



**cooperative governance**

Department:  
Cooperative Governance  
**REPUBLIC OF SOUTH AFRICA**

## **DRAFT WHITE PAPER ON FIRE SERVICES**



**Prepared by:**

**South African National Disaster Management Centre**

**Directorate: Fire Services Coordination**

***MARCH 2014***



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### INVITATION TO SUBMIT WRITTEN COMMENTS ON THE WHITE PAPER ON FIRE SERVICES

The Minister of Cooperative Governance and Traditional Affairs invites interested parties to submit written comments and policy proposals on the White Paper for Fire Services contained in the schedule hereto on or before **30 November 2014**.

Written comments on the *White Paper for Fire Services* could **be emailed** to Mrs. Rhoda Maponya at: [rhodam@ndmc.gov.za](mailto:rhodam@ndmc.gov.za)

or

Mailed to:

Mrs. Rhoda Maponya  
Director: Office of the Head: National Disaster Management Centre  
The Department of Cooperative Governance  
Private Bag X 804  
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For the attention of Mrs. Rhoda Maponya  
Director: Office of the Head: National Disaster Management Centre  
The Department of Cooperative Governance



## WHITE PAPER ON FIRE SERVICES



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

**JUNE 2014**



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## LIST OF ABBREVIATIONS

BESAFE	: Basic Emergencies, Safety and Fire Education Centres
CAPS	: Category of Authorised Persons
CBOs	: Community Based Organisations
CFO	: Chief Fire Officer
CERTs	: Community Emergency Response Teams
DCoG	: Department of Cooperative Governance
DPLG	: Department of Provincial and Local Government
EU	: European Union
FBSA	: Fire Brigade Services Act, 1987
FPASA	: Fire Protection Association of Southern Africa
FPAs	: Fire Protection Association
GDP	: Gross Domestic Product
HICs	: High Income Countries
HVP	: Home Visitation Programme
IAFC	: International Association of Fire Chiefs
LGSETA	: Local Government Sector Education and Training Authority
LGTAS	: Local Government Turn Around Strategy
LMICs	: Low and Middle Income Countries
LNTB	: Learn Not to Burn
MIG	: Municipal Infrastructure Grant
MHI	: Major Hazardous Installation

NDP : National Development Plan

NDMC : National Disaster Management Centre

NGOs : Non-Governmental Organisations

NVFFA : National Veld and Forest Fire Act, 1998

PASASA : Paraffin Safety Association of Southern Africa

PIER : Public Information, Education and Relations

SAIA : South African Insurance Association

SETAs : Sector Education Training Authorities

QCTO : Quality Council for Trade and Occupations

USAR : Urban Search and Rescue

WHO : World Health Organisation

WFSC : World Fire Statistics Centre

DRAFT

## **MINISTER'S PREFACE**

Throughout history, fires have inflicted a heavy cost in human, infrastructure, and damage to the environment in a manner capable of undermining socio-economic development. The number of lives lost and injuries sustained as a result of fires is alarming. Statistics South Africa in its analysis of the cause of death in the country based on Death Certificates records attributes 2 241 deaths to smoke, fire and flames in 2009 alone. With regard to the cost of fires to the economy, the Fire Protection Association of Southern Africa noted that in 2011, the financial losses incurred by the country as a result of fires were over R2 Billion Rand.

Fire services have been faced with serious challenges that over the years have weakened the ability of some services to deliver on their legal mandate. In responding to the challenges confronting fire services, strong and robust legislative framework is essential to provide an enabling framework that empowers those responsible to carry out the tasks. The development and publication of this White Paper on Fire Services demonstrate my Department's commitment to addressing the challenges faced by fire services as well as creating a legal framework for the evolving role that fire services are expected to execute in building safer and sustainable communities.

The Local Government Turn Around Strategy (LGTAS) identified inappropriate national and provincial government policies, practices and burdensome requirements as one of the root causes of municipal challenges and I trust that this White Paper will contribute in addressing similar problems within the fire services. The fundamentals of this White Paper are derived from our Constitution of 1996, 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.

Public engagement is important to the policy development process in South Africa. Comments on this White Paper are invited from all stakeholders within the fire services sector as well as from both organised business and labour. Individual citizens and Non-governmental organisations are also important stakeholders and I invite them to submit their comments as well. Once public views have been received and assessed, The Department will proceed with finalisation of this White Paper. I would also like to thank all those who contributed to the drafting of this White Paper, whether by participating on the task team, by responding to the Discussion Paper, or by consulting with my Department during the drafting process.

**PRAVIN GORDHAN, MP**

**MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**Date:**

## **PREAMBLE BY DEPUTY MINISTER**

DCoG has identified the Fire Brigade Services Act, 1987 (Act No. 99 of 1987) (FBSA) which was promulgated in 1987 as one of the old-order legislations that require a comprehensive review. This review aims to closely align and harmonise the FBSA with other applicable legislation. DCoG 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 will not enable the Department to achieve its 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 this White Paper which will culminate in 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 legislation 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 will be released for wider public consultation and comments through publication in the government gazette.

**ANDRIES NEL, MP**

**DEPUTY MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**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

Globally there are over 300 000 fire-related deaths per year with over 95% of all burn deaths occurring in low and middle-income countries (LMIC) like South Africa. 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 as a result of fire-related injuries alone (Van Niekerk *et al.*, 2006; World Health Organisation, 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.

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 (Peck *et al.* 2009). 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. The International Association of Fire Chiefs (IAFC) noted in September 2009 that the current economic recession exposes the need to focus on fire prevention even as Chief Fire Officers work to balance significantly reduced budgets, especially given the need to maintain and provide adequate fire protection along with other emergency services to their communities. In this regard, the IAFC, 2009 postulates that this 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. The World Fire Statistics Centre (WFSC) whose main objective is to persuade governments to adopt strategies aimed at reducing the cost of fire 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 are an increasingly prevalent natural disaster 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.

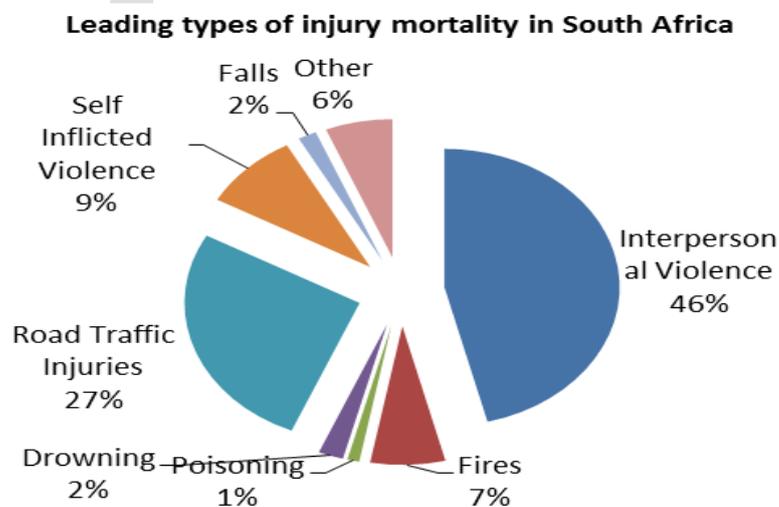
## **1.2 The fire problem in South Africa**

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, 2011:7). 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, 2011:21). 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 as a result of fires is alarming. Statistics South Africa in its analysis of the cause of death in South Africa based on Death Certificates records attributes 2 241 deaths to smoke, fire and flames in 2009 alone which indicates that more work is required by all stakeholders led by government to deal with fires and reduce the number of death and injuries as a result of fires. 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 contributes seven percent to the injury mortality in the country:

**Figure 1: Leading types of injury mortality in South Africa**



(Department of Health, 2012)

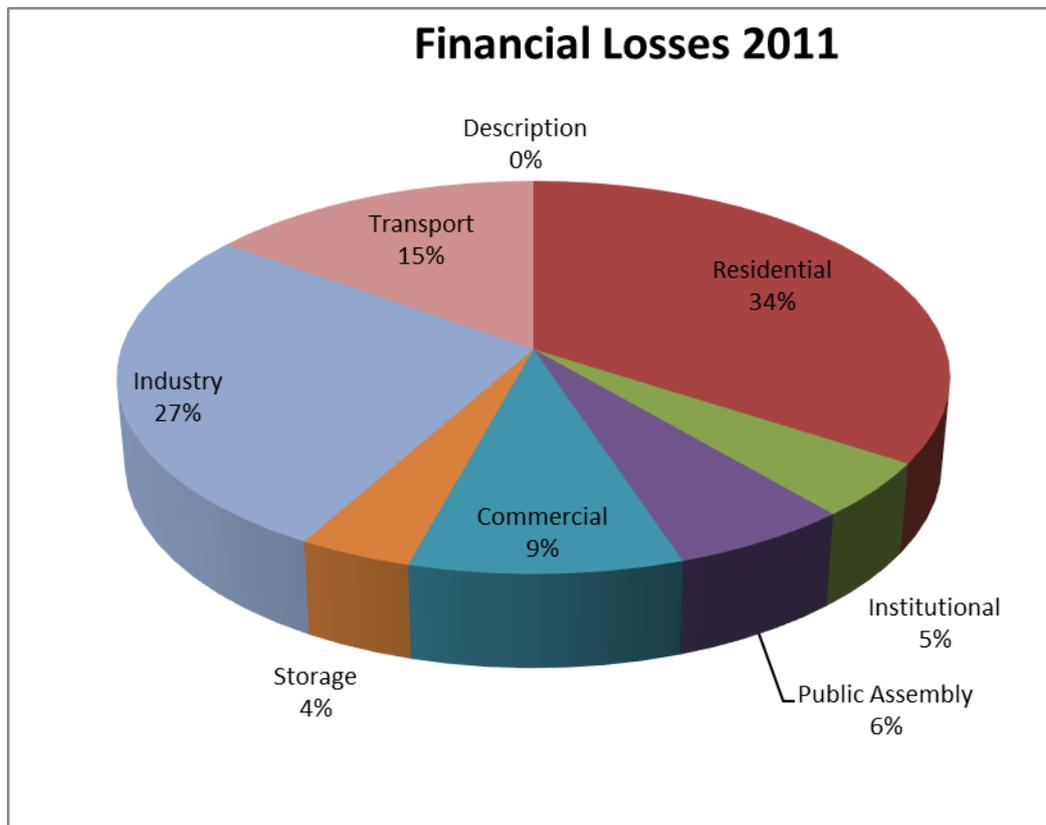
According to the Integrated Strategic Framework for the Prevention of Injury and Violence in South Africa (Department of Health, 2012) the fire related burn death rate in South Africa of **8,5 per 100 000** is greater than both the world average which is five per 100 000, and six for Africa respectively. **Figure 2** provides the financial losses incurred from fires in 2011 and figure no is a breakdown of losses per sector.

**Figure 2: Financial losses, 2011**

<b>Financial Losses 2011</b>	
Description	Rand Sum of Damage
Residential	R 728 144 691.60
Institutional	R 97 758 305.00
Public Assembly	R 130 413 005.00
Commercial	R 197 536 280.00
Storage	R 82 200 050.00
Industry	R 573 850 900.00
Transport	R 318 390 103.00
Other	R 48 646 530.00
Total	R 2 176 939 864.60

(Fire Protection Association of Southern Africa, 2011)

**Figure 3: Breakdown of financial losses per sector**



**Fire Protection Association of Southern Africa, 2011**

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. While the statistics provided above do not provide a comprehensive picture as there are some fire losses that are unreported, it is still evidently clear that the costs of fires in South Africa are **high**.

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, 2011:137).

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 sustainable fire brigade 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 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 and injury and lost cargo. The fire services plays 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 often huge and capable of undermining environmental conservation objectives of the country. The issues raised above clearly indicate that fire services is an essential and vital service which plays an integral part in the protection of communities, its infrastructure and livelihoods. In essence, fire services can be characterized as the key responder to all non-security related incidents in the community. The critical nature of this function necessitates the mobilization 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 trajectory 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

As the fire service enters the 21<sup>st</sup> century, it is subject to a number of key drivers for change and reform like other sectors. The following provides some of the key drivers for change in the fire services sector:

- **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.
- **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.
- **Standardization of fire services** – Standardization of norms and standards is critical in fire services in the country and the future fire services legislation must put adequate mechanisms to this effect.
- **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 better reflect the changing role of the modern day fire service.
- **Modernising agenda** – global technological advancement spawns new challenges to fire services which necessitate ongoing modernisation of fire services operations. Developments in building technologies impacts significantly on fire safety in buildings and also necessitates a review in the manner in which fire safety services were provided in the past. In addition to this, fire services needs to be committed to fundamental principles of accountability, transparency, continuous improvement, etc in the provision of services to communities.
- **Changes in the built and natural environment** – this introduces new risks requiring different methodologies to manage effectively.
- **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 agenda going forward.

## **1.4 Purpose of the White Paper**

The fire services is in need of reform and the existing legislative framework i.e. Fire Brigade Services Act, 1987 (Act no. 99 of 1987) 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 how 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**

Our vision is for a fire service that:

- Is proactive in preventing fires and other risks, rather than simply reacting to fires;
- Acts in support of the wider agenda as outlined in the NDP;
- Has effective institutions that support its roles and purpose;
- Is well-managed and effective.

## 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 Fire Brigade Services Act, 1987 (Act No. 99 of 1987) (FBSA) in April 2006. This review aims to closely align and harmonise the FBSA with other applicable legislation especially the local government legislation. DCoG 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 will not enable the Department 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 Department 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 Department 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. 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 general public. Several workshops were organized in 2013 with key stakeholders to discuss various preliminary policy proposals. All these processes culminated in the production of this draft White Paper.

## 1.8 Key policy proposals

**There are 15 key policy proposals set out in this White Paper:** These are:

- Reform legislation to reposition the fire services into the 21st century;
- Clear definition of roles and responsibilities of all spheres of government;
- Establishment of Fire Services Directorate at both provincial and national government;
- Locating fire services within the broader development trajectory of the country;
- Development of a National Fire Services Framework;
- Professionalisation of the fire services;
- Alignment of applicable regulatory/legislative frameworks to provide a comprehensive and unified legislation for fire services;
- Establishment of a national fire research & data centre;
- Development of a uniform risk assessment model;
- Development of various categories of designated services;
- Development of a national education and training strategy;
- Introduction of a risk-based approach in the provision of fire services;
- Entrenching fire safety and prevention as core deliverables of the fire services;
- Introduction of a funding strategy for fire services;
- The introduction and implementation of a new Fire Services Act.

## 1.9 Summary of Sections

**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 receives 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: Role of national government in fire services** - Provides key roles and responsibilities of national government in fire services.

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

**Chapter 6: 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 7: 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 8: 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 9: 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 10: 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 11: International cooperation and liaison on fire services activities** – This section deals with the mechanisms required for international cooperation on fire services matters.

**Chapter 12: Conclusion** – Provides a high-level summary and also outlines the process that will be followed towards a White Paper on fire services.

## **SECTION 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/ Lephalele 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, 2012:21). Experience has demonstrated that the majority of people migrating to urban centres are forced to settle in marginal land which 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 which 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, 2012:22).

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. Several initiatives of this nature are already being implemented in most parts of the country through programmes such as the Community Emergency Response Teams (CERTs). 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 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:

- Construction of green and environmentally friendly fire stations and facilities;
- Better use of water for firefighting purposes as well as usage of alternate environmentally friendly extinguishing media
- Utilisation of less harmful and environmentally friendly foam;
- Reduction of emissions especially in prolonged fire incidents;
- 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 (2012:20), 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. 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 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 must be 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 which 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) as outlined in various media reports in this regard; 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 spend on resourcing the various fire services involved in the FIFA World Cup. The findings of the SAIA report is not dissimilar from the defence report of 1975 which 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 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 a fire brigade service which raises fundamental questions as **firefighting services are a municipal function as outlined in the Constitution of the Republic.** 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, there are several positive initiatives that most services are implementing 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 emergency services are on rout to the incident.** 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 which 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 get 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 Box 2.5.1 below typifies the challenges posed by fires in informal settlements:

**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 which 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. Focus on urban risk.

**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:

- The establishment of a Fire Brigade Board which 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;
- The establishment and maintenance of a service by a local authority in accordance with the prescribed requirements;
- The establishment of Designated services which are services that do not fall under the control of a local authority;
- The appointment of a Chief Fire Officer who possesses the prescribed qualification and experience to be in charge of a service;
- 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;
- 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;
- The establishment of a fire brigade reserve force by a controlling authority for its area of jurisdiction;
- 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;
- The salvaging of movable property which is in danger at a fee;
- The introduction of fees for the rendering of a service;
- The provision of grants-in-aid by provincial government in support of fire services based on certain conditions;
- The conclusion of agreements with other fire services to render a more efficient fire service; and

- 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?**

- The FBSA does not make adequate arrangements or place explicit focus on fire safety and prevention particularly community fire safety education.
- 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.
- The FBSA was promulgated in 1987 and the advent of the new democratic dispensation in 1994 resulted in a myriad of legislations that significantly impact on local government functions and institutional arrangements. This necessitate the review of the FBSA to harmonise it with other key legislations that impacts on the provision of fire services.
- The FBSA establish the Fire Brigade Board 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 the functioning of the Board ineffective and the administration of fire services weak. Political oversight is not achieved as the platform to achieve this vital function is not functioning.
- The FBSA assigns the administrative work arising from the activities of the Fire Brigade Board to a secretariat. The secretariat, established as a directorate in the National Disaster Management Centre is under capacitated and under-funded to perform the assigned function. The disaster management function is also receiving higher prominence with fire services administration dealt with inadequately. Current institutional arrangements do not engender a separate identity for the fire service function.
- 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.

- The Municipal Structures Act, 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, these has resulted in a two tiered fire services in some areas which 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 Municipal Structures Act 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 which must be prioritised by all role players.

## **2.8 Other key legislation that impact on the provision of fire brigade 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 legislations 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:

- Municipal Systems Act, 2000 (Act No. 32 of 2000);
- Municipal Structures Act, 1998 (Act No. 117 of 1998);
- National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998);
- Disaster Management Act, 2002 (Act No. 57 of 2002);
- Major Hazardous Installation (MHI) Regulations;
- National Environmental Management Act, 1998 (Act No. 107 of 1998);
- Safety at Sports and Recreation Act, 2010 (Act No. 2 of 2010);
- National Health Act, 2003 (Act No. 61 of 2003);
- Public Finance Management Act, 1999 (Act No. 1 of 1999);
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
- Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977);
- Occupational Health and Safety Act, 1993 (Act No. 181 of 1993);
- National Water Act, 1998 (Act No. 36 of 1998).

### **3. SECTION 3: GUIDING PRINCIPLES**

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 which 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 from. In addition to the Batho Pele principles, the following principles need to be considered when shaping a vision and guiding strategy to deliver 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 themselves, their properties 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. 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.

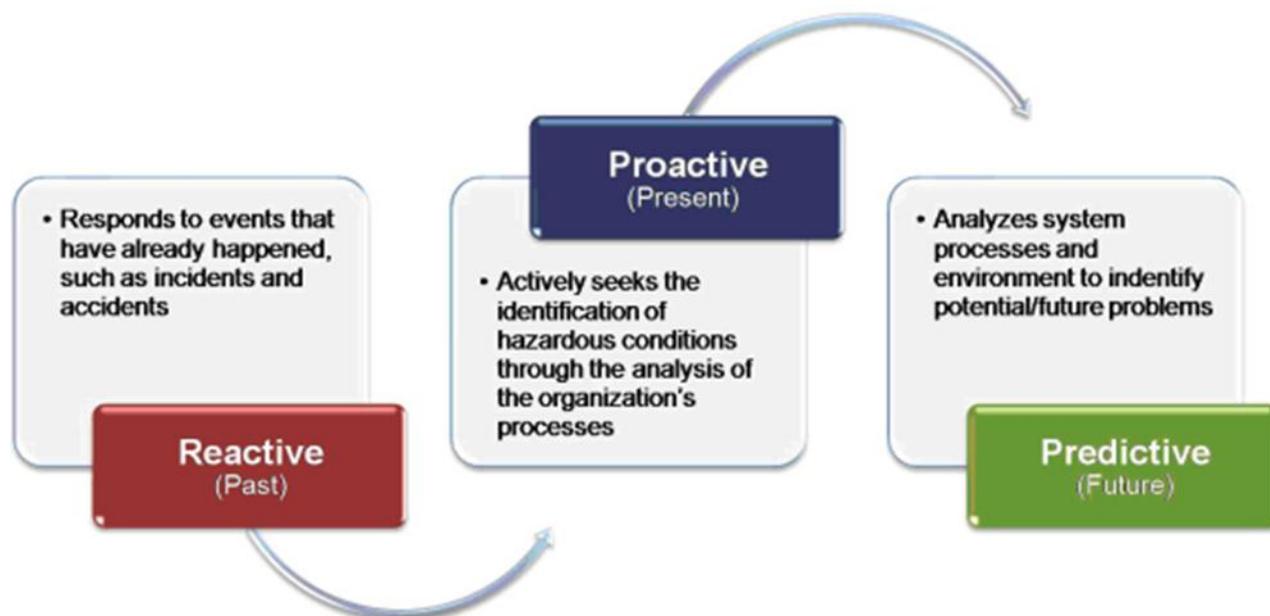
### **It must ensure that the delivery of fire services are based on measurable standards**

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.

## **SECTION 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 Department 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 5** 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 5: New fire services operational philosophy**



Section 7 provides detailed discussion on this new approach to the provision of fire services.

## **SECTION 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 strategic role – national government is responsible for setting the overall strategic framework for the economic and social development of the nation;
- 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;
- 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 Department of Cooperative Governance in the provision of fire services**

The roles and responsibilities of the Department of Cooperative Governance (DCoG) 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:

- Establishment of national oversight structures to monitor the performance of fire services, provide a platform for intergovernmental relations for fire services, etc;
- Establishment of technical structures required to support the effective functioning of the national oversight structures;

- Establishment of a national strategic agenda for fire services;
- National coordination of fire services activities;
- Development and implementation of a national fire services strategic framework which will set standards for the delivery of fire services;
- Development and implementation of national norms and standards for the delivery of fire services;
- Development and implementation of a national fire safety program;
- Development of a national fire services education, training and research strategy;
- Establishment of institutional arrangements for quality assurance in the provision of education and training for the fire services sector;
- Establish mechanisms to protect national key strategic facilities from fires
- Development and implementation of a national strategy to professionalise the fire services
- Development of a career path for personnel in the fire services taking into account the importance of multi-level entry for practitioners
- Engagement with other national sector departments and industry stakeholders on fire services issues
- Preparation and submission of annual reports on the state of fire services to oversight structures
- Coordinate the involvement of fire services in regional and international activities and initiatives
- 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
- Establishment of a national fire research & data centre.

## SECTION 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 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;
- 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;
- 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;
- 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.

Taking the above into consideration, **the Department responsible for the administration of the FBSA at a provincial level** 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, 1998:81) 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:

- 6.1.1 Ensure implementation of a national strategic agenda for fire services;
- 6.1.2 Establishment of provincial oversight mechanisms;
- 6.1.3 Ensuring adequate linkages and alignment with existing intergovernmental structures for purposes of advancing the objectives of the fire service;
- 6.1.4 Ensure provincial coordination of fire services activities in the province;
- 6.1.5 Establishment of institutional arrangements to support cooperation between fire services in the province;
- 6.1.6 Supports implementation of a national fire services strategic framework;
- 6.1.7 Supports the development and implementation of a national fire safety program
- 6.1.8 Monitoring and evaluation of fire services in the province
- 6.1.9 Establishment of intergovernmental and advisory committees to ensure stakeholder participation in fire services activities;
- 6.1.10 Ensure provision of education, training, research, and capacity building for fire services;
- 6.1.11 Ensure the provision of annual reports to oversight structures;
- 6.1.12 Provision of support to fire services stakeholders on urban search and Rescue;
- 6.1.13 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.

## SECTION 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” doesn’t 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, 2003:103).*

### 7.1. Establishment and maintenance of municipal fire services

Consistent with global changes, the scope of these objectives, as well as the scope of responsibilities within the fire services in South Africa has evolved to include rescue, dangerous goods, ambulance services (on occasion) 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 which must include the:-

- (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).
- (aa) Performance of any other function connected with any of the matters contemplated in paragraphs (m) to (v);

### **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:

- Fragmentation in the delivery of services;
- Duplication of efforts and resources;
- 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:

- Clear definition of roles and responsibilities is necessary to avoid duplication of efforts and resources which is costly and wasteful;
- Recognition that District municipalities have an inherent responsibility to support local municipalities in its area of jurisdiction;

- 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;
- Appreciating that the function can be delivered as a shared service as long as roles and responsibilities are clearly defined;
- Approach to division of powers must be underpinned by the principles of a risk-based approach to the provision of fire services;
- 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;
- 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 which 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 which 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 6.2 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 6.3 (a) – (w) 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 6.3 (a) – (l) whilst the local municipality or designated fire service, as the case may be, must perform the functions listed in sub-section 6.3 (m) – (aa). 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, the 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. National government must also develop a career path for fire services personnel. The appointment of practitioners in the fire services must take into account the inherent physical and medical requirements that must be complied with taking into account international best practice standards developed for the profession.

## 7.5 Powers of a member of 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

- Take command of other persons who may place their services at the disposal of the fire service;
- 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;
- 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 ;
- Move or break into a vehicle **without the consent of its owner for rescue purposes;**

- Close any highway, road or pathway in the process of managing an incident;
- Stop and regulate traffic in the process of managing an incident;
- Restrict the access of persons to a premises or a place so long as there is a life safety risk.
- Bring any apparatus or equipment onto premises to perform such functions as to achieve the objectives of a service;
- 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;
- Shore up any building, or premises to protect it from fire or other life safety danger;
- 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;
- Cause to be shut off or disconnected the supply of gas, electricity or any other source of energy to any premises or area.
- 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.

### **Powers of a member of service**

As already indicated in preceding sections, fire kills, and preventing fires saves lives and reduce injuries and also 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.

## **7.6 Appointment of Reservists**

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, there are many fire services that depend on reservists to provide services to their communities. The proposed fire services legislation must make provision for the recruitment and utilization of reservists in fire services. Reservists have powers similar to those highlighted for member of service. This White Paper makes provision for the recruitment and utilization 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 resources. This infrastructure includes two-way radio communications networks, computer aided dispatch systems and MIS 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 establish 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.

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## **7.10 Mental health of firefighters**

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. There is no question that the fire services is an extremely demanding occupational environment to work in and the work is physically, emotionally and emotionally challenging. 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 or the break-up of intimate relationships (American Psychiatric Association, 2000). A culture of being tough and not needing help pervades the fire services and exacerbates the problems. 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 this challenges.

## **7.11 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. The responsibility to provide annual reports is not limited only to municipal fire services but includes reporting by designated services.

## **SECTION 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 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 if and 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.

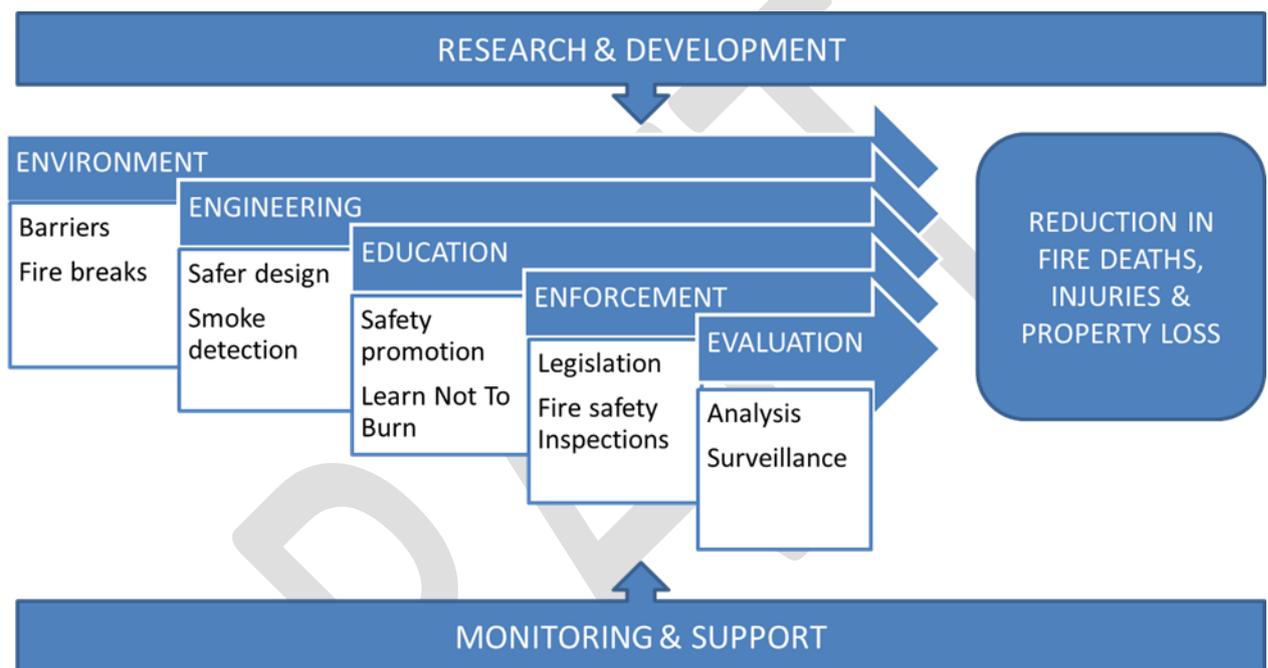
Fire safety teams in formal structures usually reflect on all of these aspects during decision making processes. While formal structures have benefited from application of Building Regulations and standards, informal structures found mostly in rural areas and in informal settlements remain somewhat vulnerable 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

**Figure 6: 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 fire breaks. 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.

### 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 this study that the process of setting goals for fire safety must involve all stakeholders and that such goals must be quantifiable. In response to questions regarding national goals and strategies for fire safety, the following issues were raised by some countries who participated in the study:

**Figure 7: National fire safety goals and strategies**

Country	National fire safety goals and strategies
Ireland	<p>At the time of the study, the objectives were implicit and were:</p> <ul style="list-style-type: none"> <li>• Prevention of loss of life, with a particular focus on preventing multi-fatality causalities in buildings to which the public have access;</li> <li>• 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.</li> </ul> <p>The principal current strategies are:</p> <ul style="list-style-type: none"> <li>• To get fire safety advice to target audiences;</li> <li>• To ensure that design of new buildings takes proper account of fire safety;</li> <li>• To ensure that “persons in control” of different categories of premises are aware of their responsibilities, and how they can discharge these;</li> <li>• To undertake inspections of different types</li> </ul> <p><b>These may be as the three “E’s of fire safety – Engineer the building, Educate the users and Enforce on those with responsibility.</b></p>
Norway	<p>National goals in the area of fire and explosion prevention are:</p> <ul style="list-style-type: none"> <li>• Zero fires and explosion in general and in connection with transport of dangerous goods where many fatalities in one single event may occur (i.e. more than 4 fatalities);</li> <li>• The average number of fatalities in fires in dwellings shall be reduced considerably compared to the average level for the period 1995-1999 (average 53);</li> <li>• Zero fires with loss of irreplaceable national cultural heritage</li> </ul>
Netherlands	<p>The general goals for fire safety are:</p> <ul style="list-style-type: none"> <li>• The risk of users of building, fire personnel and other assistance personnel, become a victim due to fire has to be reasonably small;</li> <li>• A fire has to be kept within reasonable proportions;</li> <li>• The risk of unacceptable environmental pollution due to fire must be reasonable small;</li> </ul>

	<ul style="list-style-type: none"> <li>• The risk of substantial material damage due to fire must be in proportion to the costs of measurements and securities to control the damage.</li> </ul> <p><b>A new goal and one of the means to achieve the more substantial goals mentioned above, is to make civilians, private/ public organisations and local authorities more aware of their responsibilities to organise and maintain fire safety and/ or the obligation to inform about safety in general which includes fire safety.</b></p>
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It is clear from the table above that 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. While fire services strive to reduce the risk of fire – both the probability of fire occurring and the consequences where outbreaks of fire happen – communities continue to experience fires. The response service is the third and final approach to minimize injury, loss of life, and damage to property as a result of fires and other emergencies.

This White Paper recommends the following as critical to the provision of fire safety:

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

#### **8.4.1 Event Safety**

There are a wide range of special events including music, sport and other events held annually 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.

#### **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 due to the fact that 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 which occur. The international literature identified a number of key factors which impact on the outcome of dwelling fires. In particular, where persons are under the influence of substances such as alcohol or drugs which 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.

## 8.5 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 prevention projects and programmes

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

**Figure 8: Current prevention 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. A team 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

It is important to highlight that 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 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:

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

- Operational supply- this is where fire service respond 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 management

A fire risk assessment helps you identify all the fire hazards and risks in your area of jurisdiction. In essence, a fire risk assessment forms the basis upon which fire risk reduction planning is based. 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 someone who has had sufficient training, and has good experience or knowledge of fire safety. 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.**

## 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. 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.

## **SECTION 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.

### **9.1 What are other roles that NGOs, Private sector, etc can play in the provision of fire services?**

There is consensus that in executing its work, the fire service at times needs to coordinate its efforts with those of other role players. This is important to minimise duplication of efforts and resources which can be wasteful. Designated services have the expertise in their field as well as the specialised training required to handle incidents/fires in the specific products produced, stored, and used at their facilities. The following are some key roles that designated services provide towards their organisations:

- Assessment of new projects and existing production facilities and activities to identify fire hazard areas and activities;
- Emergency planning;
- Risk assessments;
- Provision of fire suppression and other related activities;
- Carrying out fire safety inspections;
- Pre-incident planning;

- Provision of training to firefighters i.e. fire training, safety watcher training, fire watcher training, etc;
- 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;
- Rendering of Medical and Rescue (High angle and Confined space) response onsite and to associated facilities;
- Fire Prevention;
- Fire Engineering;
- Mutual Aid assistance to Municipal Fire Services in terms of related industrial/ Petrochemical Incidents, etc

## **9.2 What does the current legislation provide for regarding the involvement of other stakeholders in fire services?**

The FBSA in Section 4 as highlighted in the preceding paragraphs makes provision for the services which complies with prescribed requirements to apply to the Minister to be recognised as a designated service. Regulations as to 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 published in 1990 in the Government Notice 2579 in *Government Gazette* 12827 contains detailed information on designated services.

Community based organisations such as Fire Protection Associations (FPAs) which can be established by landowners in terms of section 3 of the NVFFA for the purpose of predicting, preventing, managing and extinguishing veldfires are examples of organisations that the fire service must work closely with. 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. 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.

## **SECTION 10: FIRE SERVICE EDUCATION, RESEARCH, TRAINING & 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, 2011:261).*

### **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 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 effectively 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**

DCoG must develop a national fire services education and training strategy that guides the provision of training in the fire service sector. This strategy informs the

development of appropriate education and training programmes and must build on existing initiatives. The strategy must focus on the following amongst others:

- Establishment of partnerships with institutions of higher learning for purposes of fire services education and training;
- Clarification on institutional arrangements for quality assurance;
- 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;
- Linking fire services training and education to the QCTO framework;
- Define mechanisms for continuous professional development;
- Outline how community needs informs fire services training;
- Linking fire services training and education to a career path of fire services personnel;
- Outline how training on fire prevention and safety will be prioritised;
- Provides for multi-level entry into the fire services;
- Outline the inherent requirements necessary for appointment into the services;
- Define mechanisms for the provision of management skills and training for fire services managers;
- Ensure a balance between theory and practical aspects of fire services training and education;
- Outline the role of Further Education and Training colleges in the provision of fire services training and education;
- Outline mechanisms for providing training to communities;
- Explore mechanisms for providing specialist training to the sector.

Fire-fighters 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 fire-fighters requires not only adequate training when entering the profession but also ongoing professional development to ensure that fire-fighters stay abreast with the constant technological changes in their working environment. In determining the training requirements of fire-fighters to be “fit-for-purpose” in a new legislative environment and providing more diverse

services 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 which 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:

- Skills Development Amendment Act, 2008;
- National Qualifications Framework Act, 2008;
- South African Qualifications Authority Act of 1995;
- Higher Education Act of 1997;
- 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.

## **SECTION: 11 FUNDING ARRANGEMENTS FOR THE PROVISION OF FIRE BRIGADE 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 to a large extent 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:

- Building of fire stations;
- Procurement of capital items such as fire fighting vehicles and equipment;
- Public awareness programmes (especially material development);
- Provision of aerial resources especially for fighting disastrous veldfires;
- 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 to a large extent often results in inadequate allocation of resources to the function.**

The Municipal Infrastructure Grant (MIG) administered by the DCoG which 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 which 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 viable municipalities are able to sustainably 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 has 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, there are several services that do not charge for rendering this function.

### **11.3 Proposals for future funding arrangements**

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 9: Potential sources of funding**

<b>Funding needs</b>	<b>Potential sources of funding and expertise</b>
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)
<b>Donor funding will be integrated with local funding strategies and managed in terms of national policies for the sector as a whole</b>	

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 this 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 remains an avenue that can be utilised to optimise the process of procuring equipments for the fire services.

## **SECTION 12: INTERNATIONAL COOPERATION AND LIAISON ON FIRE SERVICES ACTIVITIES**

### **12.1 Current institutional arrangements for international cooperation and liaison**

“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 which often requires fire services involvement.

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-

- 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;
- 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 international cooperation**

International cooperation is important as it will enable that South Africa's approach to fire services is informed by a global perspective. 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 Department of Cooperative Governance 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 private organization that provides predominantly proactive and reactive firefighting and prevention, rescue, emergency medical response and related humanitarian services to a certain geographic or 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.

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

<b>Date</b>	<b>Area</b>	<b>Stakeholders</b>
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	Northern Cape	Municipal fire services, designated services, Provincial Disaster Management Centre, Fire

2011		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 Services Institute [SAESI]	Conference delegates representing various sectors within the fire service industry.
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. This 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	Key stakeholders involved in fire safety, Disaster Managers, Fire Chiefs from government and the private sector, etc.

	workshop	
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 General Meeting	Delegates from various sectors
<p>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 Department with stakeholders since the decision to review the fire service legislation was granted in April 2006.</p>		

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