

Chief Officers

Our ref: F3604228  
25 February 2011

Dear Chief Officers

## **DEAR CHIEF OFFICER LETTER (SCOTLAND) 3/2011**

### **FIRE (SCOTLAND) ACT 2005 – SECTION 33 REINFORCEMENT SCHEMES**

On 11 August 2010 my predecessor, Brian Fraser, wrote to Clerks to Fire and Rescue Authorities seeking copies of current reinforcement schemes made under Section 33 of the Fire (Scotland) Act 2005. I am grateful to Chief Fire Officers and Clerks for the responses to that request.

This letter is intended as a follow up to that initial exchange and to set out the position as I see it, covering three particular issues noted below.

1. As part of the review process, I have been asked by the Clerk to Strathclyde Fire and Rescue Board to give advice in respect of renewing schemes made under the 1947 Act in terms of the 2005 Act. Individual authorities must satisfy themselves of their compliance with Section 33 of the 2005 Act, but in my view reinforcement schemes made under the 1947 Act remain valid under the 2005 Act.
2. If I can offer an overview of the schemes submitted, it is that there is a variation in their use across Scotland. Having said that, I recognise that reinforcement and mutual assistance occurs routinely across Service boundaries and I do not know of any circumstance where a failure to cooperate has led to any diminution of service to the public.
3. In any case, I would draw your attention to the Scottish Fire and Rescue Service National Mutual Assistance Protocol. I have been in discussion with the CFOA(S) lead, who has been tasked by CFOAS to revise the document. As part of that revision, the document now explicitly states that one intention is to allow FRAs to fulfil their Section 33 duties. Again, it is for individual authorities to satisfy themselves that they comply fully with

Section 33 of the 2005 Act. But in my view adoption of the National Protocol would satisfy authorities' obligations under that section.

In addition, I have offered a view on the general approach to cross-border (England/Scotland) agreements which I hope will be of help.

I hope this helps to clarify these matters and I would be happy to respond to any subsequent enquiries.

Yours faithfully



**STEVEN TORRIE**  
**Head of the Scottish Fire and Rescue Advisory Unit**