



cooperative governance

Department:
Cooperative Governance
REPUBLIC OF SOUTH AFRICA

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

SOUTH AFRICA



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ACRONYMS

DAFF	Department of Agriculture, Forestry & Fisheries
DCoG	Department of Cooperative Governance
FBSA	Fire Brigade Services Act, 1987 (Act No. 101 of 1987)
FBB	Fire Brigade Board
IDP	Integrated Development Plan
MAA	Mutual Aid Agreement
MEC	Member of Executive Council (Member of a Provincial Cabinet)
MMC	Member of Mayoral Committee
NAFSAC	National Fire Service Advisory Committee
NDMC	National Disaster Management Centre

1. Introduction

The administration of fire services not only cuts across the three spheres of government but also across the private sector which also administers fire services established to safeguard their installations. There are therefore very different conditions and challenges for the establishment of administrative systems for fire services, both between and within provinces and across the spheres of government.

Some of the key differences arise from the varying capacity, revenue and degree of unmet needs within the respective provinces. Provincial Directorates: Fire Services Coordination will need to tailor their approaches in fulfilling their assigned mandate according to the specific conditions which prevail in each provincial administration using a common organisational design. Despite this, the provision of services must satisfy the applicable legislative requirements.

The organisational model mooted herein was developed by aligning the organisational structure in a logical way with the responsibilities assigned by the applicable legislation thereby positioning the respective directorates to be “fit-for-purpose” in engaging the communities and through strategic action implement programmes that seek to support the delivery of fire services to the community. The model structure also recognises that intergovernmental relations, stakeholder engagement, oversight, monitoring and evaluation, capacity building fire safety are critical for the effective provision of support to municipalities and other stakeholders involved in the provision of fire services. The model is not meant to be prescriptive but rather to serve as a guideline which provinces can consider in the process of establishing fire services coordination capacity in their areas of jurisdiction.

2. Legislative environment and the role of provinces

2.1 Constitution

The Constitution, 1996 (Act 108 of 1996) assigns in section 156 executive authority to local government to administer fire fighting services with provincial and national government having concurrent legislative competence. The Constitution further assigns national and provincial government various additional powers to monitor, guide, support and intervene, within certain parameters, in local government to ensure that the objectives of local government are met.

2.2 Fire Brigade Services Act, 1987 (Act No 99 of 1987) (FBSA)

The primary objective of the FBSA is to provide for the establishment, maintenance, employment, co-ordination and standardization of fire brigade services. In 1994 the President assigned the administration of the FBSA to provinces with the exception of section 2 dealing with the Fire Brigade Board (FBB) and section 15 dealing with Regulations respectively.

2.3 Proclamation R 153 OF 1994

Proclamation R 153 of 1994 assigned, under Section 235(8) of the interim Constitution, 1993 (Act 200 of 1993) all sections of the Fire Brigade Services Act, 1987 (Act 99 of 1987), to the provincial sphere of government, with the exception of Section 2 and 15 which remained the administrative responsibility of national government. The Constitution affirmed this assignment in Schedule 6. In essence these assignments together with the Constitution oblige provincial government to fulfil specific roles.



Assignment to
Provinces.doc

2.4 Provincial governments' role


Provinces also have specific roles and responsibilities in the delivery of fire services as outlined in Chapter 6 of the Constitution, 1996. The White Paper on Local Government, 1998 also allocates the following roles to provincial governments:

- **A developmental role:** Provincial government 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. Provincial government is also responsible for processing grants to municipalities for bulk infrastructure and other services;
- **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;

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- **A 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.
- **An institutional development and capacity building role:** Provincial government establishes municipalities, and is tasked by Section 155 (6) of the Constitution, 1996 with promoting the development of local government capacity to enable municipalities to perform their functions and manage their own affairs.
- **Fiscal role:** Provincial governments have a critical role in building the financial management capacity of municipalities and intervening when necessary to ensure local financial viability.
- **A monitoring role:** Provincial government has a key role in monitoring local government in order to ensure that high standards of public service and good governance are maintained.
- **An intervention role:** In terms of Section 139 of the Constitution, provincial government has the power to intervene when a municipality cannot or does not fulfil an executive obligation in terms of legislation.

2.5 Legislative mandate analysis

Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
		Section	Text of the relevant section or sub-sub section			
1. Constitution, 1996 (Act 108 of 1996)	Chapter 3	Section 41(1)(b)	All spheres of government and all organs of state within each sphere must— Secure the well-being of the people of the Republic.	National Government has a responsibility in ensuring the well being of the people by; Playing a strategic role, providing a legislative framework, provide capacity building, provide support to fire services and key stakeholders, provide financial assistance during serious incidents, perform Monitoring and oversight and intervene in some cases.	Communities safe from fires.	Fire losses reduced annually by 5% to levels comparable with international norm.
	Chapter 3	Section 41 (1) (h)	Cooperate with one another in mutual trust and good faith by:- (i) fostering friendly relations; (ii) assisting and supporting one another; (iii) informing one another of, and consulting one another on matters of common interest; (iv) co-ordinating their actions and legislation with one another; (v) adhering to agreed procedures; (vi) avoiding legal procedures against one another.	The Fire Brigade Board (FBB), the fire services secretariat (Directorate: Fire Services Coordination) to perform these actions through the following committees <ul style="list-style-type: none"> • FBB-broader secretariat • National Fire Services Advisory Committee (NAFSAC) • Provincial Fire Services Advisory Committees PROFSACs 	Improved Inter Governmental coordination and cooperation through the actions of the committees.	Committees established and functioning to ensure:- (i) friendly relations are maintained (ii) fire services assist and support one another; (iii) information shared and consultations are routinely done; (iv) actions and legislation are co-ordinated with one another; (v) agreed procedures are adhered to; (vi) Zero legal proceedings instituted between government departments.
	Chapter 4 & Schedule 4B	Section 55 (1) Schedule 4B	In exercising its legislative power, the NA may- (a) consider, pass, amend or reject any legislation before the assembly; (b) initiate or prepare legislation	Minister has concurrent legislative powers with municipalities in terms of Schedule 4B of the constitution and may therefore regulate fire services.	Required regulations promulgated	 Regulations Promulgated and to b

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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
	Chapter 4	Section 55 (2)(a)& (b)	The NA must provide mechanisms – (a) to ensure that all executive organs of state is the national sphere of government is accountable to it; and (b) maintain oversight of- (i) the exercise of national executive authority, including the implementation of legislation; and (ii) any organ of state.	The FBB under the chairpersonship of the Minister to play a role in providing the Minister with reports and systems to achieve the objectives of this section. Minister has concurrent legislative powers with municipalities in terms of Schedule 4B of the constitution and may therefore regulate fire services through regulations made under the Fire Brigade Services Act, 1987 or the other regulatory powers afforded to the Minister by Local Government legislation administered by the Minister.	Cooperative Governance portfolio committee briefed on fire services implementation.	Annual fire services status report served before the Cooperative Governance portfolio committee.
	Chapter 5	Section 85 (2)	The president exercises the executive authority, together with the other members of Cabinet by— (a) implementing national legislation except where the constitution of an Act of Parliament provides otherwise; (b) developing and implementing national policy; (c) coordinating the functions of state departments and administrations; (d) preparing and initiating legislation; (e) performing any other executive function provided for in the Constitution or in National legislation.	The Minister and MEC's to take responsibility to ensure that the objectives of the Fire Brigade Services Act, 1987 are achieved in line with proclamation R 153 through the FBB under the chairpersonship of the Minister.	FBB Committees established and functioning to ensure:- (a) national legislation is implemented (b) national policy developed and implemented; (c) functions of state departments and administrations coordinated; (d) legislation required are prepared and initiated; (e) perform other executive functions provided for in the Constitution or in National legislation.	(a) report on how well national legislation is implemented (b) national policy document published and report on implementation submitted to portfolio committee; (c) IGR forum minutes; (d) report on legislation required, copy of the legislation prepared and parliament minutes of initiated legislation; (e) Report on other executive functions performed as provided for in the Constitution or in National legislation.
	Chapter 5	Section 92 (1)	The Deputy President and Ministers are responsible for the powers and functions of the executive assigned to them by the President.	Minister to take responsibility to ensure that the objectives of the Fire Brigade Services Act, 1987 are achieved.	Cooperative Governance portfolio committee briefed on fire services implementation.	Quarterly fire services status report served before the Cooperative Governance portfolio committee.

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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
	Chapter 5	Section 92 (3)(b)	Members of the Cabinet must provide Parliament with full and regular reports concerning matters under their control.	The FBB under the chairpersonship of the Minister to play a role in providing the Minister with reports to achieve the objectives of this section. FBB annual report to portfolio committee (quarterly reports to Minister and MEC's)	Cooperative Governance portfolio committee briefed on fire services implementation.	Quarterly fire services status report served before the Cooperative Governance portfolio committee.
		Section 100(1)	When a province cannot or does not fulfil an executive obligation in terms of legislation of the Constitution, the national executive may intervene by taking any appropriate steps to ensure fulfilment of that obligation.....	The Minister may take specific and progressive action to ensure that provinces fulfil their obligations in terms of those sections of the Fire Brigade Services Act, 1987 assigned to the province for administration.	National government monitor and evaluate the performance of provincial government in terms of their fire services executive obligations set out in chapter 6. Minister to intervene in order to maintain essential national standards or meet established minimum standards for the rendering of a service.	Quarterly fire services status report served before the Cooperative Governance portfolio committee. Copy of directives issued to provinces and an annual report on intervention(s) undertaken.
	Chapter 5	Section 114(2)(b)(i)	A provincial legislature must provide for mechanisms to maintain oversight of the exercise of provincial executive authority in the province, including the implementation of legislation...	The MEC's to take responsibility to ensure that the objectives of the Fire Brigade Services Act, 1987 are achieved in line with proclamation R 153 through the CAPS.	CAPS are appointed, performs oversight in terms of the CAPS regulations and reports are provided to the MEC for tabling in the Legislature.	Minutes of CAPS and Legislature. Oversight reports.
	Chapter 6	Section 125 (2)	The premier exercises the executive authority, together with the other members of the executive council, by— (a) implementing provincial legislation in the province; (b) implementing all national legislation within the functional areas listed in schedule 4 or 5 except where the Constitution or an Act of Parliament;	The MEC's to take responsibility to ensure that the objectives of the Fire Brigade Services Act, 1987 are achieved in line with proclamation R 153 through the FBB under the chairpersonship of the Minister.	Provincial secretariat established and functioning to ensure:- (a) national/ provincial legislation is implemented in the province wrt fire services (b) national and provincial policy developed and implemented; (c) functions of provincial departments and administrations coordinated; (d) needed provincial legislation required are prepared and initiated; (e) perform other executive functions	a) report on how well national/provincial legislation is implemented (b) provincial policy document published and report on implementation submitted to portfolio committee; (c) IGR forum minutes; (d) report on legislation required, copy of the legislation prepared and legislature minutes of initiated legislation; (e) Report on other executive functions performed as provided for in the Constitution or in National legislation.



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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
			(c) administering in the province, national legislation outside the functional areas of schedule 4 and 5 , the administration of which has been assigned to the provincial executive in terms of an Act of Parliament; (d) developing and implementing provincial policy; (e) coordinating the functions of the provincial administration and its departments; (f) preparing and initiating provincial legislation, and (g) performing any other function assigned to the provincial executive in terms of the Constitution or and Act of parliament.		provided for in the Constitution or in National legislation.	
	Chapter 6	Section 133(3)(b)	Members of the Executive Council must provide the Legislature with full and regular reports concerning matters under their control.	The provincial secretariat under the chairpersonship of the HoD to play a role in providing the MEC with reports to achieve the objectives of this section. FBB quarterly report to portfolio committee (quarterly reports to Minister and FBB)	Cooperative Governance portfolio committee briefed on fire services implementation.	Quarterly fire services status report served before the Cooperative Governance portfolio committee.
	Chapter 6	Section 139(1)	When a municipality cannot or does not fulfil an executive obligation in terms of legislation of the Constitution, the provincial executive may intervene by taking any appropriate steps to ensure fulfilment of that obligation.....	The MEC through Directorate: Fire Services Coordination may take specific and progressive action to ensure that provinces fulfil their obligations in terms of those sections of the Fire Brigade Services Act, 1987 assigned to the province for administration.	Provincial government through Directorate: Fire Services Coordination monitor and evaluate the performance of municipalities in terms of their fire services executive obligations set out in chapter 7. MEC to intervene in order to maintain essential national / provincial standards	Quarterly fire services status report served before the Cooperative Governance portfolio committee. Copy of directives issued to municipalities and an annual report on intervention(s)

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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
2. Fire Brigade Services Act, 1987 (Act No 99 of 1987)	Chapter 7 Chapter 7	Section 155(6)(a & b)	Each provincial government must establish municipalities..... , and by legislative or other measures must- (a) provide for the monitoring and support of local government in the province; and (b) promote the development of local government capacity to enable municipalities to perform their functions and manage their own affairs.	Directorate: Fire Services Coordination to provide monitoring and support of fire services. Directorate: Fire Services Coordination to promote development of fire services capacity to manage their own affairs.	or meet established minimum standards for the rendering of a service. Participation in the FBB meetings. All fire services monitored Programs developed and implemented to build capacity in the fire services	undertaken. Minutes of the FBB meeting Quarterly fire services status report served before the Cooperative Governance portfolio committee. Quarterly fire services status report providing details of programs implemented to build capacity in the fire services.
	(no chapter headings)	Section 2(1)	There is hereby established a board known as the Fire Brigade Board, to perform the functions assigned to it in terms of this Act or the Regulations contemplated in Section 15.	Fire Brigade Services Act, 1987 assigns tasks assigned to the FBB thereby amongst others playing a strategic role, providing a legislative framework, provide capacity building, provide support to fire services and key stakeholders, provide financial assistance during serious incidents, perform Monitoring and oversight and intervene in some cases.	Provinces to appoint a FBB representative Participation in the FBB meetings.	Appointment letters of Board members Minutes of the FBB meetings
	(no chapter headings)	Section 2(2)	The Board shall consist of....	Board to be representative of woman and men	Provinces to appoint a FBB representative	Appointment letters of Board members
		Section 2(4)	The administrative work arising from the performance of the functions of the Board under this Act shall be	The fire services secretariat (Directorate: Fire Services Coordination) is responsible to perform this function.	Provincial secretariat (Directorate: Fire Services Coordination) established and functioning	Minutes of the FBB committee meetings.

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	(no chapter headings)	Section 2(5)(a)	<p><i>performed by officers or employees of the national department responsible for provincial and local government</i></p> <p><i>The Board may establish a committee(s) to perform such functions as assigned to it by the Board</i></p>	<p>Board has established two committees, being the National Fire Services Advisory Committee (NAFSAC) and the National Search and Rescue Support Committee (NASCOM)</p>  <p>TERMS OF REFERENCE OF NASC</p>  <p>ToR NAFSAC.doc</p>	Provincial secretariat (Directorate: Fire Services Coordination) established and participating in meetings	Minutes of the FBB committee meetings.
	(no chapter headings)	Section 2(8)	<p><i>The Minister shall designate an officer in the public service to act a secretary of the Board</i></p>	Provincial Directorate: Fire Services Coordination official to be appointed to perform this function.	Provincial Secretary appointed to serve on the FBB broader secretariat	Appointment letter of secretary
	(no chapter headings)	Section 3(1)	<p><i>A local authority may establish and maintain a service in accordance with the prescribed requirements.</i></p>	Provincial Directorate: Fire Services Coordination in partnership with the CAPS to perform monitoring and oversight	CAPS perform monitoring and inspections	Report(s) to MEC on CAPS findings
	(no chapter headings)	Section 3(2)(a)&(b)	<p><i>The Administrator may, may after consultation with the board and the local authority concerned, direct a local authority –</i></p> <p><i>(a) maintain a service which it has established; or</i></p>	Provincial Directorate: Fire Services Coordination in partnership with the CAPS to monitor and perform oversight to advise the Administrator to perform this function.	CAPS perform monitoring and inspections to advise the MEC on appropriate action	Report(s) to MEC on CAPS findings

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			(b) establish and maintain a service in accordance with the prescribed requirements.			
	(no chapter headings)	Section 4	A service which does not fall under the control of a local authority may, in the prescribed manner, apply to the Minister to be recognized as a designated service.....	Provincial Directorate: Fire Services Coordination in partnership with the CAPS to perform monitoring and oversight to advise the Administrator to perform this function.	Fire services are monitored, evaluated, established and maintained	Report(s) to MEC on CAPS findings
	(no chapter headings)	Section 5	A controlling authority shall appoint a person who possesses the prescribed qualifications and experience, as chief fire officer to be in charge of its service.	Provincial Directorate: Fire Services Coordination in partnership with the CAPS to monitor and perform oversight to perform this function.	Appointment of Chief Fire Officers is monitored and evaluated based on the prescribed requirements. Database of appointments developed and maintained	Report to MEC containing a namelist of Chief Fire Officers appointment.
	(no chapter headings)	Section 6	A controlling authority may appoint any person who possesses the prescribed qualifications and experience, as a member of its service to perform such functions as may be assigned to him by the chief fire officer: Provided that a controlling authority may, after due consideration of the peculiar circumstances of a specific case, appoint any person who does not possess the prescribed qualifications and	Provincial Directorate: Fire Services Coordination in partnership with the CAPS to monitor and perform oversight to perform this function.	Appointment of members of a service is monitored and evaluated based on the prescribed requirements. Database of appointments developed and maintained	Report to MEC containing a namelist of members of a service appointment.

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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
	(no chapter headings)	Section 6A	<p>experience as a member of its service subject to the general conditions determined by the Board.</p> <p>A controlling authority may establish a fire brigade reserve force for its area of jurisdiction.</p>	<p>Provincial Directorate: Fire Services Coordination in partnership with the CAPS to monitor and perform oversight to perform this function.</p>	<p>Appointment of members of a service is monitored and evaluated based on the prescribed requirements. Database of appointments developed and maintained.</p>	<p>Report to MEC containing a namelist of members of a service appointment.</p>
	(no chapter headings)	Section 6B(1)	<p>The State President may, subject to such requirements as he may deem fit, institute decorations and medals and, in respect of such decorations and medals, bars, clasps and ribbons, which may be awarded by the Minister or any person designated by the Minister to any member of a service, including a chief fire officer, in respect of his service as such a member or chief fire officer, as the case may be, or to any other person in respect of exceptional service rendered in terms of this Act.</p>	<p>Provincial Directorate: Fire Services Coordination to monitor activities of fire services to recommend to the president through the MEC the institution of decorations</p>	<p>Decorations are instituted when warranted</p>	<p>Reports to the MEC and decorations instituted.</p>
	(no chapter headings)	Section 6B(2)	<p>The Minister may, subject to such requirements as he may deem fit, institute service certificates, which may be awarded by the Administrator or any person</p>	<p>Provincial Directorate: Fire Services Coordination to monitor activities of fire services to recommend to the MEC the institution of decorations</p>	<p>Decorations are instituted when warranted</p>	<p>Reports to the MEC and decorations instituted.</p>

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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
			<i>designated by the Administrator, to any member of a service, including a chief fire officer, in respect of his service as such a member or chief fire officer, as the case may be, or to any other person in respect of exceptional service rendered in terms of this Act.</i>			
	<i>(no chapter headings)</i>	Section 7(a)	<i>...on such conditions as he may determine by notice in the Gazette declare such a service or other institution as a training institution at which the proficiency training, or any part thereof, required for or connected with the prescribed qualifications of a chief fire officer or a member of a service may be presented;</i>	<i>Provincial Directorate: Fire Services Coordination and the CAPS to monitor activities of fire services to recommend to the MEC appropriate action</i>	<i>Training institutions are monitored and declared as training institutions. Database of training institutions developed and maintained</i>	<i>Letters of recognition issued and a database of accredited institutions maintained</i>
	<i>(no chapter headings)</i>	Section 7(b)	<i>...take such steps or cause such steps to be taken as he may deem necessary or expedient for the proper control, management and development of, or for the extension of the training facilities at, such training institution.</i>	<i>Provincial Directorate: Fire Services Coordination and the CAPS to monitor activities of training institutions to recommend to the MEC appropriate action</i>	<i>Training institutions are monitored and appropriate actions are recommended to the MEC</i>	<i>Reports detailing actions needed to exercise proper control, management and development of training institutions submitted to MEC. Letters detailing action to training institutions.</i>
				<i>Provincial Directorate: Fire Services</i>		

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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
	(no chapter headings)	Section 11	... the Administrator may, after consultation with the Board, from money appropriated by Parliament for the purpose, pay a grant-in-aid calculated on the prescribed basis to any controlling authority in respect of the establishment or maintenance of its service.	Coordination and the CAPS to recommend to the HoD and MEC appropriate action	Grant-in-aid paid to controlling authorities in respect of the establishment or maintenance of a service.	Report on the need for grant-in-aid. Report on the use of grant-in-aid.
	(no chapter headings)	Section 12	...Subject to any condition contemplated in section 11 (2) (a) a controlling authority may, with a view to the more efficient employment of its service, conclude a written agreement...	Provincial Directorate: Fire Services Coordination and the CAPS to monitor and coordinate the conclusion of agreements.	Agreements concluded maintaining efficient fire services.	Signed agreements. Report to MEC detailing the details of the agreements.
	(no chapter headings)	Section 13	The Minister may, after consultation with the Board, by notice in the Gazette declare that a category of persons in the service of the State or a controlling authority designated for the purpose by the Administrator may perform the prescribed functions in order to ensure that the objects of this Act are achieved.	Minister to appoint CAPS and task them to perform functions in terms of the applicable CAPS Regulations	CAPS appointed and performing functions in terms of the applicable CAPS Regulations	CAPS appointment letters. CAPS tasking memorandum. CAPS reports.
	(no chapter headings)	Section14Notwithstanding anything to the contrary contained in any other law, the Minister or anybody designated by him	Minsiter to take action when needed and or delegate a peson to take action when needed	Protocol document developed and implemented to streamline urgent action to be taken as was needed.	Signed protocol document. Signed delegated authority to other persons authorised by the MEC.

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Legislation	Relevant Chapter	Relevant Section	Delegated Responsibility	Outcome	Indicator
		<p>Section 16(2)</p> <p><i>may, in any case where in his opinion urgent action is necessary in the public interest.</i></p> <p><i>The Administrator may after consultation with the Board make bylaws or regulations, as the case may be, which are not contrary to any law, regarding any matter referred to in subsection (1), and such by-laws or regulations shall apply in the area of jurisdiction of every local authority in the province concerned in so far as they are applicable and not inconsistent with the by-laws or regulations, as the case may be, of the local authority concerned.</i></p>	<p><i>Minister to make Regulations as identified by the CAPS</i></p>	<p><i>Better regulation of fire services and the provision thereof.</i></p>	<p><i>Proclamated Regulations.</i></p>
		<p>Section 17</p> <p><i>If a person, including a local authority and a department of State, fails to comply with a requirement, standard or direction determined or issued under this Act or the regulations contemplated in section 15, the Administrator may by written notice direct a local authority, and the Minister may by written</i></p>	<p><i>Provincial Directorate: Fire Services Coordination and the CAPS to recommend to the HoD and MEC appropriate action</i></p>	<p><i>Compliance to the Fire Brigade Services Act, 1987 and the Regulations</i></p>	<p><i>Report to MEC detailing the details of compliance to the Fire Brigade Services Act, 1987 and the Regulations</i></p>

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Legislation	Relevant Chapter	Relevant Section		Delegated Responsibility	Outcome	Indicator
			<i>notice direct any other person, to comply with the requirement, standard or direction within the period mentioned therein.</i>			

3. Link to Disaster Management

All five provinces listed in table 1, with dedicated capacity for fire services administration, established the fire services administrative unit as a sub program of the Directorate: Disaster Management. The remaining four provinces assigned the administration of fire services as an additional task to a disaster management official whom must perform the required functions as an additional task to their current responsibilities. The net result, observable in various degrees, is that the administration of fire services and disaster management is seen as synonymous with fire services often being neglected.

4. Ideal structure

4.1 Purpose of a Provincial Directorate: Fire Services Coordination

The purpose of the Directorate is to develop and oversee the implementation of legislation, policy and strategies applicable to fire services provincially by—

- i. Planning and organising programs to implement the Fire Services Act and support related pieces of legislation provincially;
- ii. Performing research, develop and plan processes for the implementation of a strategic Fire Services Framework;
- iii. Establishing mechanisms for the development, implementation, monitoring and evaluation of national and provincial standards;
- iv. Rendering support, cooperation and administrative guidance to other spheres of government and Fire Services stakeholders;
- v. Advising the national, provincial and municipal structure on Fire Brigade Services issues; and
- vi. Performing Fire Services capacity building related processes and establish a Fire Services Information Management System.

4.2 Goals

The Fire Brigade Board, at a meeting held on 28 August 2008, adopted 5 broad strategic goals to be pursued by fire services in achieving the purpose of Fire Brigade Services Act, 1987 (Act No. 99 of 1987).

Goal 1: Improve the governance, policy and legal framework for Fire Services in South Africa.

Goal 2: Improve the training of emergency personnel, establish capacity building programs and increase the resources available to fire services.

Goal 3: Implement fire risk assessment and establish fire prevention campaigns as the corner stones to improve life safety.

Goal 4: Improve service delivery by optimising fire services operations through support and compliance management programs.

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Goal 5: Foster better stakeholder and community relations by addressing the needs of the stakeholders and civil society, performing research, improving marketing and promoting the fire services.

4.3 Objectives

The Directorate achieves the purpose and goals set out in the above by striving to achieve the following broad objectives.

Objective 1: Build capacity amongst the 3 spheres of government, communities and other stakeholders to lead, develop and sustain fire services as a dynamic service organisation.

Objective 2: Reduce risk posed by fire and other related risks to life, property and the environment through the application of specific focussed risk prevention, reduction and mitigation programs in partnership with the 3 spheres of government, communities and other stakeholders .

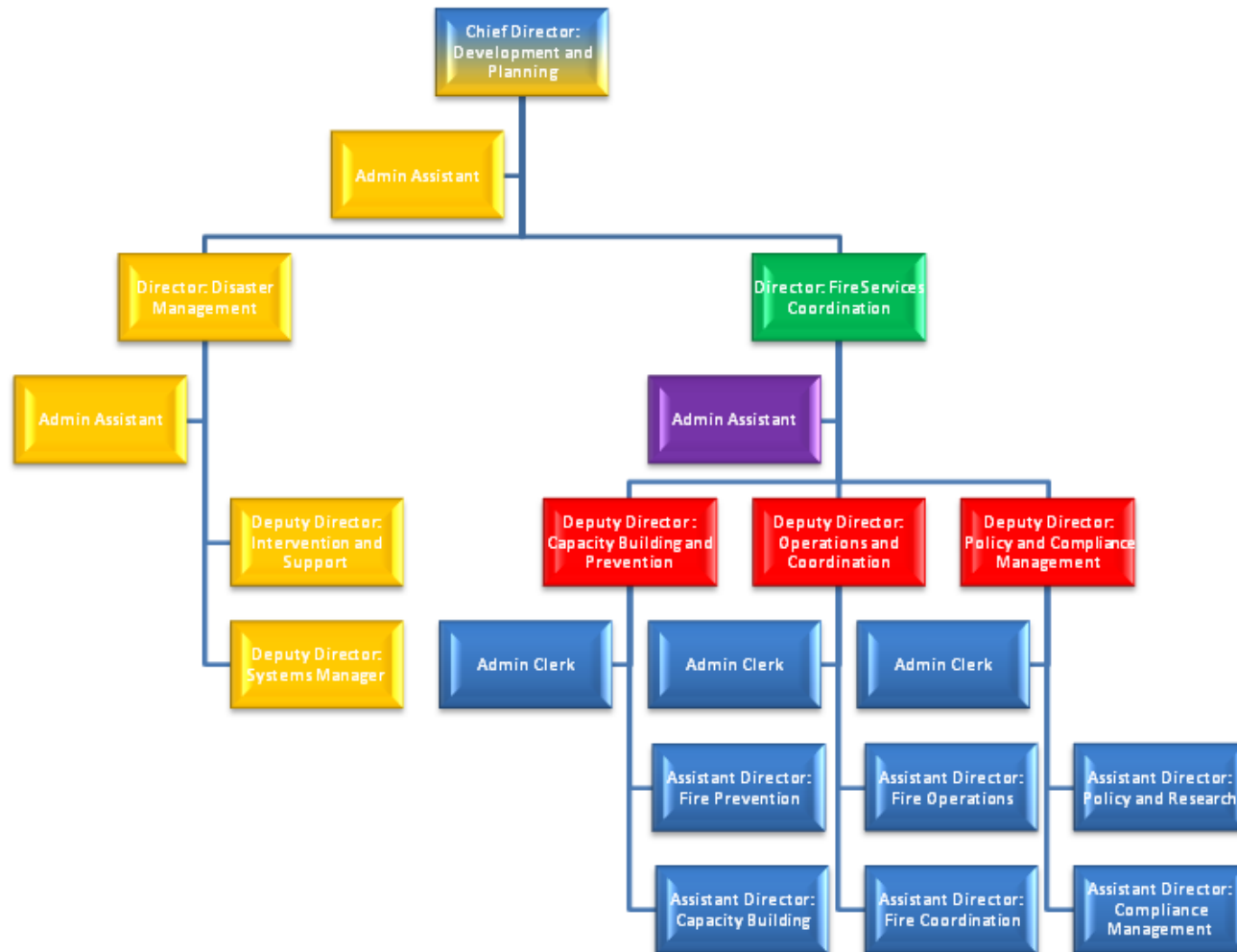
Objectives 3: Elevate the professional status of fire services personnel by improving the efficiency of fire service training.

Objective 4: Improve the efficiency of fire service delivery through focussed support and compliance management programs.

Objective 5: Foster the development and implementation of fire services' legislation through engagement and consultation.

4.4 Structure

The following structure is an example of how the Fire Services Coordination Directorate links up within the organisational unit.



4.1.1 Director: Fire Services Coordination

JOB PURPOSE

To manage the implementation of legislation, regulations, policy and strategies on fire services provincially.

ROLES

- Plan, organize and oversee the implementation of the Fire Brigade Services Act and related legislation provincially.
- Oversee the research, development and implementation of a provincial strategic Fire Services Framework.
- Manage the development, establishment and implementation of monitoring and evaluation mechanisms in line with national standards.
- Render support, cooperation and administrative guidance to other spheres of government and Fire Services stakeholders.
- Advise the national, provincial and municipal structures on Fire Brigade Services issues.
- Oversee Fire Services capacity building related processes.
- Manage the budget and financial support of fire services programs.
- Manage, coordinate and support cooperative governance programs and intervention(s).

5.1.2 Deputy Director: Capacity Building and Fire safety programs

JOB PURPOSE

Ensure that key fire safety programs and fire services capacity building programs are developed and implemented

ROLES

- Ensure the development of a strategic fire safety plan.
- Ensure Public Information, Relations and Education programs in execution of the fire safety plan.
- Ensure fire reduction programs in partnership with stakeholders

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

- Ensure the spatial development plans of municipalities in terms of fire safety provisions.
- Ensure the development and implementation of a skills development plan.
- Ensure the inclusion of fire services issues on IDP and SDBIP of municipalities.
- Make recommendations to the Administrator in terms of fire services capacity building and fire safety programs.

5.1.3 Assistant Director: Fire Safety

JOB PURPOSE

To conduct, facilitate and support key fire safety programs

ROLES

- Facilitate, coordinate and support annual fire risk assessments in partnership with stakeholders.
- Compile an indicative fire risk profile for the province.
- Conduct, facilitate and support the development of a strategic fire safety plan.
- Identify, facilitate, coordinate and support key Public Information, Relations and Education programs in execution of the fire safety plan.
- Identify, conduct, facilitate and support fire safety inspections and programs at key nodal points and risks.
- Identify, facilitate, monitor and coordinate the approval of building plans in municipalities where no fire services are available.
- Provide advice on fire prohibition and fire safety.
- Facilitate and support fire cause determination programs for fires that occurred at key identified risks.
- Identify, facilitate, monitor and coordinate fire reduction programs in partnership with stakeholders
- Monitor and support exercise planning at key nodal points.

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

- Monitor the spatial development plans of municipalities in terms of fire safety provisions.
- Make recommendations to the Administrator in terms of fire safety.

5.1.5 Assistant Director: Capacity Building

JOB PURPOSE

To conduct, facilitate and support fire services capacity building programs

ROLES

- Conduct, facilitate and support the development of a skills development plan.
- Identify, facilitate, coordinate and support key training and development programs identified by the skills development plan both internally and externally
- Provide advice and assistance to stakeholders and municipal fire services surrounding organizational development and capacity building.
- Conduct, facilitate and support the development and implementation of Management Information Systems and supportive ICTs.
- Monitor, facilitate, support and advice municipalities on IDP and SDBIP on fire services issues.
- Identify, conduct, facilitate and support key capacity building programs in support of attaining the outcomes set out by the Strategic Framework.
- Make recommendations to the Administrator in terms of fire services capacity building.

5.1.6 Deputy Director: Operations and Coordination

JOB PURPOSE

Ensure that fire services operations are supported and key inter governmental structures are established to coordinate the activities of fire services stakeholders in implementing fire services legislation, policy and frameworks

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

ROLES

- Ensure the development and functioning of a system to provide the unit with situational awareness and or reports of incidents that have occurred, may occur and or may escalate in the province and surrounding areas.
- Ensure the development and functioning of an Incident Coordination System thereby providing for Integrated Fire Management during large scale incidents.
- Represent the province as the fire services coordinator in the activated disaster management center in the event of a disaster to advise on fire services activities and operations.
- Ensure cooperative governance programs and intervention(s).
- Ensure the administration of applications and other administrative issues in terms of the Act and its Regulations.
- Ensure the compilation of progress or situational reports across all spheres of government and other sectors surrounding incidents that have occurred or that is ongoing.
- Ensure the establishment and functioning of a provincial fire Coordination committee (ProFCoC)
- Ensure the establishment and functioning of inter governmental, inter departmental and other stakeholders to coordinate and establish integrated fire management systems in line with policies and directives
- Make recommendations to the Administrator in terms of coordination strategies and service delivery improvements.

5.1.7 Assistant Director: Fire operations

JOB PURPOSE

To conduct, facilitate and support fire services operations.

ROLES

- Monitor operational preparedness in response to early warnings issued.

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

- Conduct, facilitate and support the development and functioning of a system to provide the unit with situational awareness and or reports of incidents that have occurred, may occur and or may escalate in the province and surrounding areas.
- Conduct, facilitate and support the development and functioning of an Incident Coordination System thereby providing for Integrated Fire Management during large scale incidents.
- Facilitate the development of support mechanisms to enable the implementation of ICS which must include resource databases, ICT and emergency funding of large scale interdepartmental operations.
- Represent the province as the fire services coordinator in the activated disaster management center in the event of a disaster to advise on fire services activities and operations.
- Conduct, facilitate and support cooperative governance programs and intervention(s).
- Facilitate the administration of applications and other administrative issues in terms of the Act and its Regulations.
- Compile progress or situational reports across all spheres of government and other sectors surrounding incidents that have occurred or that is ongoing.
- Make recommendations to the Administrator in terms of operations and service delivery enhancement

5.1.8 Assistant Director: Fire Coordination

JOB PURPOSE

To conduct, facilitate and support inter governmental structures set up to coordinate the activities of fire services stakeholders in implementing fire services and related legislation, policy and frameworks.

ROLES

- Conduct, facilitate and support the establishment and functioning of a provincial fire Coordination committee (ProFCoC)

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

- Conduct, facilitate and support the establishment and functioning of inter governmental, inter departmental and other stakeholders to coordinate and establish integrated fire management systems in line with policies and directives
- Conduct, facilitate and support provincial workshops and planning sessions to formulate joint operational plans, MoA's and SLA's
- Support special events planning
- Make recommendations to the Administrator in terms of coordination strategies and service delivery improvements.

5.1.9 Deputy Director: Policy and Compliance Management

JOB PURPOSE

To ensure the development and implementation of monitoring, compliance mechanisms, policies, strategies and frameworks for fire services.

ROLES

- Ensure the research and development of provincial fire services policies, SOP's, strategies and frameworks in line with the directives of the Fire Brigade Board, other stakeholders and legislation.
- Ensure analysis of audit and investigation reports to determine possible policy implications.
- Ensure the development and implementation of monitoring and compliance management mechanisms for fire services in terms of legislation and standards.
- Ensure the coordination of the Category of Authorized Persons (CAPS) appointed in terms of the Fire Brigade Services Act, 1987.
- Ensure the compilation of statistical and audit reports across all spheres of government and other sectors.
- Make recommendations to the Administrator in terms of audit and or investigation findings and policy.

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

5.1.10 Assistant Director: Policy and Research

JOB PURPOSE

To conduct, facilitate and support the development of policy, strategies and frameworks on fire services

ROLES

- Conduct, facilitate and support the research and development of provincial fire services policies, SOP's, strategies and frameworks in line with the directives of the Fire Brigade Board, other stakeholders and legislation.
- Render support, cooperation and administrative guidance to other spheres of government and Fire Services stakeholders in terms of policy.
- Monitor the Fire Services industry; analyze trends areas of importance and equipment development.
- Advise the national, provincial and municipal structures on Fire Brigade Services policy issues and best practices.
- Analyze audit and investigation reports to determine possible policy implications
- Make recommendations to the Administrator in terms of policy.

5.1.11 Assistant Director: Compliance management

JOB PURPOSE

To conduct, facilitate and support the development and implementation of monitoring and compliance mechanisms on fire services within the province in line with national legislation, regulations and policy

ROLES

- Co-ordinate the development and implementation of monitoring and compliance management mechanisms for fire services in terms of legislation and standards.

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

- Coordinate the Category of Authorized Persons (CAPS) appointed in terms of the Fire Brigade Services Act, 1987.
- Render support, cooperation, administrative guidance and advice to other spheres of government and Fire Services stakeholders in terms of compliance management, audits and investigations.
- Advise the national, provincial and municipal structure on Fire Brigade Services issues and or compliance management issues.
- Facilitate a statistical database on fire incidents and resources.
- Conduct and or coordinate audits and or investigations
- Compile statistical and audit reports across all spheres of government and other sectors.
- Monitor municipal by laws development
- Make recommendations to the Administrator in terms of audit and or investigation finding

5.3 Budgeting

Departments administering the Fire Brigade Services Act, 1987 must adequately budget for the phased implementation of the structure mooted.

6. Recommendations

The following recommendations are made to provincial administrations to comply with the legislative requirement.

- Establish a Directorate: Fire Services Coordination with appropriate funding;
- Ensure that the Directorate: Fire Services Coordination is sufficiently autonomous from the provincial disaster management centre to administer the Fire Brigade Services Act, 1987 independently from the Disaster management Act, 2002;
- Develop and adopt a multi-year business plan to guide the Directorate: Fire Services Coordination to fulfil its full mandate with regards to the identified legislation;

MODEL ORGANISATIONAL STRUCTURE FOR THE ESTABLISHMENT OF A DIRECTORATE: FIRE SERVICES COORDINATION IN A PROVINCIAL ADMINISTRATION

- Provide an ICT system that supports the administrative, oversight, developmental and operational functioning of the Directorate: Fire Services Coordination;
- Provide adequate operational funding to design, implement and manage programs aimed at achieving the objectives listed as tasks under the proposed functional areas.

7. Conclusions

Provincial government administering the Fire Brigade Services Act, 1987 has a significant legal obligation in terms of various pieces of legislation including the Constitution. At present most provinces are effectively defaulting on its legal responsibilities. The result is that duties and responsibilities are not discharged effectively.