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The Director General  
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23 July 1982

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Dear Sir

FIRE SERVICE CIRCULAR NO 9/1982  
THE HEALTH AND SAFETY AT WORK ETC ACT 1974  
SAFETY MATTERS ARISING IN FIRE SERVICE TRAINING AND OPERATIONS

1. Arrangements for the application of health and safety legislation to the fire service, in the light of the Safety Representatives and Safety Committees Regulations 1977, were promulgated to fire authorities in Fire Service Circular No 29/1978. The arrangements confirmed that the machinery provided by the Central Fire Brigades Advisory Council for joint consultation on health and safety matters arising in fire service training and operations, should continue as the main forum nationally for advising on and co-ordinating policy on such matters under the Health and Safety at Work etc Act 1974. They also provided for liaison between the Health and Safety Executive Inspectorate on general fire service problems arising from inspections and, in particular, before the former considered any enforcement action under the Act. The circular set out the considerations appropriate to the setting by the Council of national standards and guidelines in fire service training and operations.
2. Two recent developments have caused the CFBAC to consider the need to supplement the existing arrangements. The first is that in pursuance of its policy of developing 'National Industry Groups' (NIGs) in specific work activity areas, the Health and Safety Executive (HSE) has established a NIG for the fire service. Secondly, the work of the Joint Training Committee and the Joint Committee on Fire Brigade Operations has been hampered at times by lack of agreement as to the implications of health and safety legislation for specific issues. It has been concluded that the arrangements summarised in paragraph 1 above are still appropriate and should continue but that these should be supplemented by the establishment of effective working liaison between the NIG and the CFBAC.

National Industry Groups

3. National Industry Groups are based in the area offices of HM Factory Inspectorate but have responsibilities in respect of particular industries or work activities over the whole country. By way of example the area office at Preston functions also as a NIG in respect of local authority services and was originally selected by the HSE to cover the fire service. However, following consideration as to the arrangements for dealing with health and safety matters in defence establishments, the HSE decided to create a new NIG in the Area South Office at Basingstoke to deal primarily with Ministry of Defence matters. In the light of experience the functions of this NIG have subsequently been extended to cover also the police and prisons as well as the fire services. The Group is known as the Defence and Disciplined Services National Industry Group. The three main functions of the NIG in relation to the fire service are as follows:

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(i) To act as a central source of information in HSE on health and safety matters specific to the fire services.

(ii) To provide a central forum in HSE to identify and/or consider health and safety problems in the fire service, including the likely impact on fire services of proposals by HSE policy branches.

(iii) To maintain consistency of enforcement practice in relation to the fire services.

4. It will be seen that the NIG occupies a significant place in the flow of information on health and safety matters. HSE Inspectors in all parts of the country will look to it for advice on specific problems and issues and will supply it with information on the matters with which they are dealing. Inspectors in the NIG will themselves become familiar with fire service practice and safety standards through their inspection of the brigades in their area (Berkshire, Hampshire, Wiltshire, Dorset and the Isle of Wight). As a result of this incoming information, the NIG will become able to offer information and guidance to all the other area offices, as well as to HSE headquarter branches and will be able to offer comment and advice through the existing liaison arrangements with the Fire Service Inspectorate. It is emphasised that these activities are related solely to health and safety matters and the NIG will not be drawn into disputes between employers and trade unions in what are in effect industrial relations matters. An important aspect of the work of the NIG will be in assessing the standards of health and safety implicit in fire service training and operational procedures against the requirements of health and safety legislation. The HSE have confirmed that, in so doing, the arrangements set out in Fire Service Circular 29/1978 that the normal forum for establishing such procedures and standards is the CFBAC, will continue to apply.

#### Relationship between the NIG and the CFBAC and Home Department

5. To enable the NIG to play its role effectively in relation to the fire services, it needs access to the decisions and recommendations of the CFBAC and to be able to offer to the Council a view on behalf of HSE on the implications for training and operational procedures of health and safety legislation. It will also need to be aware of matters which are under discussion in the CFBAC. There may also be occasions when, perhaps as a result of problems arising during HSE inspections, the NIG might itself wish to ask the Home Department to seek the views of the CFBAC. For its part the CFBAC should benefit from having available at an appropriate stage in its proceedings, an authoritative view from HSE on specific matters. Given that the bulk of health and safety matters arise in issues dealt with by the Joint Training Committee and the Joint Committee on Fire Brigade Operations and these are the two committees on which such matters have been difficult to resolve, it has been agreed that the appropriate stage at which HSE should make a contribution is in these two Joint Committees. Such contribution will be of an advisory nature, the representative taking part in discussion but not in decision making. In addition, the Fire Department, as providing the administrative support for these two Committees, will keep the NIG informed of their proceedings. Apart from the respective roles which the NIG might play in the fire service at local level and in the CFBAC it will be seen that the potential exists for the NIG to contribute to achieving a closer relationship between the standards applied by HSE Inspectors in brigades and those set in the national forum and that this would complement the existing arrangements for liaison between the HSE Inspectorate and the Fire Service Inspectorate.

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Summary and Conclusions

6. As a consequence of these considerations, the following measures have been agreed by the CFBAC:

- (i) Working links are being established between the NIG and the CFBAC to enable the NIG to play its proper role in relationship to the fire service.
- (ii) The NIG is providing an adviser to both the Joint Training Committee and the Joint Committee on Fire Brigade Operations.
- (iii) Working links between the NIG and the Home Office will support these arrangements.


7. It was also agreed by the CFBAC that these arrangements:

- (i) should not in any way detract from the arrangement already existing as set out in Fire Service Circular 29/1978;
- (ii) should be regarded as being on a trial basis and subject to review after about two years;
- (iii) should take effect from June 1982 (including participation by the NIG in the meeting scheduled for that month of the Joint Committee on Fire Brigade Operations).

8. There are no additional cost or manpower resources arising from this Circular.

9. Additional copies of this Circular are attached for the Chief Fire Officer and Chief Financial Officer.

Yours faithfully



P R BURLEIGH

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Copies for information to: The Association of County Councils and the Association of Metropolitan Authorities.