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To the Chairman of the NFCC

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Dear Roy

### **Fire and Rescue Authorities and the Fire Protection Board**

I write to you as Chairman of Buckinghamshire and Milton Keynes Fire Authority.

On 20 September 2019 the LGA Fire Commission received a report from the LGA's Mark Norris informing the Commission about the LGA's building safety work.

The report informed Fire Commission members as follows (at paragraph 7).

*'A new Fire Protection Board is being established, chaired by the NFCC, with Home Office, MHCLG and LGA representation. The Board's Terms of Reference are yet to be agreed, but its initial priority will be to provide assurance around the interim fire safety measures in place in buildings with dangerous ACM cladding. Fire and Rescue Authorities (FRAs) can expect to hear directly from the Home Office about this later this year following a pilot process which is due to commence shortly, but FRAs and Chiefs should begin to ensure preparations are in place for joined-up reporting arrangements.'*

In light of the impending responsibilities mentioned in the final sentence, I naturally expected my fire and rescue authority to hear from the Home Office in line with the above-mentioned briefing, in order that my fire and rescue authority could learn more about this 'assurance' and of the above-mentioned reporting arrangements; and how, and to whom, this assurance would be supplied.

I was therefore astonished to receive a communication out of the blue direct from you via a cc email letter dated 21 November 2019, together with appendices including an 'Assurance Guidance', addressed to my Chief Fire Officer.



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Whilst somewhat taken aback to receive such a letter I wholeheartedly agree with the proposition in the Assurance Guidance *'that CFOs are likely to want to engage their Authority, whatever the governance the FRS has in place, about the assurance being provided for notified buildings.'*

Regrettably such engagement with my Authority is incompatible with the deadline of 31 December 2019 for returns stated in your letter. Please note that your letter of 21 November appears to erroneously conflate my role as being the 'governance body' for the Chief Fire Officer.

Your letter also informs my CFO that the assurance framework requires him to provide assurance to his fire and rescue authority (as well as to the Fire Protection Board). This reinforces the point that before such assurance can be given my Authority will need prior knowledge of the context and parameters as it is currently oblivious to the existence of your proposals.

In order for my Chief Fire Officer to engage with my Authority, a report will need to be considered by them at the next available meeting. This will not be able to be convened before January 2020.

In order for my Authority to be fully informed when they consider the matter, I would expect a report to them to contain a full exposition of the reasons for your letter being sent, the implications for the fire and rescue authority, the legal background and any other relevant risks and considerations.

In the absence of any information from the Home Office, I would be keen to receive from you the details of the Fire Protection Board's composition and terms of reference; and the basis on which fire and rescue authorities and/or their Chief Fire Officers can be required to provide (or receive as the case may be for the former) such assurance.

May I also prevail on you to provide details of what consultation has taken place in respect of the 'assurance framework'; the rationale for the Fire Protection Board adopting a binary approach to the two assurance questions; and the reason why this assurance framework and Fire Protection Board have been set up without the Secretary of State first having revised the National Framework.

Yours sincerely

Councillor Lesley Clarke OBE  
Chairman of the Buckinghamshire and Milton Keynes Fire Authority

cc: by email to Cllr Ian Stephens, Chairman of the Fire Services Management Committee [ian.stephens@iow.gov.uk](mailto:ian.stephens@iow.gov.uk)