



## Service Instruction 0875

### Merseyside Fire and Rescue Authority Assurance and Transparency arrangements

#### Document Control

##### Description and Purpose

To describe the assurance, governance and transparency arrangements that exists in Merseyside Fire and Rescue Authority (MFRA).

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26.01.2017	26.01.2018	Deb Appleton	Deb Appleton	Sue Coker
Permanent	<input checked="" type="checkbox"/> Temporary	If temporary, review date must be 3 months or less.		

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#### Risk Assessment (if applicable)

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#### Equalities Impact Assessment

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#### Civil Contingencies Impact Assessment (if applicable)

Date	Assessed by	Document location
N/A	N/A	N/A

#### Related Documents

Doc. Type	Ref. No.	Title	Document location

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#### Target audience

All MFRS	<input checked="" type="checkbox"/>	Ops Crews		Fire Protection		Fire Prevention	
Principal officers		Senior officers		Non uniformed			

#### Relevant legislation (if any)

Fire and Rescue Services Act 2004

## **FIRE AND RESCUE AUTHORITY ASSURANCE**

### **1. INTRODUCTION**

The purpose of this Service Instruction to describe the assurance, governance and transparency arrangements that exists in Merseyside Fire and Rescue Authority (MFRA).

MFRA is required to assess all foreseeable fire and rescue related risks that could affect its communities and put in place arrangements to mitigate those risks. The Fire and Rescue Services Act 2004 details the duties and powers of fire and rescue services. MFRA also plans for and occasionally responds to incidents of such scale and/or complexity that local resources may be insufficient even when taking into account mutual aid agreements, pooling and reconfiguration of resources and collective action.

In demonstrating its accountability to communities for the service it provides, MFRA needs to:

- Be transparent and accountable to its communities for its decisions and actions, and to provide the opportunity for communities to help to plan its local service through effective consultation and involvement whilst holding it to account for the services it provides.
- Have scrutiny arrangements in place that reflect the high standards communities expect.
- Provide assurance to its communities and to Government, on financial, governance, operational matters, national resilience capability and equality and diversity.

### **2. Safer communities - Integrated Risk Management Plans**

MFRA's Integrated Risk Management Plan (IRMP) provides an opportunity to demonstrate how it will discharge its responsibilities in a way that is open and transparent to its community and other stakeholders with an interest.

### **3. Identify and assess**

The IRMP must identify and assess all foreseeable fire and rescue related risks that could affect MFRA's community, including those of a cross-border, multi-authority and/or national nature. The plan must have regard to the Community Risk Registers produced by Local Resilience Forums (LRF) and any other local risk analyses as appropriate. MFRA will also consider the National Risk Register as well as any other local risk analyses to ensure that all foreseeable fire and rescue related risks are identified and included in the IRMP.

### **4. Prevent and protect**

The IRMP must: -

Demonstrate how prevention, protection and response activities will best be used to mitigate the impact of risk on communities, through MFRA and related agencies working either individually or collectively, in a cost effective way.

Set out MFRA's management strategy and risk based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators and the Enforcement Concordat.

## **5. Response**

MFRA must make provision to respond to incidents such as fires, road traffic accidents and emergencies within its area and in other areas in line with its mutual aid agreements and reflect this in the IRMP.

MFRA must have effective business continuity arrangements in place in accordance with its duties under the Civil Contingencies Act 2004 and to meet the full range of service delivery risks.

MFRA must collaborate with other FRAs to deliver intra-operability with other FRAs, other emergency services, wider Category 1 and 2 responders and LRFs to ensure interoperability.

MFRA must engage with the Fire and Rescue Strategic Resilience Board in order to support discussions and decision making in relation to national resilience.

## **6. Resilience**

To enhance resilience to such risks, the Government has provided financial resources to build specialist capability that is located in a number of fire and rescue services, including Merseyside. This resource is also centrally coordinated by MFRA. This includes the following:

- Additional, specialist urban search and rescue (USAR) capability.
- High volume pumps; mass decontamination equipment.
- Detection, identification and monitoring (DIM) equipment for chemical, biological, radiological and nuclear (CBRN) incidents.
- Additional command and control capability.

### **6.1 National resilience assurance**

In addition to the assurance arrangements detailed above, FRAs must work collectively and with the Fire and Rescue National Resilience Board (the MFRS Chief Fire Officer is the Chair of the Board) to provide assurance to Government that: -

- Risks are assessed, plans are in place and any gaps between existing capability and that needed to ensure national resilience are identified.
- Existing specialist national resilience capabilities are fit-for-purpose and resilient.
- Any new capabilities that FRAs are commissioned to deliver by Government are procured, maintained and managed in the most cost-effective manner that delivers value for money whilst ensuring capabilities are fit-for-purpose and resilient.

Assurance of national capabilities is provided by a National Resilience Assurance Team (NRAT). Responsibility for this has now passed to Merseyside FRS as the lead authority. The team's core function is to: -

- Provide bespoke professional sector-led advice
- Operational assurance through audits and inspections
- Support in the management, development and maintenance of the operational assurance of the capabilities
- Stakeholder engagement and communications

- Through stakeholder engagement support CFOA in developing local and national arrangements for maximising the benefits of the capabilities
- Support the ongoing integration of all assets with host FRSs into ownership and core business
- Operational support through the National Co-ordination and Advisory Support Framework
- Support the development and implementation (and be an integral part) of an operational support structure for national emergencies

## **6.2 Gap analysis**

FRA risk assessments must include an analysis of any gaps between their existing capability and that needed to ensure national resilience.

As part of their analysis, FRAs must highlight to the Home Office or the Fire and Rescue Strategic Resilience Board, any capability gaps that they believe cannot be met even when taking into account mutual aid arrangements, pooling and reconfiguration of resources and collective action.

## **6.3 Capability building**

FRAs must work collectively, through the Fire and Rescue Strategic Resilience Board, to agree with the Home Office whether and/or how to address any capability gaps identified through the gap analysis.

## **7. Working in partnership**

In order to meet the requirements placed upon it, MFRA must work in partnership with its communities and a wide range of partners locally, regionally and nationally.

## **8. Accountable to communities**

MFRA is accountable to its communities for its actions and decision making. It needs to have transparent processes in place to deliver this and engage with communities to provide them with the opportunity to influence their local service. Local accountability is a vital check on the services provided by MFRA.

## **9. Communities planning their local fire and rescue service**

MFRA's IRMP will:

- Be easily accessible and publicly available.
- Reflect effective consultation throughout its development and at all review stages with the community, its workforce, representative bodies and partners.
- Cover at least a three year time span and be reviewed and revised as often as it is necessary to ensure that MFRA is able to deliver the statutory requirements placed upon it.
- Reflect up to date risk analyses and the evaluation of service delivery outcomes.

## **10. Annual statement of assurance**

MFRA must provide assurance on financial, governance and operational matters and show how they it has due regard to the expectations set out in its IRMP and the requirements included in the National Framework. To provide assurance, MFRA must publish an annual statement of assurance.

MFRA is responsible for ensuring that their business is conducted in accordance with the law and proper standards, and that public money is properly accounted for and used economically, efficiently and effectively.

It is a statutory requirement under the Accounts and Audit (England) Regulations 2015 for MFRA to publish the financial results of its activities for the year. This 'Statement of Accounts', shows the annual costs of providing the service and is determined by a Code of Practice which aims to give a "true and fair" view of the financial position and transactions of the authority. MFRA is responsible for approval of the statement of accounts prior to publication.

The Audit Commission's Code of Audit Practice (the Code) requires MFRA to report to those charged with governance on the work MFRS has carried out to discharge their statutory audit responsibilities together with any governance issues identified.

The Code of Audit Practice sets out what local auditors of relevant local public bodies are required to do to fulfil their statutory responsibilities under the Local Audit and Accountability Act 2014. 'Relevant bodies' are set out in Schedule 2 of the Act and include local councils, fire authorities, police and NHS bodies. Local auditors must comply with the Code of Audit Practice.

The statement of assurance may briefly set out what assessment procedures are in place with regard to the authorities' statements of account.

## **11. Governance**

MFRA's Annual Governance Statement (AGS) publicly explains how it manages its governance and internal control measures. It is an open and honest account of how MFRA ensures its financial management system is adequate and effective, as well as ensuring it has a sound system of internal control, assuring utmost integrity in all its dealings.

The Accounts and Audit (England) Regulations 2015 also requires MFRA to prepare an annual governance statement in support of its statement of accounts. This governance statement is an expression of the measures taken by MFRA to ensure appropriate business practice, high standards of conduct and sound governance. The statement of assurance may set out what work MFRA has undertaken to review the effectiveness of their governance framework, including the system of internal control.

Transparency is a key element of the Framework and is at the heart of the Government's commitment to enable the public to hold their authorities to account for the way they spend public money. In preparing the statement of assurance, MFRA will consider the principles of transparency set out in the Code of Recommended Practice for Local Authorities on Data Transparency.

Governance arrangements for MFRA also include a monitoring officer and chief finance officers (Section 151) role, standing orders, contract standing orders, financial regulations and published schemes of delegation.

MFRA functions within a clearly defined and specific statutory and policy framework. The key documents setting this out are: -

- The Fire and Rescue Services Act 2004
- The Civil Contingencies Act 2004
- The Regulatory Reform (Fire Safety) Order 2005
- The Fire and Rescue Services (Emergencies) (England) Order 2007
- The Localism Act 2011
- The Fire and Rescue National Framework for England

MFRA already consults on, and publishes its IRMP, which sets out local strategies including cross-border, multi-authority and national arrangements where appropriate. The statement of assurance should include details of consultation on these plans, and confirm that appropriate information was provided to enable active and informed participation.

The statement of assurance may also indicate where fire and rescue authorities have entered into agreements and/or mutual aid arrangements with other relevant bodies. The level of detail included will be a matter for MFRA and may be linked to their IRMP.

It is not the aim of statements of assurance to set out the operational procedures for MFRA. However, the statement of assurance is the appropriate vehicle with regard to specific events which raise issues of operational competence or delivery. For example, if advice is received under health and safety or other legislation it would be appropriate for MFRA to use the statement of assurance as a means to inform its communities that these matters have been considered and, where appropriate, acted on.

When MFRA is satisfied that the systems it has in place and any specific measures they have undertaken fulfil their Framework requirements, this is clearly stated in the statement of assurance. Accordingly, where appropriate, MFRA will consider making a simple declaration that the Framework requirements have been met.

Section 25 of the Fire and Rescue Services Act 2004 requires the Home Secretary to report to Parliament every 2 years on:

- The extent to which fire and rescue authorities are acting in accordance with the national framework, and
- Any steps taken to ensure that fire and rescue authorities act in accordance with the national framework

The publication on 4th July 2016 by the Home Secretary on fire and rescue authorities' compliance with the fire and rescue national framework for England reported that the Home Secretary is satisfied that each fire and rescue authority in England has: -

- Complied with the publication of their annual statement of assurance for 2014 to 2015 financial year
- Complied with the publication of their updated integrated risk management plan element
- Complied with the national resilience assurance elements

## **12. Scrutiny arrangements transparent to communities**

MFRA must hold its Chief Fire Officer/Chief Executive to account for the delivery of services by the fire and rescue service (FRS).

MFRA must have arrangements in place to ensure that its decisions are open to scrutiny.

There are committees established that are responsible for carrying out scrutiny of performance and review, finance and general purposes etc.

## **13. Transparent data enables communities to hold service providers to account**

To hold MFRA to account, communities need to be able to access information in a way that enables them to compare the performance of MFRA with others.

FRAS must make their communities aware of how they can access data and information on their performance.

- Meeting the current code of recommended practice for local authorities on data transparency.
- Publishing pay policy statements (a duty under sections 38 and 39 of the Localism Act 2011).
- Raising awareness of sources of comparable data and how to access these; e.g. linking to other government department websites and data returns to the Chartered Institute of Public Finance and Accountancy (CIPFA).



- Linking to tools and best practice guidance provided by organisations such as the Local Government Association (LGA) and the Chief Fire Officers' Association (CFOA).
- Acting in accordance with the Freedom of Information Act and publication schemes set out by the Information Commissioner.
- Publishing any action plans arising from peer reviews and self-assessments.
- Publishing any other locally held data that MFRA feels will aid transparency to their communities.

Details of the information published by MFRA under these requirements is included as [Appendix A](#)

#### **14. Operational Assessment and Fire Peer Challenge**

The Fire and Rescue sector has a strong and long standing commitment to sector-led improvement. As part of this, the CFOA developed the concept of Operational Assessment (OpA) in 2009, in partnership with the LGA and the Chief Fire & Rescue Advisor (CFRA). This process, which has a strong operational focus, comprises a self-assessment and external peer challenge and is designed to allow a "whole system" look at how a FRA leads, prioritises and delivers the interrelated functions of prevention, protection, preparedness and response in a way which is rooted in: -

- A deep understanding of community risk
- The allocation of resources in accordance with that risk
- The marshalling of partnership resources to assist in managing the risk; and
- A high regard for operational good practice and the health, safety, welfare and development of all FRS staff.

The OpA and Fire Peer Challenge process is designed to: -

- Form a structured and consistent basis to drive continuous improvement within the FRS, and
- Provide elected members on fire authorities, and chief officers, with information that allows them to challenge their operational service delivery, and their organisational effectiveness, to ensure they are efficient, effective and robust.

The OpA and Fire Peer Challenge will: -

- Assist the FRA to identify its service's strengths and areas to explore
- Inform the FRA's strategic improvement plans
- Deliver a robust process for assessing operational performance
- Complement and not duplicate any national requirements for financial audit, including the value for money judgement
- Be used as a tool to assist FRAs in the identification and dissemination of notable practice; and
- Be flexible in design, and simple in delivery.

The sector-led peer challenge process has been updated to take account of learning from the first three years of the programme, and the outcome of an evaluation conducted by Cardiff University. The overarching principles of peer challenge remain in that it is an effective way to help councils and FRAs strengthen local accountability and improve the way they evaluate and improve services.

The Fire Peer Challenge is a voluntary process that is managed by and delivered for the sector. It is not a form of sector-led inspection and is a mechanism to provide fire authorities and chief officers with information that allows them to challenge their operational service delivery, and their organisational effectiveness, to ensure they are efficient, effective and resilient.

## **15. Support and intervention**

The expectation of the Government is that fire and rescue authorities, and their political and professional leadership, have proactive processes in place that provide support and lead improvement. In this context, improvement is currently delivered through peer led responses and effective partnership working.

The Local Government Association, as part of their challenge and intelligence role, works collaboratively with fire and rescue authorities and other government departments to identify at an early stage where serious risks to performance are developing. It will act with them to mitigate the escalation of those risks which would have a negative impact on the reputation of the sector or could lead to serious service failure.

The Government intends to use its intervention powers only as a last resort, for example, where the risk of failure is deemed so serious as to require immediate and directive action to resolve<sup>17</sup>. Any use of intervention powers will be in accordance with the intervention protocol as set out in section 23 of the Fire and Rescue Services Act 2004.

Ministers may also ask the Chief Fire and Rescue Adviser, as a designated Her Majesty's Inspector under the Fire and Rescue Services Act 2004, to lead an investigation into instances of serious concern regarding operational performance. Ministers may also seek additional and separate assurance from the Chief Fire and Rescue Adviser, or other advisers, in respect of specific issues.

## **16. Future improvements**

Where appropriate, MFRA will include a section in their statements of assurance on any potential improvements it has identified across its accounting, governance or operational responsibilities to communities, particularly where plans are underway.

## **17. Other methods of ensuring assurance**

MFRA can and does use external agencies to provide insights to their performance. Examples of other bodies who provide a level of assurance for some FRAs include Investors in People (IiP), the Royal Society for the Prevention of Accidents (RoSPA), the Health and Safety Executive (HSE), Stonewall, ICT Security accreditations (ISO 27001), Department of Transport requirements (DfT), Driver and Vehicle Licensing Agency (DVLA), Information Commissioner Inspections and Two Ticks Employer.

MFRA is required by law to investigate and report to other agencies and authorities either independently or in partnership with others. Examples of these include police investigations following fire deaths and particularly where it involves firefighters, health and safety investigations, Coroners inquests etc.

MFRA has internal mechanisms by which it upholds discipline, codes of conduct and ethics, and deal with complaints. Other policies cover issues around whistle blowing, disclosure and barring, data protection and management etc.

MFRA is also expected to demonstrate its ability to comply with other legislation such as the Human Rights Act 1998, Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000.



## **18. Inspection**

The Police and Fire Minister has stated that an independent Fire and Rescue Service Inspectorate will be established to provide similar levels of assurance to Government as that provided by Her Majesty's Inspectorate of Constabulary. Further details on the structure and process involved will be provided in due course.

## **19. Firefighter fitness**

MFRA must: -

- Have a process of fitness assessment and development to ensure that operational personnel are enabled to maintain the standards of personal fitness required in order to perform their role safely.
- Ensure that no individual will automatically face dismissal if they fall below the standards required and cannot be deployed operationally.
- Ensure that all operational personnel will be provided with support to maintain their levels of fitness for the duration of their career.
- Consider where operational personnel have fallen below the fitness standards required whether an individual is able to continue on full operational duties or should be stood down, taking into account the advice provided by the FRAs occupational health provider. In making this decision, the safety and well-being of the individual will be the key issue.
- Commit to providing appropriate and tailored development and support to enable individuals who have fallen below the required fitness standards to regain the necessary levels of fitness, in accordance with extant Capability procedures
- Refer an individual to occupational health where underlying medical reasons are identified that restrict/prevent someone from achieving the necessary fitness and that individual must receive the necessary support to facilitate a return to operational duties.
- Fully explore opportunities to enable the individual to remain in employment including through reasonable adjustment and redeployment in a role where it appears the medical condition does not allow a return to operational duties.

**APPENDIX A**

Information to be published/submitted	Legislation/regulations	Date/s	Department	Responsible Officer
<b>Quarterly:</b>				
Transactions on government procurement cards	Local Government Transparency Code 2015	NA	NA	NA
Procurement all spending transactions over £500		Published monthly	Finance	Mike Davies
Contracts Register (including contracts valued over £5,000)		Quarterly	Procurement	Sharon Mathews
<b>Annually:</b>				
Service Delivery Plan	N/A	April	Strategy and Performance	Deb Appleton/ Jackie Sutton
Statement of Assurance	National Framework	December	Strategy and Performance	Deb Appleton/ Jackie Sutton
Equality and diversity information – Annual Report	Equalities Act 2010	July (to Authority) September publication	Strategy and Performance	Deb Appleton/ Wendy Kenyon
Details of land and assets	Local Government Transparency Code 2015	April	Estates	Stewart Woods
Details of grants to voluntary, community and social enterprise organisations		April	Finance	Ian Cummins
The organisation chart		Required now - Not up to date on the website	POD	Nick Mernock

Time and resources spent on trade union tasks and functions		September	POD	Nick Mernock/ Mike Cummins
Parking revenues and number of controlled parking spaces		NA	NA	NA
Details of officers' salaries over £50,000  MFRS publishes the Pay Policy		September	POD	Nick Mernock/ Mike Cummins
The Constitution		June	Legal and Democratic Services	Janet Henshaw
The pay multiple (the ratio between highest paid salary and the median salary of the whole workforce)  MFRS publishes its Pay Policy to comply with this		September	POD	Nick Mernock/ Mike Cummins
CIPFA statistical return	Not statutory	May/June	Strategy and Performance	Deb Appleton/ Jackie Sutton
Home Office IRMP statistical return Estimates Actuals	Not statutory	April July	Strategy and Performance	Deb Appleton/ Jackie Sutton
<b>Three yearly</b>				
Integrated Risk Management Plan	National Framework	Three yearly - October (Draft) February (Final)	Strategy and Performance	Deb Appleton/ Jackie Sutton
<b>As required</b>				
Publications sent to the British Library and other institutions	Legal Deposit Libraries Act 2003	Within one month of publication	Strategy and Performance	Deb Appleton/ Andy Highton