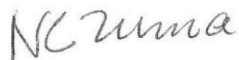

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF CO-OPERATIVE GOVERNANCE**NOTICE 515 OF 2020****WHITE PAPER ON FIRE SERVICES**

I, Dr Nkosazana Dlamini Zuma, Minister of Cooperative Governance and Traditional Affairs, in accordance with Section 85 of the Constitution read with the Fire Brigade Services Act, 1987 (Act 99 of 1987), after approval by Cabinet on 27 May 2020, hereby publishes the White Paper on Fire Services.

Due to the large volume, copies of the White Paper on Fire Services will only be made available electronically. The electronic copy of the White Paper is obtainable from the websites of the Department of Cooperative Governance and Traditional Affairs at www.cogta.gov.za and the National Disaster Management Centre at www.ndmc.gov.za

**DR NKOSAZANA DLAMINI ZUMA, MP****MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****DATE:** 13.08.2020



cooperative governance

Department:
Cooperative Governance
REPUBLIC OF SOUTH AFRICA

WHITE PAPER ON FIRE SERVICES



Prepared by:

National Department of Cooperative Governance

National Disaster Management Centre

Directorate: Fire Services

May 2020



WHITE PAPER ON FIRE SERVICES



“I have no ambition in this world but one, and that is to be a firefighter. The position may, in the eyes of some, appear to be a lowly one; but we who know the work that the firefighter has to do believe that his/hers is a noble calling. Our proudest moment is to save lives (Croker, Chief of Department 1899-1911, New York City Fire Department)

May 2020

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LEGISLATION**

MINISTER'S PREFACE

Throughout history, fires have inflicted a heavy cost in human, infrastructure, and damage to the environment. In our own country, the number of lives lost and injuries sustained because of fires is alarming. Statistics South Africa in its analysis of the distribution of deaths due to other external causes of accidental injury attributes 2 246 deaths to smoke, fire and flames in 2012 alone. With regard to the cost of fires to the economy, the Fire Protection Association of Southern Africa (FPASA) noted that in 2016, the recorded financial losses incurred by the country because of fires exceeded R3.144 billion. Taking into account that this figure reflects fires attended to by fire services and reported to the FPASA while excluding to a large extent uninsured losses, and fires occurring in areas where no professional fire services exist, it becomes evident that the cost of fires to our country's economy are significant and pervasive.

While most of our fire services have made tremendous progress in delivering the various services that communities expect, the majority of our country's fire services are frankly not functioning properly and continue to grapple with serious challenges that over the years, have weakened their ability to deliver on their legal mandate. Our analysis of these challenges has revealed that at the heart of these problems lies inappropriate policy and legislative framework, ambiguous assignment of roles and responsibilities across the three spheres of government on the delivery of fire services, burdensome requirements and fragmented legislative frameworks. There is no doubt that in responding to the challenges confronting fire services, strong and robust legislative framework is essential to provide an enabling framework for all role players to execute their roles and responsibilities. It is with this in mind that we have prioritise the development of this White Paper on Fire Services which represents the first major step in the reform and overhaul of the legislative framework governing the provision of this critical service to our communities.

This reform is fundamental to better position the fire services to respond to the changing and growing needs of society as well as to contribute meaningfully in the achievement of the strategic objectives of the country's National Development Plan. In essence, this White Paper provides a framework for understanding the philosophy and approach espoused by our government in the delivery of fire services in the country. The fundamentals of this White Paper are derived from our Constitution and

the relevant post 1994 local government legislation. In addition, and in line with international trends and practices, this White Paper seeks to establish fire safety and prevention as core elements of fire services functions in order to prevent fires and ensure that precautionary measures are put in place to reduce the likelihood of fires thereby reducing the loss of lives, injuries, damage to property and the environment as a result of fires. Equally important is that this White Paper recognises the critical importance of working with all social partners to deal with factors undermining the ability of fire service to deliver on their Constitutional mandate while improving their performance.

This White Paper is being developed at a time when our government has adopted the Back to Basics approach that is designed to ensure that all municipalities perform their basic responsibilities and functions without compromise. This programme is built on five pillars i.e. putting people and their concerns first; demonstrating good governance and administration; delivering municipal services; sound financial management and accounting as well as sound institutional and administrative capabilities. Inevitably, the development and implementation of legislation, policies, strategies and other related frameworks guiding the delivery of fire services must resonate with the pillars of the Back to Basics approach. In this regard, this White Paper amongst others, places an obligation on fire services to constantly engage with the communities they serve with a view to work together to reduce fire risks and ensure that adequate response strategies and systems are put in place to respond to fires and other related incidents rapidly and effectively. Furthermore, in line with the Back to Basics 's pillar on good governance and administration, this White Paper also outlines the various mechanisms must be utilised by fire services to engage with communities especially those whose assets, housing and livelihoods are vulnerable to the risks posed by fires.

While this White Paper is not intended as the ultimate panacea for all challenges confronting fire services, it demonstrate our commitment to reposition the fire services from response oriented fire services towards a fire risk reduction based approach. We are aware that if we want to succeed in reducing fire losses in terms of lives lost, cost to the economy, it is crucial that we work closely with all our partners and stakeholders including those in the private sector involved in the provision of fire services.

This document is the product of great joint efforts and support. While various acknowledgements need to be made, the crafting of it would not have been possible without the involvement of the entire spectrum of the fire services as well as our governmental and social partners. The challenge now is for society to own this White Paper. It must take on the proportions of a living document driven by a common desire to contribute towards the building of a nation where loss of lives, costs of fires to the economy and the environment are progressively reduced.

DR NKOSAZANA DLAMINI ZUMA, MP

MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

DATE:

PREAMBLE BY DEPUTY MINISTER

We have identified the Fire Brigade Services Act, 1987 (Act No. 99 of 1987) (FBSA) which was promulgated in 1987 as one of the old-order legislation that require a comprehensive review. This review aims to closely align and harmonise the FBSA with other applicable legislation. Initially, we attempted to achieve the objectives of reviewing the FBSA through amendments and accordingly commenced with the process. Whilst this process was underway, it became evident that this approach will not enable us to achieve the desired objectives due to the nature of aspects that must be introduced in the revised fire services legislation. In view of this, and consistent with government's approach to policy development, a Discussion Paper on the review of fire services legislation was published for public comments in March 2013. The Discussion Paper is followed by the White Paper that will culminate in a revised fire services legislation. This approach will ensure that prior to the promulgation of the revised fire services legislation, a clear policy framework for the function is in place for all role players to grasp the fundamental principles and policy direction underpinning the legislation.

This White Paper on Fire Services is therefore designed to outline key policy proposals that the proposed fire services legislation must address going forward. This White Paper also seeks to prioritise fire risk reduction as a core element of the proposed fire brigade services legislation. While fire-fighting services are provided at both local government level and by designated services, this White Paper also clearly outlines the roles and responsibilities that both national and provincial governments must execute in support of municipalities and other stakeholders involved in fire services across the country. The White Paper has been released for wider public consultation and comments through publication in the government gazette and inputs that were received were duly assessed and integrated accordingly.

MR PARKS TAU**DEPUTY MINISTER: DCOG****DATE:**

SECTION 1: INTRODUCTION

“Fire Services are a vital public service. It is part of the fabric of all our communities. The service it provides is essential in preventing fires starting in the first place and in responding quickly and effectively to those incidents with which it has to deal. Increasingly, it is now developing a wider role. That role involves tackling new threats which we are now facing, including terrorism, and threats such as flooding and other environmental disasters” (Prescott, Deputy Prime Minister, United Kingdom, 2003).

1.1 The fire problem: a global perspective

Burns constitute a major public health problem, especially in low and middle-income countries (such as South Africa) where over 95% of all burn deaths occur. Globally, fire-related burns alone account for over **300 000 deaths per year**, with more deaths from scalds, electricity, chemical burns and other forms of burns. While high-income countries have achieved much in terms of reducing the burden of injury and mortality from burns through implementation of proven interventions, such as promoting use of smoke detectors, regulation of hot water heater temperature and flame retardant children’s sleepwear to name but a few, such strategies have yet to be widely applied in low- and middle income countries, and consequently mortality rates remain relatively high, especially among the poorer members of society (WHO, 2008). Thus, the burden of burn injury is one that falls predominantly on the world’s poor. The vast majority (over 95%) of fire-related burns occur in low- and middle-income countries. Within this group of countries, not only are burn deaths and injuries more common in people of lower socioeconomic status but, among those who suffer severe burns, it is the most economically vulnerable that are the more likely to be thrown into further poverty as a consequence.

Fire-related mortality rates are especially high in South-East Asia (11.6 deaths per 100 000 population per year), the Eastern Mediterranean (6.4 deaths per 100 000 population per year) and Africa (6.1 deaths per 100 000 population per year). These compare with much lower rates of, on average, just 1.0 deaths per 100 000 population per year in high-income countries. This is one of the largest discrepancies for any injury mechanism (WHO, 2008). Among the various age groups, children

under 5 years and the elderly (i.e. those aged over 70 years) have the highest fire-related burn death rates (Mock *et al.* 2008). Fire related burn injuries are a serious health threat to young children and are disproportionately concentrated in Africa with nearly 16,000 African children under 5 years of age dying because of fire-related injuries alone (Van Niekerk *et al.*, 2006; World Health Organisation (WHO), 2012). The WHO indicates that the rate of child deaths from burns is currently over seven times higher in LMIC's than in High Income Countries (HIC's) resulting in one of the largest discrepancies for any international comparison on injury mechanism.

However, deaths are only part of the problem, for every person who dies because of their burns, many more are left with lifelong disabilities and disfigurements. For some this means living with the stigma and rejection that all too often comes with disability and disfigurement (World Health Organisation, (WHO), 2008). It is important to note that for every fire related fatality, there are many more that suffer from surviving the injury leading to prolonged hospitalization, disfigurement and disability, often with resulting stigma and rejection. In 2004 alone, nearly 11 million people worldwide were burned severely enough to require medical attention and burns are among the leading causes of disability in LMIC's (WHO, 2012). These consequences are even more serious in developing countries, as severely disfigured survivors are flung into unemployment, extreme poverty, social segregation and sometimes even abandonment by their family. As a result, victims may become emotionally overwhelmed and withdraw from society, typically worsening the chances of healing and recovery whilst continuing to suffer from post-traumatic stress, anxiety, depression and loss of motivation.

There have been many cases where burn survivors have been stigmatized, socially excluded and their future employment has been disadvantaged because of their visible scarring. Psychological healing and support is often inadequate or even absent resulting in the victim suffering for life with both the physical and psychological scars of the burns. The growing fire challenges has resulted in the emergence of an approach which places specific focus on fire prevention and safety as core components of the fire services across the globe. While some of the strategies that have been implemented successfully in high-income countries to prevent burn injuries such as the use of smoke detectors would effectively address the risk factors in some low and middle income countries, it is important to note that

the epidemiologic pattern of, and risk factors for, burns differ markedly from those that characterise high income countries. This is due to some of these factors:

- a. The use of cooking pots on ground level (pots on ground level are more readily knocked over, and can increase the risk of scald burns, for example, among toddlers and young children);
- b. The use of open wood fires; and
- c. The use of unsafe and non-compliant kerosene (paraffin) stoves and lamps (these can be easily knocked over and then ignite) (WHO, 2008).

It is clear – given that approximately two billion people worldwide cook on open fires or very basic traditional stoves – that in order to reduce the number of fire-related burn deaths worldwide, evidence-based strategies to address these particular risks are going to be needed. However, there have been some promising pilot projects addressing some of the above risk factors, such as efforts to promote safer paraffin stoves in South Africa and safer, more stable paraffin lamps in Sri Lanka. With regard to the economic impacts, the WHO has noted that in South Africa an estimated US\$ 26 million (approximately R300 million) is spent annually for care of burns from kerosene (paraffin) cook stove incidents. Indirect costs such as lost wages, prolonged care for deformities and emotional trauma, and commitment of family resources, also contribute to the socioeconomic impact.

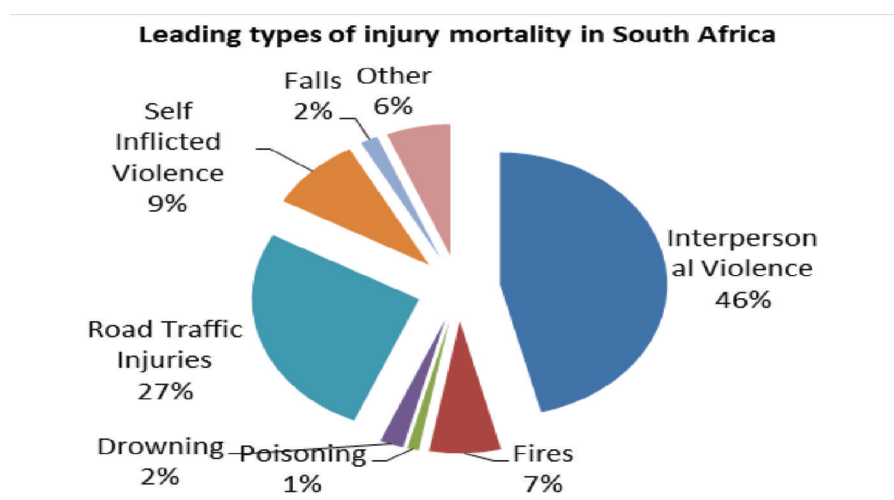
It is against this background that the International Association of Fire Chiefs (IAFC), 2009 postulates that a shift toward a greater emphasis on fire prevention is necessary if the fire service wishes to more effectively accomplish its mission to save lives and property. With regard to funding by governments to fire services, The World Fire Statistics Centre (WFSC) (whose main objective is to persuade governments to adopt strategies aimed at reducing the cost of fire) has noted that, although running at around one per cent of Gross Domestic Product (GDP) in most advanced countries, fire has generally received much less attention than the cost of crime or of road accidents. The WFSC further observed that wildfires (veldfires) are an increasingly prevalent natural hazard in many countries around the globe and, as the wildfire-urban interface becomes more extensive, more attention needs to be directed to their incidence, scope, and economic importance (WFSC, 2011). Most fire services legislation across the globe have also significantly moved towards prioritising fire risk assessment as a core component of fire services legislation. For

example, the United Kingdom Fire and Rescue Act, 2004, introduces a new duty on all fire and rescue services authorities to promote fires safety which underpins the shift toward a more prevention-based and risk assessed approach, thereby helping to save more lives by reducing the number of fires occurring in the first place.

1.2 The fire problem in South Africa

The National Development Plan (NDP) observed that the proportion of South Africans living in rural areas has fallen by about 10 percentage points since 1994. Today, about 60 percent of the population lives in urban areas and slightly more than half of the poor lives in cities. By 2030, about 70 percent of people are likely to be living in urban areas. Gauteng and cities of eThekweni and Cape Town are the fastest growing city-regions, with implications for planning and delivery of basic services (South Africa, 2012). With regard to building safer communities, the NDP recognises that when people feel unsafe it makes it harder for them to develop their capabilities, pursue their personal goals and to take part in social and economic activity (South Africa, 2012). Fire services is one of the essential public service which plays a critical role in making communities safer place to live.

Fire kills. Preventing fires saves lives and reduces injuries. Currently too many fire services especially from resource poor municipalities are struggling to provide sustainable and cost-effective fire services. The number of lives lost and injuries sustained because of fires is alarming. A report by the FPASA on fire deaths by sector for the year 2015 revealed that 436 people lost their lives due to fires and that around 50% of the deaths (i.e. 219) are occurring in informal dwellings. South Africa has one of the highest levels of death and disability from injury in the world (Department of Health, 2012). As highlighted in **Figure 1** below, fires contribute seven percent to the injury mortality in the country:

Figure 1: Leading types of injury mortality in South Africa

(Department of Health, 2012)

According to the Integrated Strategic Framework for the Prevention of Injury and Violence in South Africa (Department of Health, 2012) the fire related burn death rate in South Africa **of 8,5 per 100 000** is greater than both the world average which is five per 100 000, and six for Africa respectively. With regard to financial losses, **Figure 2** provides a comparison between the financial losses incurred from fires in 2015 and 2016 per sector:

Figure 2: Compared financial losses 2015 and 2016

Financial Losses	2015	2016
Description	Rand Sum of Damage	Rand sum of damage
Residential	1 186 434 833	1 843 930 163
Institutional	80 038 500	160 576 600
Public Assembly	16 458 750	19 081 500
Commercial	179 437 310	393 481 500
Storage	202 994 800	25 487 861
Industry	428 018 082	228 402 209
Transport	478 601 719	425 611 214
Other	160 040 288	48 280 721
Total	2 732 024 282	3 144 280 721

(Fire Protection Association of Southern Africa, 2017)

Figure 3 below provides a further breakdown of these losses per sector.

Figure 3: Breakdown of 2015 financial losses per sector

(Fire Protection Association of Southern Africa, 2017)

These statistics essentially reflect the losses reported by local authorities to the FPASA. Fire losses under a certain value are usually not reported especially from fires in informal settlements and those assets that are not insured. The fire statistics of large industrial and other private services are also not included in the above figures especially since most large industrial agencies have in-house insurance facilities. **In other words, the losses could in all probability be much higher if all fire losses were captured during this period.**

As outlined in the NDP, to achieve sustainable and inclusive growth by 2030, South Africa needs to invest in a strong network of economic infrastructure designed to support the country's medium and long-term objectives (South Africa, 2012). Fire services play a critical role in the protection of this network of economic infrastructure. It is therefore important to continuously increase the capacity of fire services to deliver on its critical mandate as failure to do so may impact negatively on socio-economic development. This is critical as both social and economic infrastructure and rural development requires reliable and efficient fire services across the country with the capacity to provide adequate protection from fires and

ability to manage them when they occur. While there are many viable and efficient fire services that are able to protect the critical economic infrastructure, a significant number of fire services across the country are not in a position to adequately protect strategic assets in their areas of jurisdiction.

The NDP further noted that poor road safety adds a huge cost to society. South Africa suffers from a high accident rate, with high incidence of death, injury and lost cargo. The fire services play a critical role in provide rescue capabilities required in accidents across the country's road network. The current reality is that some fire services do not have the requisite capacity and capability to provide rescue during accidents. While the effects of fires are most pronounced in live lost, injuries and damage to properties, the environmental effects of fires are also often huge and capable of undermining environmental conservation objectives of the country. The issues raised above clearly indicate that fire service is an essential and vital service that plays an integral part in the protection of communities, its infrastructure and livelihoods. In essence, fire services can be characterised as the key responder to all non-security related incidents in the community. The critical nature of this function necessitates the mobilisation of resources by all spheres of government to respond adequately to the systemic challenges besetting this critical community service and put it on a different trajectory going forward. The fundamental nature of changes required to place fire services on a different path requires a revised policy framework that reflects the changing scope and needs that fire services are confronted with on a day-to day basis.

1.3 The key drivers for change

Like other sectors, as the fire service enters the 21st century, it is subject to a number of key drivers for change and reform. The following provides a summary of the key drivers for change in the fire services sector:

- a. **Legislative basis** – there is a need to review the FBSA to ensure that it is aligned, harmonised and consistent with the post 1994 legal framework/dispensation in the country.

- b. **Partnership** – robust and dynamic partnerships between all spheres of government, private sector, civil society organizations and communities is essential for the effective delivery of fire services.
- c. **Standardisation of fire services** – standardisation of norms and standards is critical in fire services in the country and model by-laws and other similar mechanisms are required to accomplish this.
- d. **Changing role of fire services** – traditional roles and responsibilities of fire services are changing across the globe. Some of these changes are fundamental and requires legislative overhaul to adequately reflect the changing role of the modern day fire service.
- e. **Modernising agenda** – global technological advancement spawns new challenges to fire services that necessitate ongoing modernisation of fire services operations. Developments in building technologies impacts significantly on fire safety in buildings and necessitates a review in the manner in which fire safety services were provided in the past. In addition to this, fire services need to be committed to fundamental principles of accountability, transparency, continuous improvement, etc in the provision of services to communities.
- f. **Changes in the built and natural environment** – this introduces new risks requiring different methodologies to manage effectively.
- g. **Disaster management and fire services interface** – global warming, climate change, etc are expected to place different demands on the fire service.

The current fire services legislative framework does not adequately reflect most of the factors/ challenges outlined above and it is only through fundamental review of the legislative framework that the fire services can be repositioned to respond to this challenging and evolving agenda going forward.

1.4 Purpose of the White Paper

The fire service is in need of reform and the existing legislative framework i.e. the FBSA does not provide an adequate platform for such reform. This reform is fundamental to better position the fire service to respond to the changing and

growing needs of society as well as to contribute meaningfully in the achievement of the strategic objectives of the NDP. This White Paper sets out the vision for the fire service of the future and outlines the strategy for achieving that vision going forward. It also set out key policy proposals and options that government wants to put in place in responding to the challenges facing the sector as outlined in preceding sections. In essence, this White Paper provides a framework for understanding the philosophy and approach in the delivery of fire services in the country going forward. These proposals build on the good practice found in today's fire service across the country and globally.

1.5 Vision of fire service

A fire service that is proactive in preventing fires and other risks rather than simply reacting to fires through –

- a. Acting in support of the wider developmental agenda as outlined in the NDP;
- b. Establishing sound institutional and administrative capabilities that support its roles and purpose;
- c. Demonstrating good governance and administration;
- d. Adopting community based approaches;
- e. Putting people and their concerns first; and
- f. Professionalisation of the function.

1.6 Premises of the White Paper

The White Paper takes as its premise, the constitutional imperatives as laid down by the 1996 Constitution of the Republic of South Africa. In terms of the Constitution, fire-fighting services are a functional local government matter as outlined in paragraph B of Schedule 4 with national and provincial oversight. The White Paper further draws mandates from chapter three, six and seven of the country's Constitution, of 1996. This White Paper seeks to clearly define the role of all spheres

of government in the sustainable delivery of fire services. It also contains high-level general policy principles that will provide a policy framework for the proposed legislation and subordinate legislation. Relevant international instruments to which South Africa has acceded to also forms the basis upon which this White Paper is premised.

1.7 Background to the White Paper Process

Former Minister (Mr. F.S Mufamadi) of the Department of Provincial and Local Government (now Department of Cooperative Governance (DCoG) granted approval to review the FBSA in April 2006. This review aims to closely align and harmonise the FBSA with other applicable legislation especially the local government legislation. The NDMC initially attempted to achieve the objectives of reviewing the FBSA through amendments and accordingly commenced with the process. Whilst this process was underway, it became clear that this approach would not enable the NDMC to achieve its objectives due to the nature of aspects that must be introduced in the revised fire services legislation.

In line with government approach to policy development, the National Disaster Management Centre (NDMC) published a Discussion Paper: Towards a Fire Services White Paper in March 2013. This document outlined relevant issues on which policy was required. Views and proposals espoused in the Discussion Paper were obtained from fire services stakeholders who were consulted by the NDMC from 2011/12 financial year through provincial workshops that were held in each province. The views of other government departments and other relevant stakeholders were obtained on identified policy issues, through an extensive and coordinated consultation process. This Discussion Paper was also released for wider public consultation and comments through publication in the government gazette in March 2013. A two-day national workshop was held in May 2013 involving all relevant stakeholders. This workshop also assessed written comments that were received from the public. Several workshops were organized in 2013 with key stakeholders to discuss various preliminary policy proposals. All this processes culminated in the production of this White Paper.

1.8 Key policy proposals

There are 20 key policy proposals set out in this White Paper: These are:

- a. Reform legislation to reposition the fire services into the 21st century;
- b. Clear definition of roles and responsibilities of all spheres of government;
- c. Establishment of Fire Services Directorate at both provincial and national government spheres;
- d. Introduction of a national fire services advisory structure;
- e. Locating fire services within the broader development agenda of the country;
- f. Development of a National Fire Services Framework;
- g. Professionalisation of the fire services;
- h. Alignment of applicable regulatory/legislative frameworks to provide a comprehensive and unified legislation for fire services;
- i. Establishment of a national fire research & data centre;
- j. Development of a uniform risk assessment model;
- k. Development of various categories of designated services;
- l. Development of a national education and training strategy;
- m. Introduction of a risk-based approach in the provision of fire services;
- n. Entrenching fire safety and prevention as core deliverables of the fire services;
- o. Introduction of a funding strategy for fire services;
- p. Make provision to adopt applicable South African National Standards (SANS) to provide benchmarks for the delivery of fire services;
- q. Make it mandatory for all municipalities to develop and adopt fire services bylaws;
- r. Introduction of a National Fire Code which will deal with fire safety elements which are not addressed adequately in the National Building Regulations;
- s. Introduction of a national uniform Incident Management System (IMS) to improve response to fire incidents; and
- t. The introduction and implementation of a new Fire Services Act.

1.9 Summary of Chapters

In addition to the introduction (Chapter 1), the White Paper comprises

Chapter 2: Setting the context - Outlines the development and social context for fire services in South Africa, as well as some international trends. The deficiencies of the current legislative framework also receive attention in this chapter together with the key impacts of that the post 1994 local government legislation has on fire services. This chapter will also reflect on the state of fire services, the costs of fires and the risk context within which fire services operates in the country.

Chapter 3: Key principles – Outlines key principles that will underpin and guide the delivery of fire service.

Chapter 4: Developing a new approach – outlines the new fire services operational philosophy

Chapter 5: Role of national government in fire services - Provides key roles and responsibilities of national government in fire services.

Chapter 6: Role of provincial government in fire services - Provides key roles and responsibilities of provincial government in fire services.

Chapter 7: Role of local government in fire services - Provides functions of a fire service including the key roles and responsibilities of fire safety and prevention. This section also outlines the role of volunteers in fire services, powers of a member of service, mechanisms for dealing with false alarms etc. This chapter contains the most important aspects of the proposed fire services policy.

Chapter 8: Fire prevention, safety and protection - Provides context on fire safety and fire prevention aspects of the policy. This section also outlines the paradigm shift from response-oriented operations towards fire safety and fire prevention.

Chapter 9: Designated services - This chapter outlines why government must work with other stakeholders in fire services, the provision of the current fire services legislation on the involvement of other stakeholders as well as the roles that such stakeholders can play in fire services.

Chapter 10: Training, research and capacity building - This section outlines the current fire services training context, impact of other key legislations on education and training of firefighters, use of research in fire services as well as proposals on the establishment of national or provincial academies that will provide specialised fire services training.

Chapter 11: Funding arrangements for the provision of a fire service – This section reflects on previous national funding initiatives dedicated to fire services by national government, current fire services financing arrangements, key challenges created by the current funding dispensation and the principles that must underpin future funding arrangements for fire services in the proposed legislation.

Chapter 12: Transboundary, Regional and International cooperation and liaison on fire services activities – This section deals with the mechanisms required for transboundary, regional and international cooperation on fire services matters.

Chapter 13: Definitions – Defines key concepts used in this White Paper.

CHAPTER 2: SETTING THE CONTEXT

2.1 Locating the delivery of fire services in the socio-economic development agenda of South Africa

The role of fire services has expanded over the years. In addition to fire calls, it rescues people trapped in vehicles and collapsed structures, responds to almost all non-security related incidents as well as other environmental disasters. The role of fire services must be seen in the context of the broader national development

agenda of the country. The NDP's central goals are expanding employment and entrepreneurial opportunities on the back of a growing, more inclusive economy. The goal of the NDP is to almost treble the size of the economy by 2030, so that 11 million more work opportunities are created. Fire services plays a critical role in protecting strategic and productive assets that sustain the economy of the country. The desired economic growth targets espoused in the NDP necessitates the sustainable creation of capacity to protect strategic economic assets and infrastructure from the risk posed by fires and other related environmental disasters. **Pivotal development points (such as the Waterberg/ Lephalale region, Saldanha Industrial Development Zone, Coega and the strategic freight corridor from Gauteng to Durban) requires adequate protection from the risk posed by fires.**

Fire services play a pivotal role in reducing the vulnerability of these developments to anthropogenic hazards such as fires thereby contributing to building the resilience of the economy.

While there are several factors that heighten vulnerability to fires across the country, like most developing countries, South Africa is also grappling with an increasingly urbanising population. More than 60 % of South Africa's population live in urban areas, which cover only 1.5% of South Africa's surface area (South Africa, 2012). Experience has demonstrated that the majority of people migrating to urban centres are forced to settle in marginal land that is often highly vulnerable to environmental and industrial disasters. As outlined in the NDP, most job-seeking migrants moving to cities first live in informal settlements that are an affordable entry to the city and these present particular challenges. These informal settlements are vulnerable to floods and fires, exacerbated by their location in flood- or ponding-prone areas and on sand dunes; inferior building materials and inadequate road access for emergency vehicles (South Africa, 2012).

The new approach to the provision of fire services championed in this White Paper is premised on the recognition that communities at risk of fires must play a central role in reducing their vulnerability to fires. This will require the fire services to establish partnerships with all stakeholders including communities. These partnerships must clearly define the roles and responsibilities of all role players in the provision of fire services. In addition to this, fire services must develop programmes aimed at

educating communities on actions that people can take to reduce vulnerability to fires. Going forward, these initiatives must be linked to existing community structures such as ward committees and mechanisms must be put in place to align these activities with the work done by traditional leaders where applicable.

It is clear that the costs of not developing a viable fire service are enormous to the community concerned both in terms of loss of lives, injuries, damage to property and infrastructure as well as the **opportunity cost** in instances where potential investors redirect their investments due to poor capacity of fire services.

2.2 Interface between climate change and fire services

Fire services also need to define its contribution to the vision 2030 of a transition to a low-carbon, resilient economy and just society espoused in the NDP. Consistent with South Africa's primary approach to adapting to the impact of climate change by strengthening the nation's resilience, the fire services must embrace climate adaptation by identifying and putting into effect appropriate policies, strategies and measures. While there are several interventions that the fire service can put in place to contribute to this vision, the following are some of the measures that can be put in place by the function:

- a. Construction of green and environmentally friendly fire stations and facilities;
- b. Better use of water for firefighting purposes as well as usage of alternate environmentally friendly extinguishing medium;
- c. Utilisation of less harmful and environmentally friendly foam;
- d. Reduction of emissions especially in prolonged fire incidents;
- e. Factoring climate change impacts in land-use planning; including effects of urbanisation on flood characteristics and the urban island heat phenomena created by urban development.

As outlined in the National Climate Change Response White Paper, additional stresses to biodiversity resulting from climate change include wildfire frequency (which appears to already show climate change-related increases in the Fynbos Biome), and the prevalence of invasive alien species. The fire service must develop

appropriate strategies to manage veldfire risks in view of the challenges brought about by climate change.

2.3 Current fire services delivery context

Fire services is a capital and resource intensive function. Currently fire services are mainly funded by revenue generated by municipalities. Frankly, this inevitably link the resource base of the fire service to municipal viability with those that are financially viable able to adequately and sustainably fund the function while those that are not viable struggles to finance fire activities in any meaningful way. This also exposes the delivery of fire services to revenue fluctuation dynamics that can affect a municipality. Furthermore, the low-revenue generating capacity of the function serves in most instances as a disincentive for decision makers to provide adequate funding for the function. In short, the competition for limited resources by all basic services such as electricity, sanitation, water, etc. often means that fire services (**which is not defined as a basic service**) is not able to receive priority. It is therefore critical that in addressing the challenges alluded to above, mechanisms are put in place to provide support to municipalities especially those in resource poor areas.

While fire service is regarded as an essential service in terms of the **Labour Relations Act 1995**, it is not captured as a basic service in terms of **Chapter one of the Municipal Systems Act, Act 32 of 2000**.

This current practice or omission contributes significantly in the allocation of resources to perform the function. The unclear roles and responsibilities of both provincial and national governments in the provision of fire services further hinders the effective provision of this critical function at the local level. This ambiguity also weakens the ability of these two spheres of government to provide adequate oversight and support to fire services at local government level and those operating outside the ambit of local government. In responding to these challenges, this White Paper advocates a paradigm shift from response and operations oriented approaches towards a fire risk management approach that prioritise fire prevention and safety. In essence, the policy advocates a move from reactive to a proactive approach.

2.4 What is the current state of fire services in the country?

In 1999, following a dramatic increase in the value of fire claims paid (R400 million in 1990 and R1.4 billion in 1998), the insurance industry tasked the South African Insurance Association (SAIA) with addressing government regarding these concerns. The former Department of Constitutional Development in response tasked SAIA to perform an assessment with the intention to establish and identify the root cause of service-delivery deficiencies. Since it was not possible to evaluate all the fire services, a cross section was selected. Several root causes of the problems within fire brigade were identified and this includes the lack of compulsory national standards, employment practices, inadequate accountability at some municipalities for the function, lack of effective management, poor maintenance of equipment, fire safety challenges and inadequate funding to mention but a few.

In 2007, in view of assessing which preparations were required for the 2010 FIFA World Cup the former Department of Provincial and Local Government (DPLG) tasked a group of experts, using the same methodology as the SAIA team, to determine the state of fire services with specific focus on services directly affected by this event. The team concluded that whilst there **were areas of excellence**, in essence, little changed in the delivery of fire services. In late 2009, an assessment of a cross section of the fire brigades of the 2010 FIFA World Cup host cities was completed by a group of experts comprising officials of the former DPLG and the Berlin fire brigade. The aim of the assessment was to determine the readiness of fire services to deliver a safe 2010 FIFA World Cup from a fire services point of view. The team concluded that whilst there were still minor areas of concern, in essence, huge strides were made in the delivery of fire services for the event. In fact, of the R 250 mil identified by the 2007 report needed for the upgrade of fire services equipment of the host cities, a total of R 235 mil was raised and spent on resourcing the various fire services involved in the FIFA World Cup. The findings of the SAIA report is not different from the defence report of 1975 that suggests that at the time little has changed in the delivery of fire brigade services.

This translated to significant equipment upgrades, training of personnel and the development of event specific operational plans still in use today. These capabilities will benefit the country going forward when similar sporting and other events are

hosted in South Africa. The team also identified two key emerging issues that are affecting fire services that require consideration. The first relates to the different interpretation of Section 84(1) (j) of the Local Government: Municipal Structures Act, 1998 (in use since December 2000) which led to the complex and dissimilar division of fire functions between Districts and Local municipalities. These developments have in some areas led to a two-tiered fire service provided by both District and Local municipalities in the same jurisdiction often resulting in costly and wasteful duplication of efforts and resources.

The second issue relates to the relationship and jurisdictional contests between municipal fire services and other emerging government funded initiatives aimed at addressing fire challenges such as veldfire management. In some instances, these programs are presented as an alternative model for the provision of fire services that raises fundamental questions as **firefighting services are a municipal function as outlined in the Constitution of the Republic**. This places the Chief Fire Officer at the heart of sustainable delivery of fire services. The proposed fire service legislation should provide clarity on the jurisdiction of Chief Fire Officers on role players (government funded or private) who are involved in firefighting across the country. Although these studies were done many years ago, most of these challenges identified remains relevant today and require urgent and concerted efforts by all stakeholders led by government to address them effectively.

Notwithstanding the enormous challenges faced by fire services across the country, most services are implementing several positive initiatives across the country. Several services have established effective Public Information, Education and Relations (PIER) programs that are aimed at providing education and awareness about the measures that communities can put in place to reduce fires as well as measures generally aimed at building skills essential for life safety. These initiatives include amongst others the establishment of Community Emergency Response Teams (CERT) by fire services in most metropolitan areas and some local areas. These teams are comprised of identified community members who are equipped with basic firefighting and emergency mitigation skills required to respond to their community's immediate needs in the event and aftermath of a major emergency, whilst awaiting response from fire services and other agencies. By working together, they assist in saving lives and protecting property. The team's responsibilities ranges from public education/awareness and information dissemination, to pro-active

response to emergencies within the affected community until fire service services arrive.

The Mangaung Fire and Rescue Services established a Fire Brigade Museum that was aggressively marketed as a facility focussing on public fire safety awareness specifically targeting school learners. Since its establishment in 2003, the museum is visited by between four and six thousand people per annum who are exposed to public education which have significantly contributed to an elevated level of fire safety awareness in the Mangaung area. Furthermore, several areas have also benefited due to the expansion of fire services to areas that were previously without services whilst areas that had services have in most areas witnessed significant and sustained upgrading of capabilities. This expansion has been characterised in some areas by the intelligent utilisation of existing facilities such as in the Mangaung case where a vacant industrial building was used to establish a service to areas that were without access to a service with minimal capital investment. Various services have also implemented learnerships in partnership with the LGSETA aimed at building firefighting skills amongst young people using own funding and in some areas in partnership with other government agencies responsible for skills development.

2.5. Fire risk context in South Africa

The fire problem in South Africa is amongst the highest in the world and manifests through the loss of life, the injury (either permanent or temporary) to people, the loss of property and other direct and indirect financial losses. The Paraffin Safety Association of Southern Africa (PASASA) indicated that “more than 200 000 people per year are injured or lose their property from paraffin related fires” (Bradnum, 2007). The fire problem is further complicated by the living conditions in informal settlements characterised by narrow streets which are inaccessible to fire services vehicle as well as the lack of street names which complicates endeavours to reach people in need (Mabena, 2003).

In essence, the risk of fires in the country is influenced by a variety of socio-economic factors notably the rising levels of urbanization which often results in informal settlements comprised of shacks built by highly combustible materials (frequently wood and plastic) and in close proximity to each other which heighten the

risk of fires in these areas. The case study of Imizamo Yethu outlined in Figure 4 below typifies the challenges posed by fires in informal settlements across the country:

Figure 4: Fires and fire risks in Imizamo Yethu, Hout Bay, South Africa

A fire in February 2004 in Imizamo Yethu, an informal settlement in Hout Bay, destroyed 1,200 homes and left some 5,000 people homeless. The settlement was created in 1990 when forestry land was converted into an 18-hectare site for 429 housing plots with services. Imizamo Yethu means 'through our collective struggle'. It is a mix of brick houses and shacks. It has piped water, mostly through public taps – but the supply is irregular and at the time of this fire, there had been no water in the piped system for the previous 24 hours. The fire brigade was called but only half an hour after the fire started (many people did not know the phone number) and the fire engines could not access some areas because there were no roads or because people had put their possessions in the road.

The settlement has had other serious fires – for instance, before the February 2004 fires, there had been fires that destroyed between 40 and 90 buildings in 1995, 1997, 2001 and 2003. In 2008, about 23 houses were burnt down in February, 60 in August, 200 in late November and 200 in early December. The initial causes of these fires are often not clear but the widespread use of candles for lighting and open fires or dangerous paraffin stoves for cooking and heating is clearly part of the reason. The close physical proximity of buildings and the many that are made of flammable materials help explain why fires spread from house to house – although many of the more severe fires here and in other informal settlements in Cape Town are also associated with high winds.

International Federation of Red Cross and Red Crescent Societies, World Disasters Report, 2010.

2.6. Current legislative framework for fire services in South Africa

Firefighting services is a local government function with concurrent provincial and national legislative competence in terms of Schedule 4 Part B, of the South African Constitution. The FBSA is the primary piece of legislation regulating fire services and seeks to provide for the establishment, maintenance, employment, co-ordination and standardization of fire brigade services. The FBSA replaced the Ordinances on Fire Brigade Services of the former provinces of Transvaal, Natal, Orange Free State and the Cape of Good Hope. The main reason for the initiation of the FBSA was the fact that the ordinances could not achieve national coordination and standardisation of fire brigade services. The FBSA provides for:

- a. The establishment of a Fire Brigade Board (FBB) that performs functions assigned to it in terms of the FBSA or the Regulations. This Board is comprised of various key role players involved in the provision of fire services;
- b. The establishment and maintenance of a service by a local authority in accordance with the prescribed requirements;
- c. The establishment of Designated Services which are services that do not fall under the control of a local authority;
- d. The appointment of a Chief Fire Officer who possesses the prescribed qualification and experience to be in charge of a service;
- e. The appointment of any person who possesses the prescribed qualifications and experience by a controlling authority as a member of its service to perform such functions as may be assigned to him or her by the Chief Fire Officer. The powers of these members of a service are also outlined;
- f. The appointment of a Category of Authorised Persons (CAPS) to perform prescribed functions in order to ensure that the objects of the FBSA are achieved;
- g. The establishment of a fire brigade reserve force by a controlling authority for its area of jurisdiction;
- h. The assignment of far reaching powers to a Chief Fire Officer and members of a service, with indemnity, to perform certain acts to achieve the objectives of a fire service by closing streets, entering or breaking and entering any premises, damage destroy or pull down any property, forcibly removing or cause the forcible removal of a person whom obstructs their actions during an incident and take any material or object to perform their functions provided that compensation is given at a later stage;
- i. The salvaging of movable property which is in danger at a fee;
- j. The introduction of fees for the rendering of a service;
- k. The provision of grants-in-aid by provincial government in support of fire services based on certain conditions;
- l. The conclusion of agreements with other fire services to render a more efficient fire service; and
- m. The power of the Minister to make regulations as well as the powers of a controlling authority to make by-laws or regulations as the case may be which are not contrary to any law.

2.7. What are the main problems with our current legislation?

- a. The FBSA does not make adequate arrangements or place explicit focus on fire safety and prevention particularly community fire safety education.
- b. The FBSA does not clearly outline national norms and standards that can be utilised as benchmarks in the provision of a fire service. In addition to these, aspects related to research and development as well as mechanisms for dealing with quality assurance is currently not clarified in the FBSA.
- c. The FBSA was promulgated in 1987 and the advent of the new democratic dispensation in 1994 resulted in a myriad of legislation that significantly impact on local government functions and institutional arrangements. This necessitate the review of the FBSA to harmonise it with other key legislation that impacts on the provision of fire services.
- d. The FBSA established the FBB as a forum to be consulted on various matters relating to the oversight, regulation and administration of fire services. The FBB meet infrequently which makes its functioning ineffective and the administration of fire services weak. Political oversight is not achieved, as the platform to achieve this vital function is not functioning.
- e. The FBSA assigns the administrative work arising from the activities of the FBB to a secretariat. The secretariat, established as a Directorate in the National Disaster Management Centre (NDMC) is under capacitated and under-funded to perform the assigned function.
- f. A further weakness is that the current FBSA does not provide clear-cut provisions for the support, oversight, capacity-building roles of provinces and national government respectively as outlined in the country's Constitution, 1996, the White Paper on Local Government, 1998, and other applicable legislations.
- g. The Municipal Structures Act, (MSA) 1998 provides for the division of powers between Category C (District Municipalities) and Category B (Local Municipalities) on fire services matters. Although this Act makes adequate provisions for the adjustment of such powers following a set procedure where appropriate, this has resulted in a two tiered fire services in some areas that often results in wasteful duplication of resources and efforts.

Prior to 1998, the legislative dispensation somewhat enabled structures created by the National Veld and Forest Fire Act (NVFFA), 1998 such as Fire Protection Associations to function optimally due to the absence of wall to wall municipalities and municipal boundaries were essentially covering the urban precinct where the risk of veldfires is usually low or insignificant. The advent of the MSA in 1998 and the introduction of wall-to-wall municipalities mean that there is no area in the country outside of municipal jurisdiction. This necessitates that future legislation on fire services should strongly reflect on how alignment and harmonisation can be achieved with the NVFFA to ensure an integrated legal framework for managing fire risk in the country. The future fire services legislation must eliminate confusion as well as clarify the roles and responsibilities of provincial and national governments. It must also outline clearly the framework within which other role players outside government can play a role in fire services with special emphasis on fire safety prevention and fire fighting in key installations. In short, the proposed legislation must elevate fire safety and prevention as a core component of the fire services that must be prioritised by all role players.

2.8 Other key legislation that impact on the provision of fire services

It is important to highlight that current and future fire brigade services legislation must be interpreted within the contextual framework of the Constitution and not in isolation. It is critical therefore to highlight that future fire brigade services legislation must be compatible and harmonised with the existing legal system. Although there are several legislation that impact on the provision of fire services especially due to concurrency and other related factors, the following Acts are some of those that have a direct bearing on the efficient provision of a service (list not exhaustive):

- a. Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- b. National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977);
- c. Occupational Health and Safety Act, 1993 (Act No. 181 of 1993);
- d. National Water Act, 1998 (Act No. 36 of 1998);
- e. National Environmental Management Act, 1998 (Act No. 107 of 1998);

- f. Municipal Structures Act, 1998 (Act No. 117 of 1998);
- g. National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998);
- h. Public Finance Management Act, 1999 (Act No. 1 of 1999);
- i. Municipal Systems Act, 2000 (Act No. 32 of 2000);
- j. Disaster Management Act, 2002 (Act No. 57 of 2002);
- k. National Health Act, 2003 (Act No. 61 of 2003);
- l. Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
- m. Major Hazardous Installation (MHI) Regulations;
- n. Safety at Sports and Recreation Act, 2010 (Act No. 2 of 2010).

2.9. Adoption of relevant South African National Standards (SANS) to support effective delivery of fire services

South Africa is part of the global community and as such, we need to be aware of what is going on in other countries, especially if we trade with those countries. In order to reduce the barriers to trade, we often endeavour to align our standards and our work on standards as much internationally as possible. A standard is a document that has been developed by a group of the stakeholders that represent the interests of those parties that will be affected by the outcome of the standard. Standards contain requirements to which one can claim conformity and to which conformity can be tested. This makes it possible to refer to standards in regulations covering minimum safety or performance criteria (SABS).

Standards offer several advantages to the market place that include:

- a. Providing a common terminology, symbols and units to allow for communication;
- b. Standardising test methods, reporting units and acceptance criteria to facilitate comparisons and to make claims of conformity regarding the product in the market place, and
- c. Providing the basis for acceptable safety levels and fitness for purpose performance criteria.

With regard to fire services, various standards have been developed and are being used widely in the sector. Thus, it is important for the revised fire services legislation to provide for the adoption of relevant standards that could enhance the delivery of fire services to communities as well as ensure that adequate indicators are in place to effectively monitor and evaluate performance of fire services on various fronts. It is also important for a standard to outline the minimum infrastructure, equipment and human resources required to effectively render a service taking into account the risks prevalent in the area of jurisdiction.

2.10 National Fire Code

While standards are important, there are a number of fire safety elements that are not comprehensively addressed in the National Building Regulations (NBR) since they are not directly relevant to the NBR. Although these aspects are currently dealt with through bylaws, a National Fire Code (NFC) must be developed in order to address these important issues adequately and comprehensively. Typical elements which will be addressed by the NFC include fire safety in existing buildings, informal settlements dwellings, home fire suppression and detection systems, day-care centres, crèches, schools and colleges, special risks such as transformer installations, turbine rooms, to name but a few. The NFC must be consistent with other applicable SANS and must contribute to the creation of a holistic, harmonised and comprehensive fire services legislative and policy framework in the country. Mechanisms must be put in place to ensure that detailed technical aspects of the NFC are integrated into Fire Services Regulations.

CHAPTER 3: GUIDING PRINCIPLES THAT MUST UNDERPIN DELIVERY OF FIRE SERVICES

The Batho Pele White Paper (1997) noted that public services are not a privilege in a civilised and democratic society but that they are a legitimate expectation. The eight Batho Pele Principles that aim to progressively raise standards of service, especially for those whose access to public services have been limited in the past and whose needs are greatest will form a premise upon which the provision of fire service will

flow. These principles also resonate with the pillars of the Back to Basics approach adopted by government in 2014 that amongst others seek to put people at the heart of service delivery:

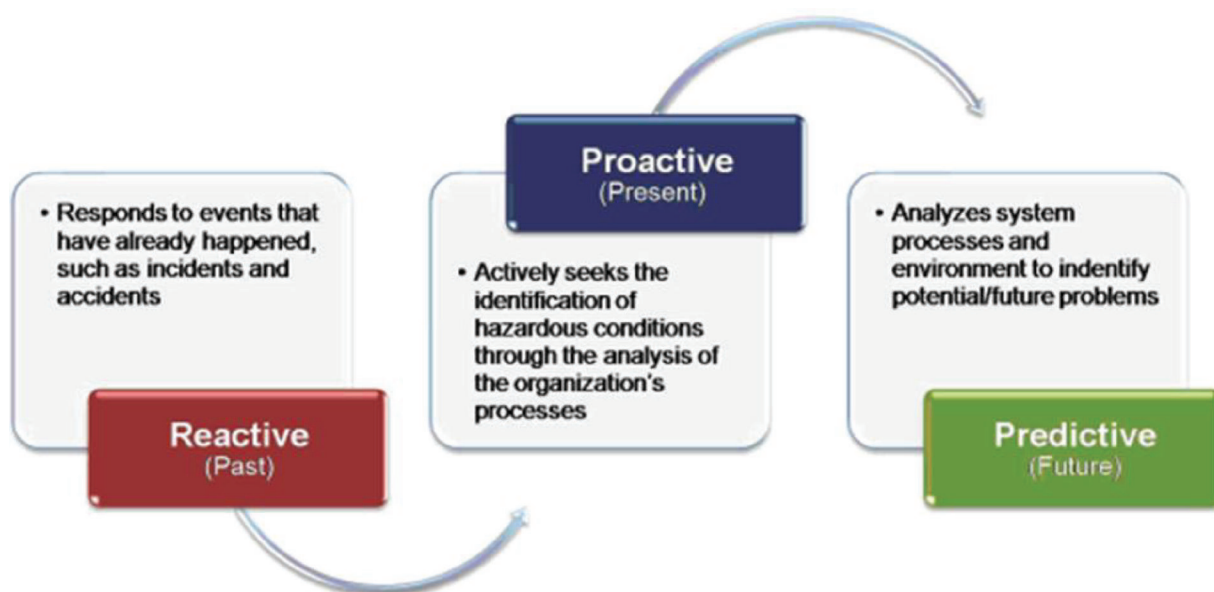
Figure 5: Key principles that must underpin delivery of fire services

It must take care of the most vulnerable first	The new Fire Services Act must make adequate provisions for providing fire services to those categories of society most vulnerable to fires.
It must inculcate a culture of fire prevention	Government will encourage both citizens and government structures to take adequate measures to prevent fires thereby protecting lives, properties, livelihoods and the environment from fires at all times.
It must integrate into development	Fire safety and prevention should be integral part of development initiatives.
It must have an integrated approach	Planning for the provision of fire services must be integrated with plans, initiatives, etc. of other agencies.
It must be based on consultation	Fire Services must regularly and systematically consult the users of their services about the services they provide. Consultation will provide essential information about where the priorities of a fire service should lie in improving services.
It must ensure community involvement	Community must know what fire services and fire safety and prevention in particular stand for, what their own responsibilities are, how they prevent fires, how they must handle fires and what they can do to support themselves during fires when necessary.
It must be driven at all spheres of government	All spheres of government have a role in the provision of fire services and must execute such roles and responsibilities effectively and efficiently.
It must be risk based	Fire risk is dynamic and context specific. Strategies to manage fire risk should be informed by the prevailing local risk conditions. Robust and scientific risk assessment should form the premise upon which fire service planning must be based.
It must have legitimacy	Structures tasked with the provision of fire services must be recognised by all key role players in the various government structures, as well as amongst the various community structures with whom liaison is necessary.
It must strive for excellence	In rendering service to communities, fire services must strive for excellence at all times.
It must be based on partnerships	Government cannot meet the development needs of South Africa on its own. Mutual and sustainable partnerships between government and other partners are critical for the effective and efficient delivery of fire services. Business and industry, Non-Governmental Organisations (NGOs), academic institutions and other bodies throughout the community should be encouraged to play a part in supporting fire services.
It must be effective and efficient	The provision of fire services should be outcome driven and cost effective.
It must be affordable and sustainable	Government must ensure that fire services are affordable and can be provided on a sustainable basis.
It must be needs oriented and prioritised	Fire services must be responsive to the needs of communities and must receive priority including in resource allocation.
It must ensure that the delivery of fire services are based on measurable standards	The delivery of fire services must be measured against clear, attainable, realistic and measurable standards. These standards must not be a 'one size fits all' and must be determined by the respective fire services. A differentiated approach based on risk and capacity of each fire service must form the backbone of these standards.

CHAPTER 4: DEVELOPING A NEW APPROACH

In light of the above, it is clear that traditional methods of providing fire services have not enabled the country to adequately manage the evolving fire risk faced by communities. Following extensive interactions between the NDMC and stakeholders involved in fire services, this White Paper seeks to entrench fire safety and prevention as core components of fire services. This requires a paradigm shift from response oriented methodologies of providing fire services towards an approach that primarily strives to reduce fire risk through fire safety and prevention initiatives. **Figure 6** indicates the transition from a reactive approach towards a more proactive and predictive approaches to the delivery of fire services that is espoused by this White Paper:

Figure 6: New fire services operational philosophy



Chapter 7 and 8 provide detailed discussion on this new approach to the provision of fire services.

CHAPTER 5: ROLE OF NATIONAL GOVERNMENT IN FIRE SERVICES

5.1 Contextualizing the role of national government in the provision of fire services.

Notwithstanding the fact that firefighting services are rendered by the local sphere of government, both provincial and national government also have specific roles and responsibilities in terms of the country's Constitution, 1996. Section 41 of the Constitution clearly stipulate the principles of co-operative government and inter-governmental relations and specifically requires the three spheres of government to co-operate with one another in mutual trust and good faith by among others, fostering friendly relations; assisting and supporting one another; informing one another of, and consulting one another on, matters of common interest. Section 154 of the Constitution, 1996 further calls upon national and provincial governments, by legislative and other measures, to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions. In addition, the White Paper on Local Government, 1998 also clearly defines the roles and responsibilities of both national and provincial governments in relation to local government.

In light of the above, it is therefore critical that in defining the role of national government in the provision of fire services, the high-level roles and responsibilities of national government as outlined in the White Paper on Local Government (1998:77-81). Amongst others, the roles and responsibilities of national government with respect to local government includes:

- a. A strategic role – national government is responsible for setting the overall strategic framework for the economic and social development of the nation;
- b. Providing a legislative framework for local government – national government must provide an overall legislative framework for local government within the general framework set out in the Constitution, and
- c. Monitoring and oversight – to ensure the necessary levels of compatibility, uniformity and consistency, national government needs to develop an overall

framework for a system of monitoring and oversight within which other organs of state, particularly provincial governments, will perform these functions.

5.2 Role of the NDMC in the provision of fire services

The roles and responsibilities of the NDMC must be defined in terms of the framework set by the Constitution, 1996, the White Paper on Local Government, 1998 and other applicable legislative frameworks. In view of this, DCoG will be responsible for the following functions amongst others:

- a. Establishment of a National Fire Services Advisory Council to advise the Minister on fire services and related matters;
- b. Establishment of technical structures required to support the effective functioning of the national advisory structures;
- c. Provision of monitoring and oversight on fire services issues;
- d. Establishment of a national strategic agenda for fire services;
- e. National coordination of fire services activities;
- f. Development and implementation of a national fire services strategic framework which will set standards for the delivery of fire services;
- g. Development and implementation of national norms and standards for the delivery of fire services;
- h. Development and implementation of a national fire safety program;
- i. Development of a national fire services education, training and research strategy;
- j. Establishment of institutional arrangements for quality assurance in the provision of education and training for the fire services sector;
- k. Establish mechanisms to protect national key strategic facilities from fires;
- l. Development and implementation of a national strategy to professionalise the fire services;
- m. Development of a career path for personnel in the fire services taking into account the importance of multi-level entry for practitioners;
- n. Engagement with other national sector departments and industry stakeholders on fire services issues;

- o. Preparation and submission of annual reports on the state of fire services to oversight structures including those established in terms of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005) when required;
- p. Coordinate the involvement of fire services in regional and international activities and initiatives;
- q. Develop and maintain a directory of all municipal, designated and industrial fire services in the country;
- r. Standardisation of norms and standards through model bylaws and other means;
- s. Establishment of a national fire research & data centre;
- t. Coordinate the establishment of a 112 Public Emergency Number in partnership with other first responders in terms of the provisions of the Electronic Communications Act, 2005 (Act 35 of 2005) (ECA), and
- u. Establishment of a Fire Services Coordination unit to oversee the administration and implementation of the fire services legislation and the performance of duties alluded to above.

5.3 Mechanisms for monitoring implementation, evaluating the outcomes and modifying the implementation process where required

Monitoring and evaluating the implementation of this policy by all spheres of government is critically important for achieving the objects of the White Paper. While there are various mechanisms that will be utilised to monitor the implementation and evaluate the outcomes with a view to fine-tune the implementation process where required, the following are some of the key measures that will be deployed in this regard:

- a. Promulgation of regulations that will deal among others with the submission of fire statistics, reports and other relevant information by all spheres of government involved in the implementation of this policy;
- b. The establishment of national monitoring systems to assist the NDMC to monitor the implementation of the policy;

- c. Utilisation of national advisory structures as proposed in Chapter five of the White Paper as a coordinating mechanism to monitor implementation by all role players;
- d. Development of indicators (in line with the powers and duties of each sphere) that will be utilised to monitor implementation, evaluate the outcomes as well as forming a basis for modifying or fine-tuning the implementation process;
- e. Annual reporting mechanisms which will enable each sphere of government to report to its executive and governance structures on –
 - i. Its activities during the year;
 - ii. Major fires that occurred during the year within each sphere of government 's jurisdiction;
 - iii. Magnitude and severity of these major fires;
 - iv. The effects they had;
 - v. Particular problems that were experienced in dealing with these major fires and generally in implementing the White Paper.
- f. Development of national norms and standards that will be used to monitor implementation of the policy as well as check compliance with the White Paper by all spheres of government.
- g. The NDMC will, within available resources, provide support and assistance to all spheres of government in the implementation of the policy with particular bias towards those having/ facing challenges to implement as required, and
- h. The NDMC will monitor the capacity of provinces and municipalities to implement this policy and where necessary, will provide assistance, based on the availability of resources at its disposal.

5.4. Professionalisation of fire services

While the fire services in South Africa has largely developed outside a formal and rigid professional framework due to a variety of historical reasons, there is consensus among practitioners that a clear professionalisation strategy must be developed and implemented in order to enhance the delivery of fire services and respond to some of the challenges facing the sector. Thus, in order to create a solid legal basis, the revised legislation must empower the Minister to appoint a Registration Regulating Authority that must be responsible for the development and

implementation of a fire services professionalisation strategy in the country covering both municipal and industrial fire services.

5.5 National Fire Services Advisory Council

The Minister must establish a National Fire Services Advisory Council that will replace the Fire Brigade Board. The object of the Council is to advise the Minister on any matter related to fire services in the Republic. The Minister must consider and respond to the advice provided to him or her by the Council. The Advisory Council must include representatives of key national departments, representative of each province, organised local government, organised business involved in fire services, professional organisations, representatives of research and academic institutions involved in fire services, etc. The Advisory Council must have the authority to establish technical committees/ working groups that will assist it in discharging its duties effectively.

CHAPTER 6: ROLE OF PROVINCIAL GOVERNMENT IN FIRE SERVICES

6.1 Contextualising the role of provincial government in the provision of fire services

The White Paper on Local Government, 1998 defines the roles and responsibilities of provincial government as follows:

- a. A strategic role – with respect to developing a vision and framework for integrated economic, social and community development in the province through the provincial growth and development strategy;
- b. A development role – provincial governments should ensure that municipal integrated development plans combine to form a viable development framework across the province, and are vertically integrated with the provincial growth and development strategy;

- c. An intergovernmental role – provincial government has an intergovernmental role to play with respect to local government. It should establish forums and processes for the purpose of including local government in decision-making processes which affect it;
- d. Regulatory role – Section 155 (7) of the Constitution gives national and provincial government the legislative and executive authority to see to the effective performance by municipalities of their functions in respect of matters listed in Schedules 4 and 5, by regulating the exercise by municipalities of their executive authority with respect to the local government matters listed in Parts B of schedules 4 and 5, and any other matter assigned to local government by legislation.

6.2 Role of the Provincial Disaster Management Centre in the administration of the FBSA at a provincial level

Provinces play a critical role of supporting municipality in the optimal delivery of fire services to communities. While it is important (as outlined in the White Paper on Local Government, 1998) that provincial governments will need to tailor their approaches to supporting local government according to the specific conditions which prevail in each area, the following are some key roles and responsibilities of this sphere of government in the provision of fire services:

- a. Ensure implementation of a national strategic agenda for fire services;
- b. Establishment of provincial oversight mechanisms;
- c. Ensuring adequate linkages and alignment with existing intergovernmental structures for purposes of advancing the objectives of the fire service;
- d. Ensure provincial coordination of fire services activities in the province;
- e. Establishment of institutional arrangements to support cooperation between fire services in the province;
- f. Supports implementation of a national fire services strategic framework;
- g. Supports the development and implementation of a national fire safety program;

- h. Monitoring and evaluation of fire services in the province;
- i. Establishment of intergovernmental and advisory committees to ensure stakeholder participation in fire services activities;
- j. Ensure provision of education, training, research, and capacity building for fire services;
- k. Ensure the provision of annual reports to oversight structures;
- l. Provision of support to fire services stakeholders on urban search and Rescue;
- m. Provide targeted support including resources to municipalities;
- n. Act as a focal point for Urban Search and Rescue (USAR) within the province, and,
- o. Establishment of a Fire Services Coordination **Directorate** to oversee the administration and implementation of the fire services legislation and the performance of duties alluded to above.

CHAPTER 7: ROLE OF LOCAL GOVERNMENT IN FIRE SERVICES

In recent years, the role of the fire service in many communities has expanded far beyond fire suppression. The name “fire department” does not begin to cover the many services that progressive organisations are providing to their communities. With this expansion, fire prevention and public education have appropriately begun receiving an increased emphasis as the proactive elements of a fire service delivery system. Citizens are dependent on the fire department to ensure their protection against dangers of fire, entrapment, explosion, dangerous goods incidents and any emergency event that may occur in the community (Paulsgrove, 2003).

7.1. Establishment and maintenance of municipal fire services

Consistent with global changes, the scope of responsibilities within the fire services in South Africa has evolved to include rescue, dangerous goods, as well as dealing with emerging threats which includes terrorism and responding to natural and

anthropogenic disastrous incidents. Currently, the FBSA provides for local authorities to establish and maintain a fire brigade service for the following different purpose:

- a. Preventing the outbreak or spread of a fire;
- b. Fighting or extinguishing a fire;
- c. The protection of life or property against a fire or other threatening danger;
- d. The rescue of life or property from a fire or other danger;
- e. Subject to the provisions of the Health Act, 1977 (Act No. 63 of 1977), the rendering of an ambulance service as an integral part of the fire brigade service; or
- f. The performance of any other function connected with any of the matters referred to in paragraphs (a) to (e).

7.2 Roles and responsibilities of the fire service

It is clear in light of the above that going forward, the roles and responsibilities of a fire service must reflect the evolving nature of responsibilities and expectations that society have from their fire service. This White Paper expands the roles and responsibilities of fire service to the extent that a municipality is responsible for the provision of a fire service in its area of jurisdiction that must include the following:

- a. integrated development planning towards uniform fire services;
- b. coordination and regulation of local authority fire services, designated fire authorities and volunteer fire associations;
- c. development of specialised fire services capacity to deal with specialised fire risks prevalent in the area such as veldfires, chemical, informal settlements fires, etc;
- d. development of specialised dangerous goods incident response capacity to perform incident stabilization and perform oversight of cleaning operations;
- e. development of specialised rescue services capacity focussing on the rescue disciplines prevalent in the area of jurisdiction as a priority;
- f. coordination of the standardization of infrastructure, vehicles, equipment and operational procedures;

- g. facilitation and coordination of the training and development of practitioners;
- h. development and facilitation of the implementation of standardised municipal by-laws;
- i. Coordinate planning for the provision of fire safety and prevention;
- j. development, implementation and maintenance of mutual aid agreements amongst the local fire services, designated fire authorities, Fire Protection Associations and volunteer fire associations;
- k. development, support and implementation of community based fire safety and prevention programs;
- l. establishment and maintenance of a District Fire Service Coordination Forum;
- m. preventing the outbreak and or spread of a fire, by making arrangements amongst others for: -
 - (i) the provision of information, publicity, training, education and encouragement in respect of the steps to be taken to prevent fires and death or injury by fire;
 - (ii) the giving of advice, on request, about –
 - how to prevent fires and restrict their spread in buildings and other property;
 - the means of escape from buildings and other property in case of fire;
 - (iii) conducting regular and random fire safety inspections at any premises where the Chief Fire Officer or his or her designate deems necessary;
 - (iv) providing advice on the means of escape from buildings and other property in case of fire;
- n. fighting and extinguishing a fire; by making arrangements amongst others for: -
 - (i) having sufficient staff, equipment and vehicles at its disposal to deal with the fire risks in its area of jurisdiction – a risk based approach;

- (ii) the development and implementation of standard operating procedures for use during firefighting operations; and
- (iii) call taking and dispatching facilities training for dealing with incoming calls to report fires and summoning personnel amongst others;
- o. control and stabilisation of dangerous goods incidents;
- p. protection of life and or property against fire or other related danger;
- q. rescue of life and or property from fire or another form of entrapment;
- r. rendering of an emergency medical care.
- s. performance of fire safety activities;
- t. participation in special events planning;
- u. provision of fire resilience training to fire practitioners and civil society at large;
- v. maintenance of fire service equipment, infrastructure and or materials;
- w. Conducting fire risk assessments;
- x. Provision of training and to fire services practitioners;
- y. Procurement of equipment, materials and other supplies required to perform the functions optimally;
- z. Provision of support in the implementation of Disaster Management Act, 2002 (Act No. 57 of 2002), and
- aa. Performance of any other function connected with any of the matters contemplated in paragraphs (m) to (v)

It is important to note that while fire service is a line function and disaster management a coordinating function, there must be closer working relations and cooperation between these two critical services. Furthermore, in discharging the duties alluded to above, especially those related to emergency response and other life-saving activities, a fire service may utilise emergency lights regulated in terms of the provision of the Road Traffic Management Act.

7.3 Division of powers and functions between various categories of municipalities

Fire fighting is listed as a local government function in Schedule 4 Part B of the Constitution. Section 156 (1) (a) in the Constitution does not differentiate between district and local municipalities. A core constitutional objective for local government is to ensure a safe and healthy environment for its communities. By not providing a service such as fire fighting, municipalities would be failing in their constitutional obligations. A discussion on powers and function for fire services must be located within the broader context of the two-tier local government system. The current service delivery model emanating from the two-tier system is beset with challenges such as:

- a. Fragmentation in the delivery of services;
- b. Duplication of efforts and resources;
- c. Jurisdictional contest.

In view of the complexity involved in addressing this matter, the Department has identified the following fundamental principles as critical to the allocation of powers and functions:

- a. Clear definition of roles and responsibilities is necessary to avoid duplication of efforts and resources which is costly and wasteful;
- b. Recognition that District municipalities have an inherent responsibility to support local municipalities in its area of jurisdiction;
- c. Recognising the importance of a differentiated approach as opposed to a one-size-fits-all approach that fails to appreciate the specific contextual variables of each municipality;
- d. Appreciating that the function can be delivered as a shared service as long as roles and responsibilities are clearly defined;
- e. Approach to division of powers must be underpinned by the principles of a risk-based approach to the provision of fire services;
- f. The allocation of powers especially for local municipalities must recognise the role played by fire services in building plan approvals, land and township development initiatives amongst others;

- g. Finally, municipalities must act in accordance with constitutional requirement of cooperative government.

It is also important to note that most local municipalities have fire services bylaws that are utilised to manage various aspects of the fire services including the organisation of the fire services, fire protection and fire fighting, management of dangerous goods, and other related matters. This is also linked to the role of municipal fire services in amongst others, building plan management processes, township development, etc.

In view of issues outlined in the preceding paragraph, it is clear that in the medium to long-term, the Department must ensure that applicable legislation are aligned and harmonised to create a unified legislative framework that provides clarity on the division of powers and functions between the various categories of municipalities. While a metropolitan municipality has the powers to render all functions outlined in 7.2 above, it is recognised that the MEC may adjust powers between a district and a local municipality in terms of the Municipal Structures Act, 1998. Where all powers to render the function resides with a district municipality, such a district municipality must perform fire services functions established by sub-section 7.2 (a) – (aa) for the area as a whole. Where an MEC has adjusted the firefighting function to be a function of the local municipality, or recognised a designated fire service, the district municipality must continue to perform the functions listed in sub-section 7.2 (a) – (l) whilst the local municipality or designated fire service, as the case may be, must perform the functions listed in sub-section 7.2 (m) – (aa). It is important to note that section 84 (1)(j) can be interpreted to mean that local municipalities retain firefighting functions and that this function has not been wholly allocated to district municipalities meaning that adjustment by the MEC is not necessary. **As outlined in section 88 of the Municipal Structures Act, 1998, municipalities must cooperate with one another in the provision of services.**

7.4 Appointment of a Chief Fire Officer and a member of the service

Currently, section 5 and 6 of the FBSA provides for the appointment of a Chief Fire Officer and Members of Service respectively by a controlling authority. Both the

Chief Fire Officer and the Member of Service must have the prescribed qualifications and experience to perform their respective functions. Although appointment of members of service remains a prerogative of the municipality or designated service, national government must ensure that the qualifications and experience required for such appointments are **prescribed appropriately**. This means that a regulation that sets out the inherent physical and medical requirements, minimum qualifications, experience and competencies that a person must comply with prior to appointment into the service must be developed.

National government must also develop a career path for fire services personnel. Such a career path must lay out positions within the hierarchy of the fire services, time in grade requirements as well as education and certifications (qualifications) needed for promotional consideration. It is critical that a career path recognises and creates a framework for multiple entry points into the service, allow for specialisation as a person progress in the service and the education curriculum must reflect such specialisation and be linked to the agenda to professionalise the fire services. Accordingly, generic skills must be provided at the initial career years while focused managerial and organisational education becomes critical as a person progress through the ranks.

7.5 Powers of a Chief Fire Officer and a member of the service

It is critical that fire services practitioners have adequate powers conferred upon them by legislation if they are to execute their work effectively. The following are some of the powers of a member of service:

- a. Take command of other persons who may place their services at the disposal of the fire service;
- b. Remove or order any member of the service to remove any person who by his presence or conduct interferes with or obstructs the operations of the service;
- c. Enter a premises or a place, by force if necessary, without the consent of the owner or occupier of the premises or place when a there is a fire, smoke or to investigate if a fire, smoke or other aspect presents a life safety risk;
- d. Move or break into a vehicle **without the consent of its owner for rescue**

purposes;

- e. Close any highway, road or pathway in the process of managing an incident;
- f. Restrict the access of persons to a premises or a place so long as there is a life safety risk.
- g. Bring any apparatus or equipment onto premises to perform such functions as to achieve the objectives of a service;
- h. Destroy (wholly or in part) or damage any premises or container in order to fight a fire, prevent its spread or reduce the life safety risk posed;
- i. Shore up any building, or premises to protect it from fire or other life safety danger;
- j. Shut off the supply of water from any main, pipe or other source to obtain greater pressure or supply or take water from any source whether natural or artificial to optimise the supply of water during an incident;
- k. Cause to be shut off or disconnected the supply of gas, electricity or any other source of energy to any premises or area.
- l. Generally, take any measure that may appear in the circumstances to be necessary for the protection of life and property in fulfilling the legal mandate of the function.

Fire kills, and preventing fires saves lives and reduce injuries and saves money. In view of this, it is therefore important that adequate mechanisms must be put in place to enable the Chief Fire Officer or a member of the service to make decisions without delay in pursuit of objectives of the service as set out in legislation. The fundamental difference between the work undertaken by operational staff and fire safety personnel also necessitates a clear division between the powers assigned to the two units i.e. Fire safety and firefighting operations. A Chief Fire Officer must be at a level (within an organisation) where he or she is able to influence decision making in order to effectively implement the legal mandate of the fire services.

7.6 Appointment of a fire service reservist

Reservist's firefighters play a critical role in most firefighting services across the globe. A reservist firefighter assists a fire service, typically on a part-time basis. Currently in South Africa, many fire services depend on reservists to provide services to their communities. **The proposed fire services legislation must make**

provision for the Chief Fire Officer to recruit and utilise reservists who meet the prescribe requirements in the fire services. Reservists have powers similar to those highlighted for a member of service. This White Paper makes provision for the recruitment and utilisation of reservists in fire services.

7.7 Call taking and dispatch

Call taking and dispatch play a critical role in fire services operations and service delivery. It is through a call taking and dispatch facility that a fire service receives a fire alarm, dispatch appropriate resources to the correct location and maintains contact with mobile units after dispatching them to an incident. During major emergencies, the call taking and dispatch facility is also responsible for liaison with other fire services that may be required for assistance. In order to function optimally, a call taking and dispatch facility must have infrastructure that will enable communication to and from operational resources as well as enable coordination of recourses. This infrastructure includes two-way radio communications networks, computer aided dispatch systems, Management Information Systems, and resource tracking systems. Naturally such infrastructure is expensive, complex and requires significant management input to such an extent that most municipal fire services have progressed little towards installing and using these systems. Going forward, the fire service legislation must provide adequate mechanisms for this critical component of the fire service.

7.8 Mutual aid agreements

Fire services must determine their level of capacity to discharge their legal mandate and to ensure that where necessary, and to strengthen this capacity; they enter into mutual aid agreements with neighbouring fire services, the private sector and any other agency involved in the provision of fire services.

7.9 False alarms

The FBSA in section 21 (d) states any person who summons a service while he or she knows that there is no reason to do so, shall be guilty of an offence, and on

conviction liable to a fine not exceeding R10 000 or to imprisonment for a period not exceeding 12 months. The revised fire services legislation must provide for mechanisms for dealing with false alarms including tougher penalties provisions thereof to reduce this phenomenon. Municipal by-laws must put adequate mechanisms to deal with issues of false alarms decisively.

7.10 Dangerous goods management

While fire services play a fundamental role in the safe storage and transportation of dangerous goods, there are other role players involved in this process. The absence of a single and unified policy or legislative framework dealing with dangerous goods adds further complexities. Against this background, it is of paramount importance that the roles and responsibilities of fire services are clearly defined to minimise confusion, overlapping and duplication of efforts and resources that is costly and wasteful. Furthermore, it is critical that fire services must enter into partnerships with other role players involved in dangerous goods management. With regard to Major Hazard Installations (MHI), the MHI Regulations places a duty on the employer to draw up an on-site emergency plan to ensure the safety of the workers and the public. This plan must however be discussed with the relevant local government. Local government and fire services are responsible for all fire related off-site emergency plans to be followed outside the premises of the MHI. This means that fire services must build adequate capacity to discharge these functions and must in fact lead and coordinate response to fire related incidents. It is important to note that in doing this, fire services must work closely with other agencies such as Disaster Management, Emergency Medical Services, law enforcement agencies, etc.

7.11 Integrated veldfire management

Studies by Council for Scientific and Industrial Research (CSIR) have revealed that veldfires are a common feature of the South African landscape, and are the inevitable consequence of a combination of fire-prone vegetation and a warm, dry climate. The public often regard fires as universally bad, but both scientific facts and traditional knowledge contradict this view. Grasslands, fynbos and savanna all require fire as an integral part of their proper functioning. Collectively these fire-prone

biomes cover almost half of South Africa. However, fires can and do kill people and animals, and destroy crops, grazing and houses, making their deliberate use in land management controversial (CSIR, 2006). South Africa's National Veld and Forest Fire Act, 1998 (NVFFA) recognises the need for, and is intended to support, integrated veldfire management. Integrated veldfire management encompasses a range of activities that together allow for the effective management of fires, both to enhance their positive benefits as well as to reduce their negative impacts. Activities such as prescribed burning, veldfire control, risk minimisation, training and awareness, resource management and co-ordination and ecosystem management all fall within the scope of integrated veldfire management.

Furthermore, the NVFFA provides for the formation of Fire Protection Associations (FPAs) which can be established by landowners for the purpose of predicting, preventing, managing and extinguishing veldfires. The NVFFA recognises the integrated nature of veldfire risk management and calls upon the Chief Fire Officer to be the Fire Protection Officer of an FPA and carry out duties to ensure that the FPA functions effectively. Thus, it is important for the FPA to work closely with the Chief Fire Officer in order to effectively manage veldfire risks in each area. This means that the Chief Fire Officer remains at the heart of sustainable management of fire risks including veldfires within a municipal area of jurisdiction.

7.12. Incident Management Systems

Experience and empirical studies have demonstrated that most response problems are often related to communication and management deficiencies rather than lack of resources or tactical failures. These shortfalls were mainly because of weak accountability, poor communication and inadequate planning processes as well as lack of knowledge with common terminology during an incident. It is therefore important that the fire services must adopt a uniform Incident Management System (IMS) in order to improve its response to large-scale fire and related incidents. While an IMS seeks to achieve various purpose such as the provision of overall safety of personnel and members of the public, ensure that the achievement of objectives are carried out efficiently and effectively, it must also –

- a. Provides a uniform and standardised management tool for use on any type of incident or event irrespective of size;
- b. Allows for a co-ordinated response amongst various agencies and across different jurisdictions;
- c. Establishes common processes for planning and resource management, and
- d. Ensure integration of resources within a common management structure.

A modular approach must be utilised in the development of a fire services IMS system in order to allow for overall integration of such a system in a broader National multi-hazard IMS system for use in multi-agency and jurisdictions response environments.

7.13 Physical fitness and mental health of firefighters

Experience and research have demonstrated that firefighting is one of the most stressful, physically demanding and hazardous occupation. This is exacerbated by the anxiety associated with unknown situations and unforeseen emergencies that firefighters respond to on a regular basis. There is no doubt that the nature of the job requires strength, discipline, and regular exercise in order to cope effectively with the occupational demands inherent to the job. It is important that firefighters meet the physical requirements upon entry in the service and must be subjected to regular physical fitness tests in order to ensure that they remain physical ready to respond to the demands of the profession. A national standard/ framework that outlines the physical requirements including a Candidate Physical Ability Test (CPAT) must be developed for use in the fire service. Such a framework must be informed by international good practice and applicable standards that have been utilised successfully in fire services environments.

Whilst many fire services have both physical fitness and physical health monitoring and support programmes, few, if any recognise the need for mental health services, especially in a preventative mental health approach. Fire services is an extremely demanding occupational environment to work in. The many situations that fire services personnel are confronted with often involve death, injuries, human suffering

and loss that test the emotional resources of personnel. A significant percentage of staff in many fire services develop psychological disorders such as critical incident stress, post-traumatic stress disorder, depression, anxiety disorders, substance abuse often resulting in the break-up of intimate relationships (American Psychiatric Association, 2000). This is exacerbated by an entrenched culture of being tough and not needing help that pervades the fire services. It is therefore critical that going forward, mental health support programmes needs to be put in place and must focus on preventative psychosocial interventions aimed at empowering the personnel to deal with the stressors inherent in the working environment. In essence, this White Paper seeks to make it obligatory for fire services to implement and maintain employee wellness programmes that will address the mental health needs of fire services staff in a professional manner. Various strategies to give effect to this must be explored and benchmarking must be undertaken to understand how other related sectors deal with these challenges.

7.14 Annual reports

Accountability and oversight are important in the provision of government services including fire services. The submission of annual reports to administrative and political oversight structures will be mandatory to enhance accountability within the context of good governance as outlined in the Back to Basics approach. The responsibility to provide annual reports is not limited only to municipal fire services but includes reporting by designated services.

7.15 Possible disputes arising out of proposals contained in the policy

The NDMC anticipates possible labour disputes arising because of appointment of people without the prescribed skills, qualifications and experience to the service either as a member of the service or a Chief Fire Officer. These disputes will be managed in line with the provisions of the Labour Relations Act, 1995 (Act 66 of 1995 as amended) and other applicable legislation. With regard to disputes arising out of the performance of duties flowing from this policy, the NDMC has categorised

these into pre-fire (Fire Safety and Prevention) and during (firefighting operations) as depicted in Figure 6 below:

Figure 7: Possible Fire Safety and firefighting operations dispute resolution mechanisms

Fire safety and prevention	Dispute resolution mechanisms	Firefighting operations	Dispute resolution mechanisms
Poor enforcement of fire safety standards and by-laws	Municipal bylaws and Standard Operating Procedures (SOPs)	Late arrival at an emergency incident where the fire service has been requested by a member of the community	To be dealt with as per section 7.14 below
Refusal to acknowledge and receive notice of non-compliance with fire safety standards and by-laws legally issued by a duly appointed Fire Safety Officer (FSO)	To be dealt with as per section 7.14 below	Arriving at an emergency incident with inadequate or inappropriate equipment, material and personnel to manage an emergency incident	The SOPs must outline the manning, material and equipment requirements that are required to deal with various incidents. Complaints from the public will be dealt with as per section 7.14 below
Bribe solicitation (real or perceived) by a duly appointed FSO	To be dealt with as per section 7.14 below	Complaints regarding undue or avoidable damage to property due to firefighting	To be dealt with as per section 7.14 below
Disputes related to a duly appointed FSO accessing a premise at unreasonable time to execute his or her work	Municipal bylaws and Standard Operating Procedures (SOPs)	Deployment of inappropriate tactical strategies to manage an incident	SOPs must outline this and complaints from the public will be dealt with as per section 7.14 below
Obstructing a duly appointed FSO from executing a legal responsibility	Municipal bylaws and Standard Operating Procedures (SOPs)	Disputes related to safety concerns by a firefighter or a member of the service	SOPs and any complaint to be dealt with as per section 7.14 below
Disputes related to issuing and management of veldfire burning permits or related issues that are used to manage firebreak permissions	Municipal bylaws and Standard Operating Procedures (SOPs)	Theft of goods by a firefighter during firefighting operations	To be dealt with as per section 7.14 below
		Road accidents involving unsafe conduct by a firefighter or a	SOPs and any complaint to be

		member of service while driving to an incident	dealt with as per section 7.14 below
		Irregular treatment (real or perceived) of a patient during an incident	SOPs and any complain to be dealt with as per section 7.14 below

7.16 Mechanisms for resolving disputes

While the Department recognises that each city/ municipality may have mechanisms for resolving disputes, with regard to disputes arising because of the implementation of this policy, the following institutional arrangements/ pathways must be utilised:

- a. Reporting of the complaint;
- b. Acknowledgement of receipt in writing by the Chief Fire Officer within seven days;
- c. Resolution by the Chief Fire Officer within seven days;
- d. Escalation to the Municipal Manager on administrative matters if complaint remain unresolved;
- e. Consideration of the matter by the Municipal Manager within seven days;
- f. Escalation to relevant Member of Mayoral Committee for non-administrative matters;
- g. Consideration of the matter by the Member of Mayoral Committee within seven days;
- h. Inform Council through a report if the complaint is still unresolved;
- i. Consideration of the matter by Council within 30 days;
- j. Escalation to the Member of Executive Committee (MEC) if is still unresolved;
- k. Consideration of the matter by the MEC within 30 days;
- l. Escalation to the COGTA Minister if the complaint remains unresolved;
- m. Consideration of the matter by the COGTA Minister with the assistance of appropriate structure/forum that is established to provide advice on fire services matters in order to make a determination. The decision of the COGTA Minister is final.

CHAPTER 8: FIRE PREVENTION, SAFETY AND PROTECTION

8.1 Contextualising fire safety and fire prevention

While there is acknowledgement that fire risk cannot be completely avoided or eliminated, there is consensus that fire safety and prevention play a central role in fire risk reduction. The emerging approach internationally places specific focus on fire prevention and safety as core components of the fire services. The proposed fire service legislation for South Africa should accordingly ensure that fire safety and prevention are important features of the fire service. The new fire services policy must prioritise fire safety and prevention. Over the years in South Africa, building regulations and standards have evolved to a point where the risk of fire in formal structures is significantly reduced except mainly for those fires caused by non-compliance with applicable fire safety measures. This is the case since fire safety of a building will essentially depend first on what is done to prevent a fire from starting in the building as well as what is done through design, construction and management to minimise the spread of fire when it happens. Generally, once a fire start, its spread will largely depend on the design of the building, the materials used in construction, building furnishings and contents, method of ventilation as well as fire suppression systems.

Fire safety teams in formal structures usually reflect on all of these aspects during decision-making processes. While formal structures have benefited from application of Building Regulations and standards, informal structures found mostly in rural areas and in informal settlements remain somewhat vulnerable as these codes are not enforced in their areas. This reality requires concerted and sustained efforts by all role players to improve application and compliance with applicable codes to reduce fire risks.

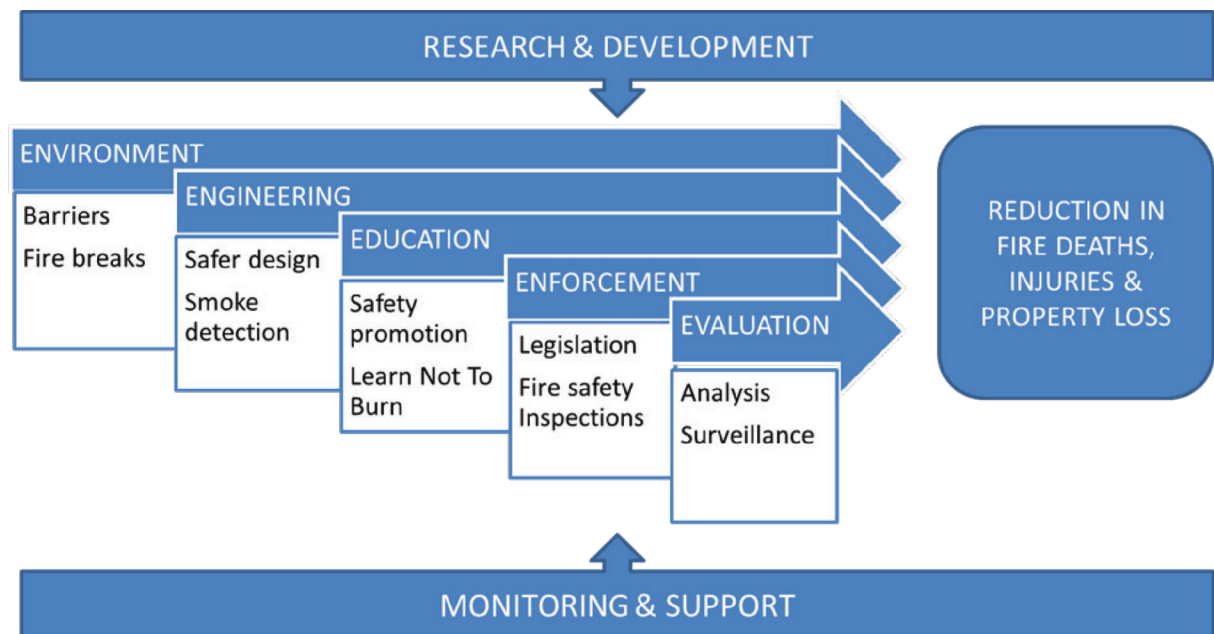
The fact that the average person suffers a minor burn or experiences a small fire once or twice in a lifetime, and for most people, this make the threat of a truly destructive fire seem improbable and remote. In most instances, these people find themselves unprepared, both physically and emotionally, when a large fire does occur. In too many cases this lack of preparation causes panic, death and

destruction that might have been avoided had the victims taken seriously the threat of fire and thus know how to prepare themselves accordingly.

8.2 Integrated fire prevention and safety strategy

The integrated fire prevention strategy encompasses environmental modifications, engineering, education, enforcement (including legislation) and evaluation. Environmental modifications focus on modifying the physical environment, e.g. separating fire prone areas with barriers such as firebreaks. Engineering is directed at enhancing fire safety with equipment, e.g. sprinklers and smoke detectors. Education involves the provision of training and information to improve fire safety. Enforcement focuses on interventions that enforce fire safety legislation while evaluation provides information to determine fire related injury priorities and which fire prevention interventions works.

Figure 8: Integrated fire prevention and safety strategy



8.3 National fire safety goals and strategies

The development of national goals and strategies for fire safety is critical to improve fire safety. A report on a study on the prevention of fires and other incidents by the European Union (EU) conducted in 2000-2004 highlighted that national fire safety

goals can be achieved through legislation, programmes and plans. It also emerged from the study that the process of setting goals for fire safety must involve all stakeholders and that such goals must be quantifiable. The following are some of the national goals and strategies for fire safety that South Africa can pursue to reduce fire risks and losses:

- a. Prevention of loss of life, with a particular focus on preventing multi-fatality casualties in buildings to which the public have access;
- b. Protection of state and national infrastructure (e.g. airport, hospital) from loss/damage or disruption of vital economic activity (e.g. tourist industry. IT plant) by fire.
- c. To get fire safety advice to target audiences;
- d. To ensure that design of new buildings takes proper account of fire safety;
- e. To ensure that “persons in control” of different categories of premises are aware of their responsibilities, and how they can discharge these;
- f. To undertake inspections of different types
- g. **These may be as the three “E’s of fire safety – Engineer the building, Educate the users and Enforce on those with responsibility;**
- h. Significantly reduce number of fires and explosion in general and in connection with transport of dangerous goods where many fatalities in one single event may occur;
- i. The average number of fatalities in fires in dwellings shall be reduced considerably compared to the average level for the period; and
- j. Significantly reduce number of fires with loss of irreplaceable national cultural heritage;

In order to achieve the goals as outline above, it is critical to make civilians, private/ public organisations and local authorities more aware of their responsibilities to organise and maintain fire safety. South Africa must adopt national fire safety goals in its endeavour to reduce fire losses going forward. Mechanisms must also be put in place to measure the effect of the implementation of such goals on fire safety.

8.4 Fire Safety

Fire Safety refers to precautions that are taken to prevent or reduce the likelihood of a fire that may result in death, injury, or property damage, alert those in a structure to the presence of an uncontrolled fire in the event one occurs, better enable those threatened by a fire to survive, or to reduce the damage caused by a fire. The services provided by fire authorities to protect communities include a range of fire

safety approaches including advisory, promotion, auditing, licensing, inspection and enforcement. Additionally, the fire service provides fire safety auditing services – including review of fire safety design and enforcement under the National Building Regulations, local building control by-laws as well as licensing the storage of Petroleum Substances and licensing of certain public events. The primary goal and role of fire services activity is to protect life and to prevent injury/loss from fire where this is possible. To this end, the available resources are targeted at preventing fires where possible, and ensuring that buildings are fitted with appropriate early warning systems and other facilities to alert and protect the occupants. This White Paper recommends the following as critical to the provision of fire safety:

- a. To reduce the number of fire incidents occurring in their jurisdictional areas of responsibility,
- b. To limit damage where fires do occur, by ensuring appropriate fire protection facilities (such as early detection and warning systems) are in place, and
- c. To prevent escalation to point where single or multiple fatalities are likely to occur.

8.4.1 Fire Safety at events

There are a wide range of special events including music, sport and other events held regularly in many communities. Some of these events are licensed under the provisions of the Municipal by Laws and other relevant legislation. Fire services must consider crowd safety issues when considering fire safety clearance certificate applications relating, for instance, to the design of a new stadium. While the primary responsibility for ensuring public safety rests with the organiser, fire authorities contribute to event safety management through input at both licensed and unlicensed events. Each fire service must ensure that it creates the necessary capacity to give effect to its obligations in relation to event safety as contemplated in the Safety at Sports and Recreational Events (SASREA), 2010 (Act no 2 of 2010).

8.4.2 Residential Dwelling Fire Safety

More than 90% of fire deaths in South Africa occur in the domestic dwellings, both formal and informal. However, single residential dwellings do not normally fall within the ambit of the various legislation because the enforcement of legislation in relation to fire safety in individual dwellings could be seen as unwarranted interference into individual privacy. This by implication inevitably shifts the onus of protection to the individual. In this area, the themes and practices of what have come to be termed 'Community Risk Reduction' and fire safety promotion are the significant means by which people may be assisted in protecting their families from fire in their own homes. The design and construction aspects of domestic dwellings are regulated by the National Building Regulations, and there are currently no requirements in relation to the installation of domestic smoke detection and alarm systems in dwellings.

The main approach to protecting the public in their home is to reduce the number of dwelling fires that occur. The international literature identified a number of key factors that impact on the outcome of dwelling fires. In particular, where persons are under the influence of substances such as alcohol or drugs that impair their perception of danger, or are in close proximity to the origins of the fire, the probability of safe escape is greatly reduced. Going forward, the fire services legislation must provide adequate mechanisms to reduce the risk posed by fires to residential dwellings.

8.4.3 Smoke alarms

Research and empirical evidence have demonstrated that most fire deaths are not caused by burns, but by smoke inhalation. The rapidly spreading smoke and gas that often occurs while people are sleeping is highly toxic and are a leading cause of fire-related deaths. Researchers estimates that smoke inhalation injuries, including burns to the respiratory system cause 50% to 80% of fire deaths. Smoke often disorients people or incapacitates them so quickly that they cannot escape. There are studies that also shows that smell of smoke does not waken people. Thus, if a potential fire can be detected during the smouldering stage, this reduces the risk of asphyxiation thereby providing time for people to evacuate safely. With this in mind,

it is critical that the installation of smoke alarms in residential areas particularly in informal settlements and other fire-prone facilities must form an integral part of strategies to reduce fire-related injuries and deaths. Partnerships must be established between government and the private sector in order to mobilise resources to support the installation of smoke alarms in high-risk areas.

8.5 Fire prevention

Fire Prevention is a function of many fire services and is usually done by a Fire Prevention Officer. The goal of fire prevention is to educate the public to take precautions to prevent potentially harmful fires, and be educated about surviving them. It is a proactive method of reducing emergencies and the damage caused by them.

8.5.1 Current community education projects and programmes

The following community education projects and programmes have been implemented with some success in various areas throughout South Africa and serve as good practice examples for prevention interventions:

Figure 9: Current community education projects and programmes

Door to door campaigns / Home Visitation Programme (HVP)	The HVP programme can deliver targeted interventions at the household level that address the immediate social and physical environments to which high-risk groups are exposed and thus improve fire safety outcomes.
Learn Not To Burn (LNTB) Preschool Fire Prevention curriculum	International studies show that educational programmes, such as the LNTB Preschool Programme, can be effective in teaching children lifesaving fire safety behaviours and skills.
Promotion of Residential Smoke Alarms	Smoke alarms provide an early warning system alerting people and permitting them time to escape before the fire spreads. These low cost devices can easily be installed and maintained in any household environment.
Fire and burn prevention week	The goal of fire and burn prevention week is to co-ordinate efforts to educate the public to take precautions to prevent potentially harmful fires, and be educated about surviving them.

Reggie Rhino Fire Prevention Mascot:	Individual fire services must conduct their own campaigns targeting specific high-risk communities and groups using the Reggie Rhino mascot as a tool for retention.
Community Emergency Response Teams (CERT)	Providing community members with the skills and knowledge to respond to fires in the incipient stages whilst the fire and emergency services respond often reduce the level of destruction and injury significantly.
Basic Emergencies, Safety And Fire Education (BESAFE) Centres	The BESAFE Centre is a place where children and adults learn about the dangers of fire in their homes, methods of prevention and practice exit drills and other types of hazards. Teams of public safety educators deliver fire and life safety education information, tour the facility with the children, simulate a fire in the fire safety home, and practice safe evacuation and many other interactive safety activities.

8.5.2 Fire Protection

The fire service exists to protect people and their property from fires, and that remains the service's core mission. Protecting against fires has three components: defining and addressing the problem, improving fire prevention, and suppressing fires when they do break out.

8.6 Water reticulation systems, provisions for fire hydrants and other water sources

Successful firefighting largely depends on immediate access to adequate and reliable supplies of water. The access to, and proximity of, those water supplies directly affects the resources that fire and rescue authorities need to provide in protecting and mitigating their communities from the effects of fire. The provision of water for firefighting requires careful preplanning that not only establishes need but also goes on to identify the sources of water, whether drawn from public water mains or other sources, and then secures availability for use in case of fire. Essentially, three sources of piped water supply for firefighting can be identified as follows:

- a. Public supply usually delivered by municipal infrastructure;
- b. Private supply wherein National Building Regulations require building owners to install tanks and pumps;

- c. Operational supply- this is where fire service responds with water tankers, use portable dams and other water supply resources.

It is important to highlight water supply requirements for firefighting can be objectively determined by the fire service conducting risk assessments and making determinations on the real risk at hand.

8.7 Fire risk assessment

The need to improve service delivery along with an increased focus on fire safety, all with limited resources and costs under scrutiny are challenges that have faced fire services internationally including South Africa. This has led to a shift from rigid standards of fire cover to a more flexible risk-based approach to ensure a more fit for purpose and cost effective service. In essence, fire service provision relies on a risk assessment approach to both emergency operations and fire safety functions. A fire risk assessment helps you identify all the fire hazards and risks in your area of jurisdiction. A risk assessment enables a fire service or any organisation to decide whether any risks identified are acceptable or whether you need to do something to reduce or control them. **A risk assessment should be carried out by a qualified and registered fire risk assessor.** A credible fire risk assessment must identify the most prevalent risks facing a community. While this White Paper entrenches the role of fire services in conducting risk assessments, it also recognises that individual property owners also have a responsibility to carry out fire risk assessment on their premises. **Key strategic facilities must also ensure that adequate fire protection measures are put in place to reduce fires.**

Within the South African context, risk assessment must take into account the provisions of the South African National Standard (SANS) 10090:2003- Community Protection Against Fire. This standard recognises the need for a risk-based approach by setting performance requirements that allows fire service some flexibility to apply a risk-based approach. The methodology uses a predominate risk approach where an area of jurisdiction is divided into categories based on predominant risk with the flexibility to list special risks which require a pre-determined attendance greater than that for the category assigned for the area. The

fire-risk categories into which the area of jurisdiction could be divided as outlined in Figure 9 below:

Figure 10: Fire risk categories

CATEGORY	DESCRIPTION
A – High Risk	Central business districts and large commercial and industrial areas normally found in large towns and cities.
B - Moderate Risk	Limited central business districts and smaller commercial and industrial areas in small towns or decentralised areas of large towns and cities.
C	Residential areas of conventional construction.
D	Rural areas
E	Special Risks requiring an attendance over and above that of the predominant risk category above. (Shopping centres, informal settlements, petrochemical plants, etc.)

SANS 10090 also provides guidance and performance criteria for:

- a. Call receipt and processing;
- b. Vehicle/equipment availability and maintenance;
- c. Incident management procedure;
- d. Pre-fire planning and risk visits;
- e. Training/personnel;
- f. Water supplies;
- g. Fire safety functions.

The standard includes an “assessment tool” against which fire services can be evaluated and classified depending on their level of performance and compliance. The development of a uniform fire risk assessment model/framework for South Africa must be informed by the issues raised above as well as SANS10090: Community Protection Against Fire. Other international well-recognised published standards that can provide input to a risk based approach include:

- a. National Fire Protection Association (NFPA) 1201 Standard for Providing Fire and Emergency Serviced to the Public, and
- b. NFPA 1710 Standard for the Organisation and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments.

In simple terms, fire services needs to adopt a risk based approach to routine fire safety inspections to enable expectations to be met with limited capacity and resources. It is likely that the concept of inspecting all risks at least annually will be both impractical and not achievable when considered in relation to overall inspection responsibilities that include occupancy clearance, flammable liquid and gas installations and events. Grouping occupancies into high, moderate and low risks after considering life and property risks and then assigning a minimum inspection frequency may be worthwhile. The approach should be that high life/fire risks such as hospitals, old-age homes, schools and facilities for people with special needs, etc. must be inspected more regularly than moderate risks that will be inspected more regularly than low life/fire risks.

8.8 Partnership with society

The White Paper on Local Government recommends that municipalities look for innovative ways of providing and accelerating the delivery of municipal services. It is important that in carrying out duties outlined above and where necessary, partnerships must be established with other agencies involved in related work. The role of fire service has evolved as it now protects communities in a variety of ways that the existing legislation could not envisage. In view of this, fire service must also **establish viable partnerships with the communities they serve especially for purposes of enhancing community fire safety**. Such partnerships must also be entered into with private sector agencies especially those operating within the municipality's area of jurisdiction. Experience has demonstrated that the fire service can make the most impact in reducing vulnerability to fires by changing the behaviour of those at risk through sustained education and awareness programs.

8.9 The role of communities in fire services

While the fire services is generally classified as a first responder along with other agencies such as Emergency Medical Services, strictly speaking, communities are first responders to most fire incidents especially those that occur in residential areas.

This means that communities must be at the heart of strategies to prevent, mitigate, prepare and respond to fires. **This is consistent with the ‘back to basics’ approach adopted by the Presidential Local Government Summit held in September 2014 which in essence requires municipalities to:**

Put people and their concerns first and ensure constant contact with communities through effective public participation platforms.

In engaging with communities, it is important to recognise that different communities face different fire risks hence each fire service must develop strategies relevant to the unique circumstances, dynamics and fire risk profile prevalent in its area of jurisdiction. **In short, there is no one-size-fits-all approach that a fire service must utilise in its engagement with communities.** The fundamental principle at the heart of engagement between fire services and communities is that while fire services must strive within their means to reduce fire risks thereby lessening the losses in terms of lives, property and damage to environment because of fires, communities must take ownership for reducing the risks posed by fires.

It has already been highlighted in preceding sections that communities can be organised to participate in fire services activities through initiatives such as the Community Emergency Response Teams (CERTs) which function as a mechanism for communities to respond to fires while they await the fire services. While activities aimed at quick, rapid and effective response to fires remain important, community initiatives must also be designed to undertake fire risk reduction. Fire services also have a responsibility to support community initiatives aimed at reducing fire risk within its area of jurisdiction. Consequently, fire services together with communities must agitate for the inclusion of programs and projects aimed at reducing fire risks in municipal Integrated Development Plans (IDP). Additionally, communities are also encouraged to participate in the development of fire services by-laws and other related regulatory instruments aimed at reducing fire risks thereby protecting their livelihoods. In this regard, it is important to note that fire services must work closely with ward councillors and ward committees in the process of reducing fire risks within the communities they serve. The fact that fire services must work closely with communities does not mean that such communities cannot demand accountability in the provision of fire services. in line with the ‘back to basics’ approach, communities

must still hold fire services accountable for the efficient and sustainable delivery of fire services within the framework of good governance.

CHAPTER 9: DESIGNATED FIRE SERVICES

The main goal of this government is to promote the general welfare of society. In achieving this goal, government recognises the importance of working with all its partners. This requires reciprocal and friendly relations between government agencies on the one hand, individuals or non-governmental institutions and the private sector on the other hand. Although the Constitution gives government the responsibilities to provide services to citizens, government does not always have to provide these services itself. The legislative framework provides mechanisms for government under certain conditions to appoint “service providers” to render the service.

In terms of Section 4 of the FBSA, a service that does not fall under the control of a local authority may, in the prescribed manner, apply to the Minister to be recognised as a designated service. If the Minister after consultation with the Fire Brigade Board (FBB) is satisfied that the service referred to above complies with the prescribed requirements, he or she may recognise the service as a designated service subject to such conditions as he or she may determine. A designated service shall be employed inside the area or areas, whether adjacent or not, demarcated for it by the Minister after consultation with the FBB, unless the controlling authority concerned is requested, or is obliged in terms of an agreement contemplated in Section 12 of the FBSA to employ the service outside that area or areas, as the case may be. It is important to note that during October 1990, Regulations regarding the prescribed manner in which a service may apply to be recognised as a designated service and the **prescribed requirements for recognition** as a designated service were promulgated.

In terms of these Regulations, a service shall comply **with these minimum requirements before it may be recognised as a designated service**:

- a. Such service shall be operative 24, hours per day;
- b. A full-time Chief Fire Officer shall be appointed in charge of such service;

- c. Such service shall consist of trained full-time or part-time members or members of a fire brigade reserve force or a combination thereof;
- d. Such service shall have at its disposal the equipment to cope with the risk at hand; and
- e. Such service shall apply fire prevention and firefighting methods that are sufficient to cope with the risk at hand.

9.1 Rationale for establishment of Designated Services

While there are several reasons why a designated service may be established, the following provides some rationale for their establishment –

- a. They have the expertise in their field & specialised training required to handle incidents/fires in the specific products produced, stored, and used at their facilities;
- b. Company expectation;
- c. International obligations;
- d. Insurance carrier expectation;
- e. Employee expectation;
- f. Means to meet regulatory requirements;
- g. Lack of specially trained resources; and
- h. Lack of timely response by municipal emergency services.

9.2 Key duties of designated services

The following are some key duties (list not exhaustive) that designated services provide towards their organisations:

- a. Assessment of new projects and existing production facilities and activities to identify fire hazard areas and activities;
- b. Emergency planning;
- c. Risk assessments;

- d. Provision of fire suppression and other related activities;
- e. Carrying out fire safety inspections;
- f. Pre-incident planning;
- g. Provision of training to firefighters i.e. fire training, safety watcher training, fire watcher training, etc;
- h. Emergency response to numerous scenario's (process fires, tank fire's, building fire's, flammable gas releases, toxic gas releases i.e. to onsite and associated facilities;
- i. Rendering of Medical and Rescue (High angle and Confined space) response onsite and to associated facilities;
- j. Fire Prevention;
- k. Fire Engineering, and
- l. Mutual Aid assistance to Municipal Fire Services in terms of related industrial/ Petrochemical Incidents, etc.

This White Paper recognise the strategic role played by designated fire services. Going forward, adequate provisions must be put in place to enable designated services to deliver fire services. Whilst there is agreement that government must work with all stakeholders involved in the provision of fire services to reduce the losses as a result of fires, robust and clear mechanisms for accountability must be put in place to ensure closer working relationships with municipal fire services. This should be accompanied by clear criteria for monitoring and evaluation where applicable. It is also important that government must provide leadership on initiatives that are part of partnerships. Thus, the Department must ensure that regulatory frameworks are in place that outline the process that a potential designated service must follow in order to obtain recognition. Such a framework must make the process of applying for recognition simple, flexible, compatible and harmonious with best practice jurisdictions internationally while providing a predictable and effective environment for the efficient regulation of designated services in the country.

CHAPTER 10: FIRE SERVICE EDUCATION, RESEARCH, TRAINING AND CAPACITY BUILDING

Education, training and innovation are central to South Africa's long-term development. They are core elements in eliminating poverty and reducing inequality, and the foundations of an equal society. Education empowers people to define their identity, take control of their lives, raise healthy families, take part confidently in developing a just society, and play an effective role in the politics and governance of their communities (NDP, 2011).

10.1 Current fire service training context

Currently, fire services training activities are not well coordinated. There is no comprehensive national fire services education and training strategy that guides the sector on education and training matters. While existing training interventions are able to provide adequate technical knowledge required by fire service personnel, training interventions geared towards officer development and the provision of management skills and competencies required to manage the services has been inadequate. Quality assurance mechanisms also need to be clearly defined and this is critical since fire service training is mostly publicly funded, hence government must be assured that public funds are being invested efficiently. The existing training dispensation does not enable or support multi-level entry into the fire services. Fire prevention and safety are also other areas that have not received prominence in the existing training dispensation.

10.2 National fire services education and training strategy

The NDMC must develop a national fire services education and training strategy that guides the provision of training in the fire service sector. While this strategy must guide fire prevention in the community, it must also guide the provision of high-quality education and training in the fire services sector. Thus, this strategy informs the development of appropriate community education projects as well as education and training programmes that build on existing initiatives. The broad strategy is based on two pillars i.e. the community and the human resource capability of the fire

service. The community education strategy includes and is not limited to identifying and implementing appropriate mechanisms for community education, and prioritising community education about fire prevention and safety. With regard to the human resources capability of the fire service, the strategy must consider the following –

- a. The education and training strategy for the fire services is informed by the community needs for fire services, protection and prevention;

b. Quality assurance

- i. Quality is defined as fit-for-purpose, i.e. must meet the needs of the fire service;
- ii. Ensuring linkages between fire services education and training with the requirements of the National Qualifications Framework Act, 2008 (Act No. 67 of 2008) and other applicable legislation;
- iii. Linking fire services training and education to the Quality Council for Trade and Occupations (QCTO) Framework;
- iv. Clarification on institutional arrangements for quality assurance, and
- v. Ensure an appropriate balance between knowledge and skill components of the education and training for the fire services.

c. Institutional arrangements

- i. Establishment of partnerships with institutions of higher learning for purposes of fire services education and training;
- ii. Outline the role of Further Education and Training colleges in the provision of fire services training and education, and
- iii. Explore mechanisms for providing specialist training to the sector.

d. Professional and career development

- i. Explore, define and support mechanisms for continuous professional development including the registration of (an) appropriate professional body (s) with the South African Qualifications Authority;
- ii. Develop a typical career path for fire service personnel that includes a qualification framework, provides for a specialist and generic skills and knowledge required for in the fire services and accommodates multi-level entry into the fire services;
- iii. Determine the minimum requirements for individuals wishing to join the fire service and the provisions for accommodating firefighters of long standing and who, for historical reasons, may not meet these requirements,

- iv. Describe potential routes for the acquisition of generic / transversal skills and knowledge required for management and leadership in the fire services;
- v. Ensure an appropriate balance between the knowledge and skill components of the education and training for the fire services, and
- vi. Define mechanisms for continuous professional development.

Firefighters must master a complex mix of three core competencies being foundational knowledge, physical skill and work experience to be successful in their occupation. The nature of work carried out by firefighters requires not only adequate training when entering the profession but also ongoing professional development to ensure that firefighters stay abreast with the constant technological changes in their working environment. In determining the training requirements of firefighters to be “fit-for-purpose” in a new legislative environment and providing services that are more diverse to their communities, it is required to review and critically analyse the existing capacity building programs.

10.3 Impact of other key legislation on education and training of firefighters

The advent of democracy brought about wide ranging legislative reform that requires significantly impact on the provision of training in the country. In view of this, the provision of education and training in the fire service must be aligned to the following legislation amongst others:

- a. Skills Development Amendment Act, 2008;
- b. National Qualifications Framework Act, 2008;
- c. South African Qualifications Authority Act of 1995;
- d. Higher Education Act of 1997, and
- e. The Skills Development Levies Act, 1999.

10.4 Use of research in fire service

Currently, research output on fire services in South Africa is quite low. This significantly low research output in the sector often leads to approaches and

interventions that are not based on scientifically robust foundations. Research can play a key role in for example determining the adequacy of current methodologies utilised by fire services in the execution of its mandate. New ideas for the fire service must be based on empirical evidence. In this regard, it is important that the fire services must establish linkages with academia and other research institutions in South Africa and elsewhere. The NDMC through a process of consultation must develop a national fire services strategic research agenda that will guide research in the sector. The provision of education and training must contribute to the agenda of professionalising the function. Partnerships must be established with research entities and academic institutions in order to optimise the use of existing capabilities in the country. Through such partnerships, facilities must be put in place in order to ensure ongoing fire engineering and technology research, conducting of live fire tests, and other related research initiatives.

CHAPTER: 11 FUNDING MODEL FOR THE PROVISION OF FIRE SERVICES

11.1 Overview of current funding arrangements

a. Local government funding

Generally, local government shoulders the bulk financial responsibility for funding fire services. This funding model is however, strongly linked to municipal viability with municipalities that are financially viable able to adequately and sustainably fund the function while those that are not viable struggles to finance fire activities in any meaningful way. Fire services are not defined as a basic service and this largely often results in inadequate allocation of resources to the function.

b. Provincial government funding

Proclamation R 153 of 1994 placed provincial government at the centre of the administration of the FBSA. This inevitably places certain obligations on provincial governments to support municipalities in the provision of fire services. Some

provincial governments have dedicated fire services grants that are provided to municipalities to finance fire services capital projects such as:

- a. Building of fire stations;
- b. Procurement of capital items such as fire fighting vehicles and equipment;
- c. Public awareness programmes (especially material development);
- d. Provision of aerial resources especially for fighting disastrous veldfires;
- e. Special services such as Urban Search & Rescue (USAR), training, etc.

The focus of the support has generally been on operational activities of the fire service as well as establishing adequate institutional capacity for the provision of the service in areas that were historically unserved. It is thus evident that there has not been adequate support provided to municipalities to support fire prevention and safety programmes and activities. The focus of support going forward must reflect the paradigm shift from operations-intensive to fire safety and prevention based approach as espoused in this White Paper.

c. National government funding

During the early 1990s, national government provided a dedicated grant to fund certain capital projects in the fire services. This grant was distributed by the provincial government to municipalities that were identified for support. This grant was, however, stopped in 1997 with the understanding that the Local Government equitable share will provide funding for fire services together with other basic services. The primary role of the local government equitable share is to distribute local government's share of nationally raised revenue, supplementing municipal own revenues, to assist municipalities in providing basic services to poor households. Fire services are not defined as a basic service and this largely often results in inadequate allocation of resources to the function.

The Municipal Infrastructure Grant (MIG) administered by the DCoG that has been designed to achieve amongst others access to basic services, decentralised service delivery, empowerment of municipalities, etc has also provided funding towards fire services infrastructure development. Emergency services such as fire stations forms part of the services that may be funded with MIG funds under the infrastructure category of public municipal services. At this point, the Directorate: Fire Services

Coordination does not have any funding to support local and provincial government in the provision of fire services.

11.2 Problems with current funding dispensation

The provision of funding for fire services must be located within the broader context of funding local government functions in the country. The fact that fire services is capital and resource intensive coupled with its low revenue generating capacity serves in most instances as a disincentive for decision makers to provide adequate funding for the function. In short, the competition for limited resources by all basic services such as electricity, sanitation, water, etc often means that fire services is not able to receive priority. Another fundamental problem as highlighted above is the linkage between funding for fire services and the financial viability of a municipality. Experience has demonstrated that while viable municipalities are able to fund the provision of fire services, this is not the case with those municipalities that are not financially viable. It is therefore important that future funding models must recognise this challenge and put measures in place to support resource poor municipalities to be able to provide the service sustainably. While financially viable municipalities have been able to allocate resources for the function, an analysis of their expenditure patterns indicates that the bulk of resources expended has been to support fire services operations (firefighting and procurement of equipments, etc). Very little investments have been made by fire services to support fire safety, prevention and protection activities especially community based fire risk reduction initiatives.

The current funding arrangements does not recognise that apart from implementing its primary legislation, the fire services also play a key role in the implementation of a host of other legislation. This additional work is usually assigned to fire services at local government level by national legislation without regard to the resources that are required to comply with such legislation. Although most fire services have adopted policies that enable them to charge users for the provision of fire services, several services do not charge for rendering this function.

11.3 Proposals for future funding model

Future funding arrangements must provide for the funding of fire services across the entire value chain of the function. This will require a combination of sources found at all levels of government to adequately fund the fire service. The strategy to fund the function must be directly linked to the powers and duties of each sphere of government in the provision of this critical community service. The funding of fire prevention, safety and protection activities especially community based fire risk reduction programs must receive priority going forward. While the introduction of the user pays principle (especially where these users have the ability and resources to pay) must underpin the provision of fire services going forward, the nature of work undertaken by fire service necessitates the adoption of policies to ensure that access is not denied to those requiring it and are unable to pay.

11.4 Potential sources of funding

Figure 11: Potential sources of funding

Funding needs	Potential sources of funding and expertise
Fire prevention, safety and protection especially community fire risk reduction	Local government, insurance agencies, NGOs, CBOs, donor agencies, private sector, etc
Education and training	All spheres of government, academic institutions, research organisations, SETAs, etc
Procurement of capital equipment	All spheres of government
Building of fire stations	All spheres of government
Firefighting operations	Local government, user pay principle (where user can pay)
Firefighting operations in insured buildings/ facilities	Insurance companies
Donor funding will be integrated with local funding strategies and managed in terms of national policies for the sector as a whole	

As highlighted in preceding paragraphs, the role of the fire service has evolved to a point where the fire service responds to thousands of non-fire incidents. While this expansion of the role of fire service is understandable owing to the fact that the function has acquired a wide and sophisticated range of equipment to enable it to respond to such incidents, the funding has not increased concomitantly. Amongst these non-fire incidents is the safe extraction/ rescue of road accident victims to which the fire service expends substantial resources. It is therefore important that in developing a funding model, all possible sources of funding from sectors that benefit from the work undertaken by fire service are considered. In the final analysis, the provision of funding for fire services must be located within the broader context of funding local government functions in the country.

11.5 Transversal procurement

Transversal procurement entails the procurement of similar goods (and services) by two or more government departments or entities using a transversal tender. The benefits of using transversal tenders include shortened lead-time for deliveries, maximising economies of scale, ensuring contract management, minimizing irregular expenditure, decentralized management of procurement, conformance to appropriate Supply Chain Management prescripts. This avenue can be utilised to optimise the process of procuring equipments for the fire services.

CHAPTER 12: TRANSBOUNDARY, REGIONAL AND INTERNATIONAL COOPERATION AND LIAISON ON FIRE SERVICES ACTIVITIES

12.1 Current institutional arrangements for transboundary, regional and international cooperation and liaison

Section 12 of the FBSA dealing with agreements makes provision that a controlling authority may, with the concurrence of the Premier and the Minister of International Relations and Cooperation conclude an agreement in terms of which-

- a. The controlling authority undertakes to make available its service, on such conditions as may be agreed upon, to any person, institution or body in any other state;
- b. A person, institution or body in any other state undertakes to make available a service, on such conditions as may be agreed upon, to the controlling authority.

The Disaster Management Act, 2002 in section 7 2 (c) also provides for the National Disaster Management Framework to facilitate South Africa's cooperation in international disaster management, regional cooperation in disaster management in southern Africa and the establishment of joint standards of practice.

12.2 Importance of transboundary, regional and international cooperation

"Natural and other threats are not constrained by national boundaries. Measures taken in South Africa can increase or reduce risks in neighbouring countries, just as potential dangers across our borders can directly affect South Africa" (White Paper on Disaster Management, South Africa 1999). South Africa recognises itself as an integral part of the African continent and therefore understands its national interest as being intrinsically linked to Africa's stability, unity and prosperity (White Paper on South Africa's Foreign Policy, 2011). South Africa shares borders with six southern African neighbours and this presents both natural and human-induced cross boundary risks that often requires fire services involvement. Thus, it is important for South Africa to enter into cooperation agreements (bilateral or multilateral) in order to improve the management of cross-border fires and other related incidents.

Transboundary, regional and international cooperation is important, as it will enable that South Africa's approach to fire services is informed by a global perspective. Transboundary and regional cooperation for example may enable fire services to develop joint strategies to deal with cross-border fire risks, the transportation of dangerous goods across borders, etc in a more coordinated manner. Through this cooperation, mechanism for the provision of assistance during cross-border

emergencies can also be established to ensure a coordinated response to such eventualities. The Department of International Relations and Cooperation together with the NDMC must provide leadership on all international activities, partnerships, etc related to fire services.

13. DEFINITIONS OF TERMS USED IN THE WHITE PAPER

13.1 Fire service

A fire service (also known as a fire and rescue service or simply fire department) within the South African context, is a public or designated organisation that provides predominantly proactive and reactive firefighting and prevention, rescue, emergency medical response and related humanitarian services to a certain geographic area of functional jurisdiction which may typically be a local, district or metropolitan municipality or any other jurisdiction designated accordingly. A fire service usually contains one or more fire stations within its boundaries, and may be staffed by career firefighters, volunteer firefighters, or a combination thereof referred to as a combination department.

13.2 Fire protection

Fire protection is the study and practice of mitigating the unwanted effects of potentially destructive and harmful fires. It may involve the study of the behavior, confinement, suppression and investigation of fire and its related emergencies, as well as the research and development, production, testing and application of mitigating systems.

13.3 Fire prevention

Fire prevention is a function of many fire services. The goal of fire prevention is to educate the public to take precautions to prevent potentially harmful fires, and be educated about surviving them. It is a proactive method of reducing emergencies and the associated damage caused by them.

13.4 Fire safety

Fire safety refers to precautions that are taken to prevent or reduce the likelihood of a fire that may result in death, injury, or property damage, alert those in a structure to the presence of an uncontrolled fire in the event one occurs, better enable those threatened by fire to survive in and evacuate from affected areas, or to reduce the

damage caused by a fire. Fire safety measures include those that are planned during the construction of a building or implemented in structures that are already standing, and those that are taught to occupants of the building.

13.5 Property

Property within the context of the white paper refers to any movable or fixed asset “owned” in terms of common law meaning.

13.6 Fire service capacity

Fire service capacity refers to the ability of the fire service to adequately mitigate all credible fire risks within its functional and geographic areas of responsibility. This capacity will be measured against the current National Code of Practice for Fire Services. Capacity, in this case also includes the ability to render proactive, reactive and predictive services.

13.7 Designated fire service

Designated fire service refers to the fire service of any non-municipal organization or entity, which is designated in terms of legislation to address and protect any specialized fire risk within a geographic, functional or legal area of responsibility.

Portfolio of Stakeholder consultation undertaken as part of the review of fire services legislation

Date	Area	Stakeholders
22-23 August 2011	Gauteng	Municipal fire services, designated services, Provincial & Municipal Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities, civil society organisations.
25-26 August 2011	North West	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.
19-20 September 2011	Limpopo	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.

22-23 September 2011	Mpumalanga	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.
27-28 September 2011	Western Cape	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.
13-14 October 2011	Eastern Cape	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.
17-18 October 2011	Free State	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.
27-28 October 2011	KwaZulu Natal	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.
29-30 November 2011	Northern Cape	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire Protection Associations, other relevant sector departments, state owned entities.
26-30 March 2012	Pretoria [national workshop to draft the Fire Services Framework]	Identified key stakeholders drawn from various sectors across the country.
17 May 2012	KwaZulu Natal Provincial disaster management workshop	Key stakeholders from across the province, Mayors and Executive Mayors, Municipal Managers, Traditional Leaders, etc.
01 October 2012	Institute of Fire Engineers Annual General Meeting	Delegates from various sectors
16 May 2013	Southern African Emergency	Conference delegates representing various sectors within the fire service industry.

	Services Institute [SAESI]	
25 July 2013	Gauteng Fire Chiefs Committee	Fire Chiefs from across Gauteng province
29-30 May 2013	Gauteng [national workshop]	Key stakeholders identified by the Department for consultation during the review process. These stakeholders are part of the National Fire Services Advisory Committee (NAFSAC).
28 August 2013	Gauteng [bilateral engagement with Department of Agriculture, Forestry & Fisheries]	Officials responsible for the implementation of the National Veld and Forest Fire Act, 1998 [Fire Advisors]
19 September 2013	National Workshop: Functionality of District IGR Forums	Stakeholders including, Mayors, Municipal Managers, Councillors, Officials of various national and provincial sector departments.
23 – 25 October 2013	National fire safety and prevention workshop	Key stakeholders involved in fire safety, Disaster Managers, Fire Chiefs from government and the private sector, etc.
7 November 2013	Bilateral engagements with the Petro-Chemical Fire Chiefs Committee	Fire chiefs and representatives from the petrochemical industry.
20 November 2013	Workshop to discuss training proposals that must be integrated into the White Paper.	Fire services training coordinators and other fire services personnel including fire chiefs.
20 February 2014	Institute of Fire Engineers Annual	Delegates from various sectors

	General Meeting	
November 2015 and November 2017	Southern African Emergency Services Institute (SAESI) International Conference	Various delegates from the fire services sector and other related sectors.
06 May 2015	Sarah Baartman District Municipality	Delegates from the district municipality including Councillors, Chief Fire Officers, City Managers and other senior officers of municipalities.
May 2015, May 2016 and May 2017	InFIRE seminar	Delegates from the insurance sector
List is not exhaustive but covers only the major engagements held with stakeholders. It also does not contain details of extensive engagements held by the NDMC with stakeholders since the decision to review the fire service legislation was granted in April 2006.		

KEY STAKEHOLDERS WHO SUPPORTED THE PROCESS

The review of the FBSA started several years ago. Throughout this process, the NDMC was supported by various stakeholders (governmental, private and civil society). The robust and frank engagements held with these role players resulted in the development of this White Paper on Fire Services. While it is difficult to acknowledge all these stakeholders, professional associations such as the Southern African Emergency Services Institute (SAESI) and the Institute for Fire Engineers (IFE) have fully supported and actively participated in this process. They have also created platforms for the NDMC to present and engage with fire services stakeholders through the various international conferences that they hosted over the time during which this White Paper was under development.

The Fire Protection Association of Southern Africa (FPASA) has also significantly contributed into this process by providing data to support the various issues championed in this White Paper. All provinces have also fully participated in this process by organising workshops for the NDMC to present this White Paper, forming part of the national task team that developed this document, providing written inputs on various aspects covered by this policy document. All other stakeholders including chief fire officers and other fire services personnel both within municipal and designated/ private services who supported the process are also acknowledged.