

**NORTH WALES FIRE AND RESCUE SERVICE
FIRE AND RESCUE AUTHORITY EXECUTIVE PANEL REPORT**

DATE:	25 July 2005
REPORT BY:	CHIEF FIRE OFFICER
PURPOSE OF REPORT:	To inform Members of progress in relation to Best Value.

1 BACKGROUND

The Local Government Act 1999

- 1.1 The duty of Best Value was introduced through the Local Government Act 1999. The Act requires Best Value Authorities to make arrangements to secure continuous improvement with regard to the efficiency, effectiveness and economy of their functions.
- 1.2 The 1999 Act also provides discretionary powers for the Secretary of State/National Assembly to issue statutory guidance and/or orders to Best Value Authorities relating to the general duty (Section 3), the performance measurement framework (Section 4), Best Value Reviews (Section 5), Best Value Performance Plans (Section 6) and contracts and the exclusion of non-commercial considerations (Section 19).
- 1.3 Before specifying performance indicators (PIs) or standards under Section 4, the Secretary of State/National Assembly for Wales is required to consult – as a minimum - with representatives of the best value authorities concerned.
- 1.4 In specifying performance indicators or standards under Section 4, the Secretary of State/National Assembly for Wales is required to aim to promote improved economy, efficiency and effectiveness in the authority's functions, and to have regard to any recommendations made by the Audit Commission.
- 1.5 During the months leading up to the transfer of responsibility for Welsh fire and rescue services to the National Assembly, these discretionary powers were being exercised by the Secretary of State in relation to fire and rescue authorities in England, but not in relation to fire and rescue authorities in Wales.

1. **BACKGROUND** *(continued)*

Performance and Assessment Frameworks

- 1.6 Whereas fire and rescue authorities in England are subject to a Comprehensive Performance Assessment (CPA) regime, fire and rescue authorities in Wales will participate in an improvement programme based on the Wales Programme for Improvement (WPI). On the invitation of the Assembly, the Audit Commission in Wales (now the Wales Audit Office) has been developing the WPI-Fire and Rescue assessment framework over recent months.

Fire and Rescue Services Act 2004

- 1.7 In November 2004, the responsibility for fire and rescue services in Wales was formally devolved to the National Assembly when the Fire and Rescue Services Act 2004 was commenced in Wales, a few weeks after it was commenced in England.

National Frameworks

- 1.8 The Fire and Rescue Services Act 2004 introduced, amongst other things, a requirement for the National Assembly to prepare a Fire And Rescue National Framework (Section 21).
- 1.9 The National Framework must set out priorities and objectives for fire and rescue authorities, and may contain guidance and any other matter relating to the discharge of the fire and rescue authority's functions.
- 1.10 In discharging any of the functions listed in paragraph 1.9, the National Assembly is required to do so in a way calculated to promote public safety; the economy, efficiency and effectiveness of fire and rescue authorities; and the economy, efficiency and effectiveness of those matters relating to the functions of fire and rescue authorities.

2 **INTRODUCTION**

- 2.1 In December 2004, the Secretary of State exercised his discretionary powers under the Local Government Act 1999 to issue statutory guidance relating to Best Value to fire and rescue authorities in England (Circular 09/2004). Shortly afterwards, and following consultation, a statutory instrument (2005/598) set out the indicators by which the performance of fire and rescue authorities in England were to be measured during 2005/06.
- 2.2 These same discretionary powers have not yet been exercised by the National Assembly in relation to fire and rescue authorities in Wales. However, the National Framework, published in April 2005, confirms the Assembly's intention to undertake the following Best Value-related pieces of work before December 2005 (paragraph numbers are shown in brackets):
- 2.3
- a) Consult on draft BVPIs for Fire and Rescue Authorities (9.10)
 - b) Consult on new Integrated Risk Management Planning guidance for 2006-07 (2.17)

2. **INTRODUCTION** *(continued)*

- c) Consult on draft WPI guidance for Fire and Rescue Authorities (9.4)
- d) Issue detailed guidance on Service Delivery Standards independently of the WPI (4.3) [Under Section 4 of the Local Government Act 1999, this would require prior consultation with the Best Value Authorities concerned, and then to have regard to recommendations by the Audit Commission.]
- e) Working with the ODPM, improve the quality of accident and injury data and its collection arrangements (4.7)
- f) Consult on proposals, and issue an order relating to charging for special service calls (8.15)
- g) Review trading orders made under section 95 of the Local Government Act 2003 after the introduction of the WPI for Fire and Rescue Authorities (8.16)
- h) Consult on proposals in relation to the extension of duties to deal with other emergencies introduced in the Fire and Rescue Services Act 2004 (5.4)

2.4 In relation to PIs, at the time of the publication of the National Framework, the Local Government Data Unit was 'convening a reference group of key stakeholders which includes the Fire and Rescue Service....to develop the revised PIs, review national statutory PIs for fire and rescue authorities and other data requirements, and consider arrangements for collecting, validating, analysing and disseminating performance data' (9.11).

3 **CURRENT POSITION**

- 3.1 It was agreed that for 2005-06, the BVPIs specified for the English Fire and Rescue Authorities would be used on a voluntary basis by Welsh Fire and Rescue Authorities pending alternative arrangements from April 2006.
- 3.2 It is anticipated that the WPI for Fire and Rescue will commence as from April 1st 2006.

4 **RECOMMENDATION**

- 4.1 That Members note the contents of this report.