefighters.

Section 17 enables the Secretary of State to require fire and rescue authorities to enter into contractual arrangements under Section 16 (or to vary or cancel any such arrangements). The Secretary of State can exercise the power on his/her own initiative or where one of the authorities has asked him/her to intervene, but the power must be exercised in the interests of economy, efficiency and effectiveness. Before issuing a direction the Secretary of State must give the fire and rescue authorities affected the opportunity to make representations to him/her and he/she may hold an inquiry.

Section 19: Charging

Section 19 allows the Secretary of State to set out by order, following consultation, under The Fire and Rescue Services (England) Order 2004 (SI 2004 No.2305), the services for which a fire and rescue authority may charge and the persons who may be subject to the charge. Fire and rescue authorities will not be able to charge for extinguishing fires or protecting life and property in the event of fires, except in respect of incidents at sea or under the sea. There is also a prohibition on charging for the provision of emergency medical assistance.

Subsection (4) allows any order made under Subsection (1) to include a provision for charges to be imposed on, or recovered from, third parties. Subsection (5) allows fire and rescue authorities to set their own level of charge, and to vary the charge depending on the type of service provided and the circumstances of a particular incident, or to choose not to charge at all.

Subsection (6) limits the amount charged to the cost of providing the service. Fire and rescue authorities can also enter into a Memorandum of Understanding where Section 13 and 16 agreements are deemed not to be suitable.

MAKING LEGAL AGREEMENTS WITH OTHER FIRE AND RESCUE SERVICES

Collaborative agreements are not new; indeed we have had such agreements with neighbouring brigades for many decades. However, with new legislation new legal arrangements need to be made.

Shropshire and Wrekin Fire Authority will secure continued legal collaborative agreements under Sections 13 and 16 (known as Section 13 and 16 agreements) with the following fire and rescue authorities.

Key managers (identified against each Service) will be responsible for securing agreements using the standard agreement developed by Chief Fire Officers Association (CFOA). The Deputy Chief Fire Officer will be responsible for monitoring the implementation of the agreements and negotiating with other authorities if initial discussions fail.

Name of Fire Authority	Officer Responsible
Mid and West Wales Combined Fire Authority	Head of Fire Control Convergence
North Wales Combined Fire Authority	Head of Operational Response
Runcorn and Cheshire Combined Fire Authority	District Officer North
Stoke and Stafford Combined Fire Authority	Head of Operational Response
West Midlands Fire Authority	Head of District Performance
Hereford and Worcester Combined Fire Authority	District Officer South

MAKING NATIONAL AGREEMENTS

The Fire Authority will also make agreements nationally for the provision of specialist resources and for resources required for extreme conditions such as Urban Search and Rescue (USAR); large scale flooding and mass decontamination. Likewise, we will also make agreements to supply such assistance as we can to other fire and rescue authorities nationally. The Deputy Chief Fire Officer will be responsible for making these agreements.

EMERGENCIES RELEVANT TO MUTUAL AID

Shropshire and Wrekin Fire Authority will seek mutual aid agreements with the above listed Services for the following:

- Standard predetermined attendances of fire appliances for all types of incident up to an agreed level of response.
- Special Appliances such as Turntable Ladders, Heavy Pumping Units or Aerial Ladder Platforms, and Water Carriers Foam Tenders for specific incidents.
- Line Safety and Water Safety teams for incidents beyond the scope of our personnel, training or equipment.

For any specific risk identified through our pre planning process we will seek mutual aid to add to the robustness of our operational risk management response through mutual aid from any fire and rescue service in the region or nationally.

TYPE OF AGREEMENT

Mutual assistance arrangements are as concise and simple as possible, specifying fire and rescue authority responsibilities in the event of an incident. The subject areas that arrangements contain include the following:

- **Control of resources hosted by assisting fire and rescue authorities** - whether this rests with assisting fire and rescue authorities or the affected fire and rescue authority (for incidents requiring resources provided by the New Dimension programme, the Fire and Rescue Service National Command Centre (FRSNCC)).
- **Response payments between fire and rescue authorities** - whether assisting fire and rescue authorities should claim their full response costs from an affected authority (e.g. mobilising, maintaining and recovering the resources deployed).
- **Fire and rescue authority liabilities** - whether assisting fire and rescue authorities should be held liable by an affected authority.
- **Fire and rescue insurance** - whether assisting fire and rescue authorities require adequate insurance cover beyond operations in their own geographical area.
- **Health and Safety** - ensuring that health and safety responsibilities between co operating fire and rescue authority are clear.
- **Welfare preparations** - whether affected fire and rescue authorities should provide food, hygiene/comfort facilities and short-term accommodation for assisting fire authority staff.
- **Final interpretation of an agreed and established arrangement** - whether a Regional Management Board, CFOA or Government agency should act as a final arbitrator in any query or dispute relating to the established arrangement which the participating fire authorities cannot resolve themselves.

(The Fire and Rescue Services Act gives a role to the Secretary of State as final arbitrator, on request from a fire and rescue authority which is unable to reach agreement with others on the making terms variation or revocation of a Section13 reinforcement scheme or Section16 arrangement)

AUDITING EFFICIENCY AND EFFECTIVENESS

The Deputy Chief Fire Officer will audit the effectiveness of arrangements through the normal operational debrief and audit procedure. This will be further backed up by the Assistant Chief Fire Officer's role as Director of Performance Improvement. The efficiency of arrangements in financial terms will be monitored by the Head of Finance.

Each year the Chief Fire Officer will present a report to the Combined Fire Authority, setting out the provisions for mutual aid and any matters arising from the previous year's activities with any recommendations for action.