**CHAPTER 13**

**DISASTER MANAGEMENT, FIRE AND RESCUE SERVICES**

**13.1 DISASTER MANAGEMENT FUNCTIONALITY FOR MUNICIPALITIES**

**13.1.1. PURPOSE**

The purpose of this document is to guide Municipal Disaster Management Centres on the legislation, procedures and compliance for effective functioning of Municipal Disaster Management Centre’s as mandated by the Disaster Management Act (No.57 of 2002).

**13.1.2 LEGISLATIVE MANDATE**

Disaster management is listed as a functional area in Part A of Schedule 4 of the Constitution, meaning that both the national and provincial spheres of government are competent to develop and execute laws within this area and have powers and responsibilities in relation to disaster management. Disaster management has also been ‘assigned’ to local government through the promulgation of the Disaster Management Act, 2002 (Act No. 57 of 2002). The disaster management function primarily draws its legislative mandate from the Disaster Management Act No. 57 of 2002 (as amended), the National Disaster Management Policy Framework of 2005 and the Fire Brigade Services Act No 99 of 1987. Other than the listed legislations the MDMC is also guided by the Provincial and District Disaster Management Policy Frameworks.

Section 43 (1) of the Disaster Management Act 57 of 2002, stipulates that each metropolitan and each district municipality must establish in its administration a disaster management centre for its municipal area. Section 44 (1) (a) of the Act argues that a municipal centre must specialise in issues concerning disasters and disaster management in the municipal area; (b) must promote an integrated and coordinated approach to disaster management in the municipal area. Section 43(3) of the Act concludes that a local municipality must establish capacity for the development and coordination of a disaster management plan and the implementation of a disaster management function for the municipality.

**13.1.3 APPLICATION**

In light of the above legislative provisions, with a particular focus on providing guidance to the Municipal Disaster management functionality, this document will follow the structure of the national disaster management framework. The framework comprises four key performance areas (KPAs) and three supportive enablers required to achieve the objectives set out in the KPAs. The KPAs and enablers are informed by specified objectives and, as required by the Act, key performance indicators (KPIs) to guide and monitor progress. In addition, each KPA and enabler concludes with a list of guidelines to support the implementation of the framework in all three spheres of government.

* Key performance area 1 focuses on establishing the necessary institutional arrangements for implementing disaster risk management within the national, provincial and municipal spheres of government.
* Key performance area 2 addresses the need for disaster risk assessment and monitoring to set priorities, guide risk reduction action and monitor the effectiveness of our efforts
* Key performance area 3 addresses requirements for the alignment of disaster management frameworks and planning within all spheres of government. It also gives particular attention to the planning for and integration of the core risk reduction principles of prevention and mitigation into ongoing programmes and initiatives.
* Key performance area 4 presents implementing priorities concerned with disaster response and recovery and rehabilitation.
* Enabler 1 focuses on priorities related to the establishment of an integrated and comprehensive information management and communication system for disaster risk management.
* Enabler 2 addresses disaster risk management priorities in education, training, public awareness and research.
* Enabler 3 sets out the mechanisms for the funding of disaster risk management in South Africa.

**1 INSTITUTIONAL ARRANGEMENTS**

This section details the establishment of effective institutional arrangement for disaster risk management within the municipality. This section aims to guide and also to ensure that there is alignment in all disaster risk management structures from the district municipality to local municipality. The national disaster management Centre has started a process of aligning the structures with all provincial disaster management centres. It is now the responsibility of the provincial disaster management Centre to ensure that the same alignment is there to ensure horizontal and vertical communication and support.

**2. Legislative mandate**

Disaster Management Act 57 of 2002, Chapter 5 part 2 section 43: “(1) each metropolitan and each district municipality must establish in its administration a disaster management centre for its municipal area.” Integral features include:

1. Establishment of the Centre

ii) Appointment of the Head of the Centre

1. IGR Structures (Subcommittee on Disaster & Advisory Forums)

iv) Disaster Management Framework & Plan

v) Functionality of the Centre

vi) Focus on Prevention, Mitigation, Preparedness, Response & Recovery

Section 4.1 of the Guidelines of Municipalities under Executive Obligations states that:

“A municipal council must, within the municipality’s financial and administrative capacity and having regard for practical considerations:

-exercise the municipality’s executive and legislative authority and use the resources of the municipality in the best interests of the community; contribute, together with other organs of state, to the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution. (S 4(2) of the Systems Act)

The above extracts mandate the district municipality to ensure that in the municipal structures there is provision of a platform to discuss, plan and budget for the disaster management function especially the activities for ensuring that there is a preventative approach.

**3. The structures**

Institutional structures have their own mandates and within those mandates they have to factor in Disaster Management and ensure that there is preparedness and contingency plans in place to deal with incidents that may occur. Over and above that institutions are mandated to become part a joint structure to ensure that there is proper coordination of contingency plans, resources and response and recovery operations. Although many disaster management institutions have adopted a preventive approach to manage the risk of disasters some institutions have still their financial resources legally restricted because the Disaster management act of 2002 makes it optional for Local Municipalities to establish the function. There is however an amendment that will be published soon which will, among other amendments, make it an obligation for local municipalities to establish a disaster management function and provide a budget for the function to ensure that there is a preventative approach.

**Disaster management institutional arrangement**

A district municipality should have the following structures in existence to ensure that disaster management functions accordingly in the district.

* An ADVISORY FORUM
* *A PRACTITIONERS FORUM*
* *A PORTFOLIO COMMITTEE*

The above structures are crucial in ensuring that the district municipality has a functioning disaster management that complies with the legislation. The functions of each of the structures are explained below as well the membership.

|  |  |  |  |
| --- | --- | --- | --- |
| **Structure** | **Membership** | **Functions** | **Meetings** |
| ADVISORY FORUM | Local MunicipalitiesSector departmentsNGOsOther stakeholders | Coordinate resources Establish contingency plans Establish a District JOCReview the Disaster management planReview and adopt the Disaster management frameworkReports on Disaster relief grants and projectsGive advice and make recommendations on disaster-related issues and Disaster Risk ManagementAssist with public awareness, training and capacity building | Meets quarterly |
| PRACTITIONERS FORUM | District headPractitioners from LMsDirector / HODRelevant officials from LMs | Makes recommendations to EXCOGuides and support the district disaster management functionDeliberate on the Disaster management plan reviewDeliberate on Disaster management issues  | Meets monthly |
| PORTFOLIO COMMITTEE | Director / HODDistrict PractitionerDisaster Officials | Makes recommendations to EXCOGuides and support the district disaster management functionDeliberate on the Disaster management plan reviewDeliberate on Disaster management issues  | Meets monthly |

This institutional arrangement is to ensure that there is proper coordination of the function in the district as it is in the province. This alignment has a potential to ensure compliance and a functioning disaster management institution because the same institutional arrangement is found in the province. The provincial disaster management centre is responsible for supporting the district municipality. The district will only be able to account to the province if the same structures are aligned accordingly. The province is also responsible to holding the district accountable and this will be done effectively with synergy if the same institutional arrangements exist.

The diagram below summarises the structure being explained in this concept document. At the top is the provincial disaster management centre and below is the district disaster management centre. The same alignment should be filtered down to the local municipalities as they can be seen below the district. As the district is expected to support local municipalities this will be possible if the same institutional arrangement is also in the local municipality. Local municipalities are to account to the district and therefore this will be possible if there is alignment.

**4. Functions of the District Disaster Management Centre**

• ***The disaster management plan***

The disaster management plan of the district is a live document that is informed by a risk profile of the district and hence it should have risk prevention strategies for the district. Risk reduction strategies and activities will be implemented but there will always be incidents and disasters that cannot be prevented. When these occur there should be mitigation strategies implemented prior, that will ensure a reduction of the severity of the damage.

• ***Disaster management framework***

 The district municipality’s disaster management centre should have a disaster management framework that will ensure that there is alignment in the district with what is happening in the province.

*•* ***Equipment***

The district disaster management centre is also expected to have equipment at hand to support local municipalities in case there is a need. The local municipalities are expected by the legislation to request support from the district disaster management centre should they be faced with incidents that are beyond their capabilities. It is in this regard that the district centre should have equipment at hand.

*•* ***Personnel***

If a district municipality has equipment and resources at hand to support local municipalities, there should also be personnel to ensure that the support is indeed provided to local municipalities. There should be a Disaster Management Head, Chief Fire Officer, Practitioner and officials in the district. This is the same alignment that should be in the local municipality.

The institutional arrangement in the district municipality will ensure proper coordination of the entire function of disaster management. In the advisory forum all sector departments, NGOs and stakeholders have a platform to present the resources they have for response and recovery in the event of incidents. The forum also serves as a platform to declare protocols in terms of how the resources and relief material is accessed in the event of incidents or of a disaster. This ensures that there is no duplication of relief resources and assistance provided while there are areas not covered. The forum also provides a platform for the district head, local municipalities’ practitioners to take stock of the resources they have at their disposal and be in a position to declare the assistance they need to augment their capacity.

The practitioners’ forum provides a platform for local practitioners to report on incidents for the month at hand, assistance provided and stats in terms of households damaged, number of people affected and injured or even fatalities. The practitioners also get an opportunity to report on any emergency grant funded projects and sector alignment developments in their local municipalities. These are required to be submitted to the province in a district consolidated report every month. It is these reports that assist the sector departments at the provincial level to plan accordingly for developments and distribution of resources for disaster management projects. One particular example is the department of human settlements. The department is responsible for the development of safe and dignified houses for communities who cannot afford to build their own houses. These communities are often the ones who suffer most from incidents and or disasters. Human settlement then benefits from these reports and being part of this forum not only in terms of response but also in terms of planning for new developments.

In the municipality there are portfolio committees where issues pertaining to that particular portfolio are discussed and decisions made. In the disaster management portfolio committee is where disaster management activities, plans and budgets are discussed and presented to EXCO, then council and final decisions made. So if there is no portfolio committee in the municipality that deals with disaster management issues or items the function will be forgotten and not budgeted for.

For a district municipality to have a functioning disaster management unit, it is crucial to ensure that there is a functioning institutional arrangement as stipulated in this document. In that way the municipality will be complying with the Disaster Management Act of 2002. Once a municipality has a functioning institutional arrangement as stipulated in this document, it will be in a position to save people’s lives, property and the economy.

**5. Functions of the Local Municipal Disaster Management Centre**

The Disaster Management Act 57 of 2002, Section 43, under subsection (3) stipulates that a local municipality must establish capacity for the development and co-ordination of a disaster management plan and the implementation of a disaster management plan as approved by the relevant municipal disaster management centre, while subsection (4) states that a local municipality may establish a disaster management centre in consultation with the relevant district municipality in accordance with the terms set out in a service level agreement between the two parties, in alignment with the national norms and standards.

This places responsibility on the local municipality to ensure that it has capacity to deal with disaster management within its area of jurisdiction.

**6. DISASTER RISK ASSESSMENT**

Disaster risk assessment is the first step in planning an effective disaster risk reduction programme. It examines the likelihood and outcomes of expected disaster events. This would include investigating related hazards and conditions of vulnerability that increase the chances of loss. Disaster risk assessment planning requires identification of key stakeholders, as well as consultation with them about the design and/or implementation of the assessment and the interpretation of the findings.

Disaster risk assessments, supported with good monitoring systems, are essential for:

• effective disaster risk management and risk reduction planning

• sustainable development planning

• identifying potential threats that can undermine a development’s success and sustainability, making it possible for appropriate disaster risk reduction measures to be incorporated into the project design prior to implementation.

Steps involved in a disaster risk assessment Disaster risk assessment is a process that determines the level of risk by:

• identifying and analysing potential hazards and/or threats

• assessing the conditions of vulnerability that increase the chance of loss for particular elements-at-risk (that is, environmental, human, infrastructural, agricultural, economic and other elements that are exposed to a hazard, and are at risk of loss)

 • determining the level of risk for different situations and conditions

• helping to set priorities for action.

A reliable disaster risk assessment for a specific threat should answer the following questions:

• How frequently can one expect an incident or a disaster to happen? • Which areas, communities or households are most at risk? • What are the likely impacts? • What are the vulnerability or environmental and socio-economic risk factors that increase the severity of the threat?



Figure : Disaster Risk assessment methodology

**7. DISASTER RISK REDUCTION**

Disaster Risk Reduction details the number of issues as listed below:

* disaster risk management planning as a strategic priority;
* describes priority setting with regard to disaster risk reduction initiatives;
* outlines approaches for scoping and developing disaster risk reduction plans, projects and programmes;
* addresses the integration of disaster risk reduction initiatives into other strategic integrating structures and processes; and
* Focuses on the implementation and monitoring of disaster risk reduction activities.

In effective disaster risk reduction the Municipal Disaster Management Centre must: ensure that the municipal disaster management framework is consistent with the national disaster management framework and the provincial disaster management framework of the province concerned, as well as the priorities, strategies and objectives specified in the municipality’s IDP ensure that the municipality’s disaster risk management plans inform and are aligned with those of other organs of state and role players consult the MDMAF (or, in the absence of an advisory forum, an appropriate alternative consultative forum in the municipality) with regard to the development of disaster risk management plans as well as guidelines.

**8. RESPONSE AND RECOVERY**

The Municipal Disaster Management Centre must look into the issues below in order to ensure effective and appropriate disaster response and recovery:

• implementing a uniform approach to the dissemination of early warnings

• averting or reducing the potential impact in respect of personal injury, health, loss of life, property, infrastructure, environments and government services

• implementing immediate integrated and appropriate response and relief measures when significant events or disasters occur or are threatening to occur

• implementing all rehabilitation and reconstruction strategies following a disaster in an integrated and developmental manner.

The KZN PDMC has developed a Standard Operating Procedure with the aim to give an overview of processes that guide incident management processes in the Province of KwaZulu-Natal. It further highlights roles and responsibilities of three spheres of government and other key stakeholders in dealing with incidents/disasters as well as disaster declaration process as outlined in Section 40 & 41 of Disaster Management Act 57 of 2002. A summary of this SOP is indicated below.

**8.1 Incident Reporting Protocol**

The Disaster Management Act outlines incident command protocol which needs to be observed when dealing with incidents or disasters which is line with powers and duties of Disaster Management Centres in all levels of government. As part of institutional arrangements, disaster management plan of any institution including sector departments and organs of states must be clear on incident management process, with great emphasis on clear roles and responsibilities when responding to a disaster.

In light of the above, disaster management is multi-sectoral or multi-disciplinary, in order to ensure effective coordination during any occurrence, a lead department or organ of state must always take charge/control of the scene until the situation is brought back to normality.

In reference to the provincial and local government set up, communities must report incidents/disasters to their ward councillors; the query must further be channeled through operational call centres or municipal practitioner for immediate action. Other levels of government and key stakeholders are then activated, as and when the local municipality is unable to cope using its own resources and requires external support.

Notwithstanding the fact that some incidents will be manageable at a local level, but does not mean such incidents must not be reported for noting or information to other levels of government. This is linked to Section 30(c) of the Act, which encourages flow of information bottom up and vice versa.

***Below is a diagram showing incident reporting protocol***

**District**

**Local**

**Province**

**Ward Councillor &**

**Izinduna**

**Disaster
Affecting Community**

**National**

**Rehabilitation Process to normalise the situation**

It must be highlighted that this protocol is of critical importance because the implications of non-adherence affect the public whereby emergency response is being delayed and lives of people are lost in a process, consequently the public lose faith in government system at the same time disaster management fraternity loss respect and dignity it deserves. As part of strengthening institutional capacity of municipalities, it is paramount important to establish operational call centres with toll-free numbers to ensure accessibility of municipal services as well as emergency services. This is embedded in principles of good governance and Batho Pele principles.

**8.2 Standard Operation Procedure For Incident Management**

TABLE 1: STANDARD OPERATION PROCEDURE FOR INCIDENT MANAGEMENT: PROCESS FLOW FOR INCIDENT MANAGEMENT AND DISASTER REHABILITATION

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NO** | **ACTIVITIES** | **INDICATORS** | **TIMELINE** | **ACCOUNTABILITY** |
| 1 | Incident/Disaster Occurrence and Activation of relevant stakeholders | JOC Activation, minutes and preliminary reports compiled | Immediately after incident | Municipality and relevant role players |
| 2 | Activation of Joint Operation Committee/Centre where necessary |
| 3 | Damage Assessment | Incident report, highlighting magnitude as well as immediate response provided and beneficiary list | 3 days | Municipality and relevant role players |
| 4 | Mobilisation of Resources for Immediate Response |
| 5 | Comprehensive Report & Beneficiary List |
| 6 | Decision to seek support for Local Disaster Declaration | Record of Decision (Resolution) based on magnitude and affirmation of balance sheet of the municipality can’t cope with recovery measures | 3 days | Municipality supported and advised by District & PDMC |
| 7 | Decision of District Council to support Local Disaster Declaration | Record of Decision (Resolution) based on magnitude and affirmation of balance sheet of the municipality can’t cope with recovery measures | 1 day | District supported and advised by PDMC |
| 8 | Mobilisation of Resources for Immediate Response | Head: DDMC |
| 9 | Determination of Decision on Provincial Disaster Declaration | Preliminary Provincial Incidents Report and Beneficiary List Consolidated | 5 days | Head: PDMC working with affected municipalities |
| 10 | Comprehensive Provincial Report of Affected Areas in the Province & Beneficiary List |  |  | Head: PDMC |
| 11 | Mobilisation of Resources for Immediate Response  |
| 12 | Verification of Damage Assessment | Verification Report Compiled | 2 days |
| 13 | Provincial Report and Beneficiary List submission to line functionaries such as Human Settlements | Provincial Incidents Report and Beneficiary List Consolidated | 2 days |
| 14 | Request for disaster classification and motivation for declaration of affected areas in the Province to National | Signed Letter of classification | 1 day | Head: PDMC |
| 15 | Decision on Provincial Disaster Declaration | Record of Decision (Resolution) for declaration of affected areas | 5 days | Subcommittee & Cabinet |
| 16 | Gazetting of declared disaster areas in the Province | Provincial Gazette of Declared Areas | 10 days | Premier of the Province |
| 17 | Acknowledgement & confirmation of declared areas in the Province | Letter confirming classification of declared areas | 5 days | Head: NDMC |
| 18 | Verification of Damage Assessment | Verification Report | 5 days |
| 19 | Mobilisation of Financial Resources from National Treasury for Emergency Grant Funding and Medium –Long Term Rehabilitation | Motivation for funding to provinces | 10 days | Head: NDMC |
| 20 | Application for Emergency Finding by municipalities and line functionaries | **All documentation required.**It must be done parallel to declaration process. The valid period for application is 90 days after declaration of disaster | Within 90 days | Municipalities & line functionaries |
| 21 | Allocation of funding to municipalities and line functionaries | Confirmation letters to beneficiary from NDMC through PDMC | Within a 10 working days | National Treasury |
| 22 | Implementation of rehabilitation projects(completion within three (3) months)  | Progress Reports | Progress reports are submitted to PDMC, NT & NDMC on monthly basis  | Municipalities & line functionaries |
| 23 | Close Out Report | Close out report compiled and submitted to PDMC and NDMC | After Completion of Rehab project | Municipalities & line functionaries |
| 24 | Allocation of funding to line functionaries for medium-long term rehabilitation | Progress reports from sector departments on quarterly basis through TTT rehabilitation structure | Within 6 months after disaster declaration | National Treasury |
| 25 | Implementation of rehabilitation projects | PSC formation, report back on progress to PSC members and TTT Rehabilitation: PDMC | During Implementation of Rehab Projects | Line functionaries & municipalities |
| 26 | Close Out Report | Close out report compiled and submitted to PDMC and NDMC | After Completion of Rehab project | Line functionaries |

**9. Disaster Declaration Process**

As outlined in table 1, declaration of a disaster Is a lengthy administrative process which requires integrated coordination to mobilize resources for reconstruction and rehabilitation. Below is the summary of steps to be taken during the process of declaration:

1. Occurrence of the Event
2. Activation of key stakeholders
3. Joint Operation Committee (JOC) to draw plan of action and response plan
4. Assess magnitude and severity of the event
5. Analysis of available resources (within and / or beyond capability)
6. Determination of event status (Local, Provincial or National)
7. Verification Process to affirm the status
8. Motivation for classification by the National Centre
9. Recommendations by the Cabinet Subcommittee
10. Provincial Cabinet Resolution
11. Extra ordinary Gazette signed by the Premier

***Diagram below shows declaration levels and threshold used to determine the magnitude of the incident.***

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It is utmost important for the Provincial Disaster Management Centre is to ensure that municipalities and other stakeholders have disaster management plans and emergency procedures, with clear incident command and management protocols in the event of a disaster providing for the allocation and coordination of responsibilities, prompt response and coordination of relief in the event of a disaster, the procurement of essential goods and services, the establishment of communication links and the dissemination of information.

**10. INFORMATION MANAGEMENT AND COMMUNICATION SYSTEM FOR DISASTER RISK MANAGEMENT**

Information Management for disaster management is centred around providing a guide on the development of a comprehensive information management and communication system and establishment of integrated communication links with all disaster risk management role players.

The pivotal issues for this enabler are highlighted below:

* The basic requirements of an integrated information management and communication system for the purposes of disaster risk management.
* An integrated information management and communication model for disaster risk management as envisaged in the Act.
* The requirements for the collection of data required to achieve the objectives described in the Act and the national disaster management framework.
* The information and communication requirements in respect of the KPAs and enablers described in the national disaster management framework.
* Additional specialised functionalities that need to be included in the integrated information management and communication system.
* The development and system requirements of an integrated information management and communication system.
* The various communication media required to enable the receipt, dissemination and exchange of information.

**11. Education Training and awareness**

Education, training and awareness is centred on known disaster risks and prevention, thereof. Municipalities are encouraged to build public awareness and promote stakeholder participation and involvement in Disaster Management

Municipal Disaster Management Centres should also strengthen ties with all strategic role players in disaster management including local government and traditional institutions.

Municipal Disaster Management Centres are encouraged to promote a culture of risk avoidance among stakeholders by capacitating stakeholders and communities through integrated disaster risk management education and training. Knowledge sharing can assist in identifying hazards as well as reducing future risks

If informed- communities and individuals will want to participate in Disaster Risk Reduction programmes. Municipal Disaster Management Centres should encourage the use of indigenous knowledge to promote awareness, Displaying banners and posters at community places as well as conducting regular community meetings.

The main Focus is on **three** strategic areas:

* + **Public Awareness and Information**
	+ **Education and Training**
	+ **Outreach**

Information, Education and Communication (IEC) material must be developed and distributed to communities, schools and other strategic organisations in the communities.

**12. Funding**

The recommended funding mechanisms should cover each of the five disaster risk management activities as follows:

* Start-up activities
* Disaster risk management operations
* Disaster risk reduction
* Response, recovery and rehabilitation activities and
* Training and capacity-building programmes

Funding Sources / Mechanisms

|  |  |  |
| --- | --- | --- |
| Activity | Funding source | Funding mechanism |
| Start-Up activities(KPA1, Enabler 1) | National Government | Conditional grant for local government |
| DRM ongoing operations(KPAs 2 and 3) | National and provincial government | Conditional grant for local government |
| Disaster risk reduction(KPAs 2 and 3) | National DepartmentsProvincial DepartmentsLocal Government | Own budgets. Augmented as necessary. |
| Response, recovery and rehabilitationKPA 4) | National GovernmentProvincial GovernmentLocal Government | Own Budget. Also access to central contingency funds. Conditional infrastructure grants (i.e. Municipal Infrastructure Grant (MIG)) |
| Education, training and capacity-building programmes(Enabler 2) | All spheres of government | Own Budget. Re-imbursement through SETAs. Also funding through private sector, research foundations, NGOs and donors |

Municipalities, on the other hand, raise a substantial part of their own revenue. The operating revenue is a good indicator of a municipality’s relative fiscal capacity. Given the significant differences in revenue-raising capacity across municipalities, the threshold percentages should vary accordingly. It is therefore proposed that municipalities be categorised according to their own revenue. Information on own revenue per municipality can be accessed from National Treasury’s annual *Intergovernmental Fiscal Review.*

The proposed percentages are shown in Table below.

|  |
| --- |
| **Table 2: Proposed threshold percentages for provincial and local government budgets** |
| **Organ of state**  | **Basis for calculating** | **Threshold percentage** |
| Provincial departments | Budgeted expenditure | 1.2 |
| Metropolitan municipalities | Own revenue | 0.5 |
| Municipality with own revenue of over | Own revenue | 0.6 |
| R150 million (excluding metros) | Own revenue | 0.8 |
| Municipality with own revenue of | Own revenue | 1.0 |
| R50 million – R150 million | Budgeted expenditure | 1.2 |

* 1. **FIRE AND RESCUE SERVICES**

**12.1.1. INTRODUCTION**

The KZN PDMC encourages municipalities to establish fully functional Fire & Rescue Units within its municipal jurisdiction areas as part of improving service delivery to the communities. The main aim of this section is to provide guidance and support municipalities in implementing minimal Fire & Rescue Units at local level in order to respond rapidly and efficiently to Fire & Rescue incidents and to save lives, property and infrastructure.

While fire & rescue services are provided by both local municipalities and designated services, both national and provincial governments has the responsibility to guide and support of municipalities and other stakeholders involved in fire services across the country in the execution this function.

As a Provincial Department of Co-operate Governance and Traditional Affairs entrusted with the responsibility of Fire & Rescue Services in the province, this section seeks to deliver on the department’s strategic imperative to ensure “People centred sustainable co-operative governance which focuses on effective service delivery responsive to the needs of the communities.

**12.1.2. REGULATORY FRAMEWORK FOR FIRE SERVICES**

 **Constitution of the Republic of South Africa Act 108 of 1996**

* 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. 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 Constitution, 1996.
* Section 41 of the Constitution clearly stipulates the principle 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.

 **Fire Brigade Services Act 99 of 1987**

* The Fire Brigade Services Act, Act 99 of 1987 (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.
* In terms of the FBSA, local authorities are allowed to establish and maintain a fire brigade service for the following purpose:
1. Preventing the outbreak or spread of a fire;
2. Fighting or extinguishing a fire;
3. The protection of life or property against a fire or other threatening danger;
4. The rescue of life or property from a fire or other danger;
5. 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;
6. The performance of any other function connected with any of the matters referred to in paragraphs (a) to (e).

 **Municipal Structures Act 117 of 1998**

* The Local Government: Municipal Structures Act, 1998 in Section 84 (1)(j) makes provision for powers and functions of district municipality to render firefighting services serving the area of jurisdiction, which includes:
1. Planning, Coordination and regulation of fire services
2. (ii)Specialised firefighting services such as mountain, veld, and chemical fire services.
3. (iii) Coordination of the standardisation on infrastructure, vehicles, equipment and procedures.
4. (iv) Training of fire officers
* The Local Government: Municipal Structures Act, 1998 in Section 84(1) (j) read with Section 155(3) (c) of the Constitution, 1996 confers the executive authority for the provision of firefighting services to a district municipality unless an MEC has adjusted the power to a local municipality in terms of Section 85 of the Local Government: Municipal Systems Act, 2000.
* A district municipality, or in the case of an adjustment of the power to a local municipality by an MEC, must in terms of the Local Government: Municipal Systems Act, 2000 decide on an appropriate mechanism to perform the firefighting services.

 **Municipal Systems (Act 32 0f 2000)**

* Section 78 stipulates that in case where a municipality decides to provide a service through internal mechanism, it must assess direct and indirect costs and benefits associated with the project, assess municipal capacity and its future capacity to furnish skills, expertise and resources required. Re-organisation of its administration and development human resource capacity.
* Section 79 states that if a municipality decides to provide a municipal service through an internal mechanism mentioned in section 76(a), it must-
	+ Allocate sufficient human, financial and other resources necessary for the proper provision of the service; and
	+ Transform the provision of that service in accordance with the requirements of this Act.

 **National Veld and Forest Act 101 of 1998**

* The National Veld and Forest Fires Act, 1998 confers on land owners a responsibility to prevent veld fires through the provision of fire breaks and other means as well as the responsibility to fight fires. To achieve this, mandate the Act provides for the creation of fire protection associations, local authority is required to register and become a member of the association, which is led by the Chief Fire Officer of a municipal fire service. However, should a Chief Fire Officer decline to be appointed as Fire Protection Officer, a member of the fire protection association must be appointed to perform the function.

**12.2 APPLICATION**

**FUNCTIONS OF MUNICIPAL FIRE & RESCUE SERVICES**

The main functions of Municipal Fire & Rescue services are;

* protect lives, property and the environment
* prevent and extingusih fires in municipal area
* provide search & rescue services
* enforce fire safety regulations
* conduct public awareness
* Fire risk assessments and risk reduction plans
* provide vehicle extrication and water rescue services
* ensure fire safety at public events
* provide hazmat safety operations and respond to hazardous incidents
* provide high angle rescue services
* support community safety initiatives
* Emergency evacuation
* Respond to disastrous incidents /disaster management operations
* Emergency medical care

Municipal Fire & Rescue services forms part of the primary response team, responding to emergency incidents within the municipal area.

Municipal Fire and Rescue Units should have adequate trained fire personnel and sufficient firefighting and rescue vehicles and special appliances to adequately protect the risks within each municipal area. Other minimal resources required for fire and rescue unit include;

* Fire station including a 24 hour Emergency Call centre
* Fire equipment and maintained
* Water supplies/hydrants
* Incident Management system

The efficiency of a fire and rescue service in dealing with an emergency incident is to a large extent dependent on the manner in which it successfully assesses, manage and co-ordinate the above resources to control and normalise the situation.

**12.3 FIRE TRAINING AND QUALIFICATIONS**

Efficient training of firefighting personnel is essential to the effective performance of a fire and rescue services. Service delivery relies extensively on the abilities and competence of staff responding to the incident.

Firefighting initial training should include basic training and specialist courses,e.g;

* Firefighter 1&2
* Hazmat Operations & Awareness
* Dangerous goods training
* Incident management course
* Emergency Medical course (Basic Ambulance Assistant Course BAA)
* Fire Prevention & Safety strategy Course
* Advance Fire Prevention course
* Fire investigation
* Breathing Apparatus course
* Water Rescue course
* Search and Rescue course
* High Angle Rescue course
* Vehicle extrication course

Continuation training of fire personnel should be conducted regularly to consolidate and practice knowledge and skills during initial and help ensure that proficiency is maintained. 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.

**FIRE SAFETY AND PREVENTION SECTION**

Fire safety and prevention is an important feature of fire and rescue services and it has been proven in municipal areas where this division of the fire service is efficiently organised, fire losses have been reduced by more than 20percent. The purpose of fire safety and prevention measures is to prevent, eliminate, or reduce hazards that contribute to the occurrence and spread of fires.

**12.4 REPORTING STRATEGIES**

Accountability and oversight are important in the provision of government services including fire and rescue services. The submission of annual and quarterly reports by municipal fire and rescue services to the provincial government on the performance of fire services is of critical importance. The responsibility to provide annual and quarterly reports is not limited only to municipal fire services it includes reporting by designated services.

**12.5 WATER SUPPLIES / HYDRANTS**

The successful control and extinguishing of fires depend on sufficient appliances responding with adequate manpower and arriving within a reasonable time and the availability of sufficient water supply. 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.

**12.6 IMPLEMETATION STRATEGY**

In line with SANS 10090 guidelines, the following stages are recommended in the implementation of minimal fire and rescue service units at local municipalities:

**Stage 1**

Conduct survey of the fire hazards in the municipal area to determine the extent of the fire and rescue services needs

**Stage 2**

Categorise municipal area based on risk profile

**Stage 3**

Determine minimal weight of response and maximum attendance times

**Stage 4**

-Communicate and develop selection criteria for recruitment of firefighting personnel

-Develop (fire & rescue unit) organization organogram

-Communicate and involve relevant stakeholders and invite inputs

-Develop key performance indicators of fire and rescue unit

**Stage 5**

Approval of organogram by Municipal Council and advertising of fire posts

**Stage 6**

-Commence with the recruitment of firefighting personnel as per approved organogram

-Set up fire recruitment committee, which should compose of fire technical experts, disaster manager etc.

**Stage 7**

Deployment of fire personnel to the sub areas should be based on the municipal fire risk profile