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Title:

Equality, Diversity, Inclusion and organisational cultural: a blight on Fire and Rescue Services
(A viewpoint paper)

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Abstract

A series of recent reports (Lucas 2015, Baker 2017, Afzal 2022, Morris 2023, HMICFRS 2023a, 2023b, Home Affairs 2024a) have highlighted growing concerns over the workplace culture in Fire and Rescue Services amid reports of claims of bullying, harassment, misogyny, discrimination and misconduct (Murphy 2022, HMICFRS 2023b). His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) found that bullying, harassment, and discrimination are, to varying degrees, still problems in all services and in the last round of inspections, they issued 66 'Areas for Improvement' across 35 services relating to values and culture (HMICFRS 2024a) The Home Affairs Select Committee of the UK Parliament having started collecting evidence earlier this year, for its Inquiry into the 'cultural failings' in Fire and Rescue Services when the announcement of a general election terminated its work (Home Affairs 2024a, 2024b).

This paper will critically explore the background and antecedents of Equality, Diversity, Inclusion (EDI), and organisational culture issues which have persisted despite previous Labour government's attempts to modernise the service and more recently successive Conservative governments' proposals to reform the service that have been explicitly centred around the themes of "People, Professionalism and Governance". It will then review and compare the emerging recommendations from the former (Conservative) governments' proposals for reform (Home Office 2022, 2023) and the former Home Affairs Select Committee recommendations (Home Affairs 2024a, 2024b) before presenting our own views and recommendations as a contribution to the on-going policy debate.

Key words: Ethics and accountability, Fire & Rescue Services, Integrity, Professional standards.

1. Introduction

A series of recent independent and official reports (Lucas 2015, Baker 2017, Afzal 2022, Morris 2023, HMICFRS 2023a) have repeatedly highlighted concerns over the workplace culture in multiple Fire and Rescue Services amid reports of claims of bullying, harassment, misogyny,

and discrimination (HMICFRS 2022a, Murphy 2022). His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) found that bullying, harassment, and discrimination are, to varying degrees, still problems in all services and in the 17 services that HMICFRS issued 'requires improvement' or 'inadequate' grades they found that reports of bullying, harassment and discrimination were higher. In the last round of inspections, they issued 66 Areas for Improvement across 35 services relating to values and culture (HMICFRS 2024a). In 2023 the Home Office commissioned, and HMICFRS published, a Values and Culture thematic report (HMICFRS 2023b) that highlighted serious concerns about workplace culture in at least 26 out of 44 fire and rescue services in England, including claims of bullying, harassment, and discrimination. In July 2023 the government also commissioned a thematic inspection of the handling of misconduct in fire and rescue services. As a result, in March 2024, the Home Affairs Select Committee of the House of Commons began its' inquiry into cultural failings in the fire and rescue services (Home Affairs 2024a). They had published the oral evidence from three sessions of the committee's inquiry, which took place in March 2024, written evidence submitted to that date, and a note of a private meeting with 5 anonymised people who had contacted the committee about their personal experiences. At that time the general election was announced, and the work of the committee had to cease. However, the Rt Hon Dame Diana Johnson MP, the chair of the select committee subsequently sent a letter to the Home Secretary that gives some indications of the committees' views and emerging recommendations.

“The culture in the fire and rescue service—the way that some people who work within the service think it is acceptable to behave—is lamentable... In 2022, our predecessor Committee was told about the deplorable culture within the service, and it seems little has changed. Indeed, some of our witnesses told us that barely anything had changed in the last 30 years.... the behaviour they [the witnesses] described, together with the reports which prompted our work, leave us in no doubt that the fire and rescue service in England is institutionally misogynistic, racist, and homophobic. That means that there are systemic failures throughout the fire and rescue service to prevent these forms of discrimination from occurring, to hold perpetrators accountable, and to provide support and redress to victims”.

(Home Affairs 2024b).

Following the general election in July 2024, the Rt Hon Dame Diana Johnson DBE MP was appointed Minister of State for Policing, Fire and Crime Prevention. On 1st of August 2024, HMICFRS published its' follow-up report on standards of behaviour and the handling of misconduct by fire and rescue services (HMICFRS 2024a).

This paper will critically explore the background and antecedents of these Equality, Diversity, Inclusion (EDI) and organisational culture issues which have persisted despite previous Labour government's attempts to modernise the service between 2002 and 2010 and more recently the Conservative reform proposals that were explicitly centred around three themes of improving “People, Professionalism and Governance”. It will then look at both the previous Conservative government's reform proposals and the proposals from the former Home Affairs curtailed inquiry before presenting some conclusions and recommendations of our own.

2. Methodology

The research adopted for this paper was an exploratory approach, primarily based upon publicly available documentation and archival sources, most notably the 'official' and 'grey' literature relating to EDI and the organisational cultural within Fire and Rescue Services. We adopt a chronological approach to the development of the agenda, its impact on Fire and Rescue Services and we evaluate the response to the agenda as it has developed and been applied in practice.

We drew upon UK government legislation, ministerial statements, parliamentary committee reports, external inspection reports, and other publicly available documents to highlight and evaluate the key issues, proposals and the response within Fire and Rescue Services. After a brief historical introduction, we focus on two periods: the period of consecutive Labour Governments from 1997 to 2010 and period of the Coalition and Conservative Governments from 2010-2024. Having established the current state of EDI and organisational cultural in the sector we evaluate the previous Conservative government's proposed fire reform proposals and the recently truncated review from the appropriate parliamentary scrutiny committee (Home Affairs 2024a, 2024b). We conclude with some comments and our own recommendations on these issues and proposals which are intended as a contribution to inform the current Labour governments response to these issues.

3. Background and context to EDI and organisational culture in fire and rescue services.

In his historical account of the development of the service Ewan (2010) demonstrates how the post war model of the fire service emerged from the experience of the London Blitz as wartime firefighting required strategic deployment of resources, inter-brigade co-operation and more sophisticated risk assessment. Although transferred to Local Government control in 1947, leadership and management developed alongside implementation of the traditional model of public administration (Entwistle 2023) with vertical accountability encouraged by the rank and watch system, the adoption of uniforms, the large numbers of ex-military servicemen entering the brigades and the Home Office encouraging a service model with many similarities to the police model.

Although 1974 saw a comprehensive re-organisation of local government which updated the geography of fire services, the "legislative underpinning, the operational practice and the command-and-control culture of the services remained largely intact" (Murphy and Greenhalgh 2018. p.7). Raynsford (2016) a former fire minister highlights the lack of direction and decades of policy neglect by successive governments between the 1947 Fire Services Act and the end of the 20th century. Fitzgerald and Spencer (1999) and Tracy and Scott (2006) also point to the workplace trade unionism that in their view resisted government reforms of the management of the service. Andrews and Ashworth (2018 p.146) quote three characteristics of the service which combine to shape this culture "high levels of trade unionism: the close knit and 'dirty' nature of the occupation, and homogeneity within the workforce".

a). The Labour administrations 1997-2010

In 1999 in a report to the Home Office, on Equality and Fairness the former HM Fire Service Inspectorate (HMFSI) released a report summarizing the status of equal opportunity issues in the British fire service. It had been charged with examining the extent to which all elements of the concept of equality and fairness at work are being embraced by the fire service. It used questionnaires, interviews, and visits by inspection teams to ten fire brigades. It found:

“There were reports of sexual harassment in all the brigades visited by the Inspectorate. This ranged from ‘routine’ harassment such as men urinating over the floor and toilet rolls in the women’s toilets or the display of pornographic videos at fire stations to more serious harassment in some brigades. This included exposure, touching and assault that had catastrophic effects on the women concerned. Members of the Black and Ethnic Minority Members Group of the Fire Brigades Union told the Inspectorate of the real difficulty faced by many of their members, as a result of the conscious and unconscious actions of white male colleagues. Inappropriate humour and language also caused offence”.

(HMFSI 1999 p.24)

The New Labour Government commissioned two independent reviews, the first into the industrial relations within the service and the machinery for determining firefighter’s conditions of service (Burchill 2000) and the second a wide-ranging review on the way fire services were operated and managed (Bain et al. 2002). In terms of equality and workplace culture it confirmed the recent HMFSI findings.

“We have been, frankly, appalled at some of the stories we have heard of bullying and harassment. The harassment has been both racial and sexual, even given the very small numbers of non-white and female personnel in the service. Such behaviour is illegal as well as being morally repugnant; it is also not in the best interests of the Fire Service.”

(Bain, G., Lyons, and Young, 2002 p.2)

Regrettably, the period from 2000-2005 was also a period of unprecedented hostile industrial relations with only the second national strike (2002-2003) in the services’ history (Murphy and Greenhalgh 2018). This was long and bitter and coincided with a period of huge legislative changes including the introduction of the Fire and Rescue Services Act 2004, which placed greater emphasis on fire prevention, and the Civil Contingencies Act 2004, which replaced the 1920 Emergency Powers Act and the 1948 Civil Defence Act.

It is not altogether surprising that Clarke (2018 p.165) noted that “Fire and Rescue Services came late to improving policy and practice in service delivery and employment and to developing risk management processes that allowed them to differentiate between the population categories defined by equality and anti-discrimination legislation”. After discussing the antecedents and legacy of the Macpherson report (1999) Clarke focused first on the period of legislation and policy development between 2000 and 2010. This was a period when the labour government gave both increasing priority and investment to improving equality and diversity. It produced the Equality Standard for Local Government (DIALOG¹ 2001, 2006); the

¹ The Equality Standard for local government in England was established in 2001 through a partnership between the Commission for Racial Equality, the Disability Rights Commission, the Equal Opportunities

Fire and Rescue Services Equality Framework (LGA 2012) the Fire and Rescue Services Equality and Diversity Strategy (2008) and ultimately the Equality Act 2010.

Although Andrews and Ashworth (2018) use multivariate analysis of workforce composition (using gender and minority ethnic representation data from 2002-2006) to show that only small improvements were initially made in practice, (which correlates with the Audit Commissions findings (2006, p. 41) the continued priority, representation and resources meant the services were on an improving and accelerating trajectory, albeit still behind most locally delivered public services, when the Equality Act reached the statute book in 2010 (Murphy *et al.* 2019) The increasingly better integrated and mutually supportive 'improvement' agenda from 2005 onwards meant the objectives of improving equality, diversity and inclusion were embedded and woven into government policy and its collaborations in practice with local government, the NHS and the emergency services.

The Equality Act 2010 made it against the law to discriminate because of age; gender reassignment; being married or in a civil partnership; being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion or belief; sex; or sexual orientation (the protected characteristics). It was the product of the last Labour government but came into force on 1st October 2010 early in the Coalition Government's administration. It provides the basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions.

The drive for services to reflect their local communities in order to "ensure that the Integrated Risk Management Plan (IRMP) takes full account of the needs of local communities and that all aspects of the planning process have been effectively equality impact assessed" (DCLG 2008, p.5) was problematic, particularly in organisations with low staff turnover and the Audit Commission reported (2008 p.87) that, 'while there are examples of good practice, notably in recruiting women and people from minority ethnic groups, progress remains slow and will remain so until some cultural attitudes and behaviours still prevalent within the fire service are tackled'

b) The Coalition and Conservative administrations 2010-2024.

The progress made, in workforce diversity, between 2005 and 2010 stalled following the change of government in May 2010 as recruitment stagnated, with overall staff numbers decreasing and wholetime firefighter numbers representing a high percentage² of this reduction, under the austerity-localism policies introduced by the new Coalition government and the sector-led improvement regime for performance management (Downe *et al.* 2018 Murphy and Ferry 2018).

Commission, and the DIALOG unit of the Employers' Organisation for local government, with advice from the Audit Commission

²Wholetime firefighters represented 83.7% of the reduction in overall numbers in 2017

Clarke (2018) discusses the replacement of the externally validated improvement agenda of Labour with the lighter touch regulatory regime of the Coalition Government when a dedicated fire service equality framework was subject to peer review and assessment rather than external validation. He generally found a deteriorating commitment to driving equality, diversity and inclusion from the government and increasingly fragmented support and improvement across Fire and Rescue Services who were also subjected to the austerity-localism policies of the Coalition and subsequent Conservative administrations. His work immediately predated the commissioning of the Lucas report (2015) which found a 'toxic' organisational culture at Essex FRS and the NAO (2015) and Public Accounts Committee (2016) reports that found significant inadequacies in the accountability and transparency of the fire sector. In 2016, four chapters explicitly relating to Fire and Rescue were added to the bill that became the Policing and Crime Act 2017. Designed to enhance democratic accountability and improve the efficiency and effectiveness of emergency services it recreated external inspection for Fire and Rescue Services through HMICFRS. However, the act did not address corporate or financial assessment, strategic leadership or the organisational culture of the service.

In data collection undertaken between 2020-2021 for a recent qualitative study of changes in perceptions of bureaucratic, legal, political, and professional accountabilities in fire and rescue services. Lakoma (2024) who researched 6 case studies, found equality, diversity and inclusion were increasingly becoming issues within the service.

"Yeah, I think the main thing that would come through for me for the accountability would be around equality, diversity and inclusion, and there's a lot of noise in that space. ... the culture was picked up with the HMICFRS, with the previous management team, senior management team, we've also had issues around institutional racism that's been attributed to the service. EDI that's probably the one example of accountability that's coming through from internal and external".

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"...we seem a lot more accountable for the ... recording of information and how we process that information with regards to attendance times, equality, diversity and inclusivity".

Focus Group

Since its establishment in 2018 HMICFRS has inspected operational service performance in all Fire and Rescue Services and produced five annual State of Fire Reports (HMICFRS 2020, 2021a, 2021b, 2023, 2024) which have drawn increasing attention to the regular reporting of persistent bullying, harassment, and discrimination "in every fire and rescue service". It has also recently produced two thematic inspection reports. The first, used evidence from individual service inspections since 2018 to report on the values and culture in fire and rescue services (HMICFRS 2023b). This followed highly critical independent reports on individual services such as the London Fire Brigade (Afzal 2022), and the South Wales FRS (Morris 2024),

which are the two largest services in England and Wales respectively³. In response to the values and culture report, the National Fire Chiefs Council (NFCC) fully acknowledged that there were EDI and organisational cultural issues in the service and developed and published an online interactive Cultural Action Plan with a vision statement, overarching outcomes, intermediate outcomes, and NFCC outputs (NFCC 2023). It also arranged two conferences to promote the plan and published an end-of-year progress plan update with a set of next steps.

In July 2023, the Home Secretary commissioned the second thematic inspection into the handling of misconduct in fire and rescue services to “examine the extent to which services have taken steps to implement the recommendations we made in our spotlight report “Values and culture in fire and rescue services” (HMICFRS 2023c). The NFCC updated its Cultural Action Plan in July 2024 and the report on “Standards of behaviour: The handling of misconduct in fire and rescue services” was published on the 1st of August (HMICFRS 2024). Roy Wilsher HM Inspector of Fire and Rescue Services reported:

“I am pleased to see the beginnings of improvements. Fire and rescue services have raised awareness of the standards of behaviour they expect and have created strategies and action plans, including implementing the Core Code of Ethics.... But pockets of unacceptable behaviour remain, and further progress is needed, particularly in parts of the misconduct processes.” ... Staff don’t have confidence in misconduct processes. Overall, the picture we have found is that services are prioritising tackling misconduct and are making some progress. But many services still have more to do.

4. Findings

a) The empirical background

The following statistics are derived from the 2023 Fire statistics workforce and workforce diversity data tables (2023) and the Fire and Rescue Service Operational Statistics Bulletin for England (DCLG, 2010)

(i) Gender

During the period of the previous labour administration the number of wholetime firefighters who were women increased significantly from 424 to 1,208 (184.9%) between 2002 to 2010. This resulted in an increase in the percentages of wholetime firefighters who were women from 1.3% to 4.0%. As highlighted above, recruitment within the services stagnated and overall staff numbers decreased by approximately 24% between 2010 and 2022. While the statistics show an increase of 1%, to 5%, in the percentage of wholetime firefighters who were women between 2010-2015 this was against a backdrop of a decrease in overall numbers by 4,660 (15.6%) with the actual increase in numbers being only 48.

Between 2015-2020 overall numbers decreased by 2,427 (9.6%). However, the number of women increase by 436, a growth of 34.7% on 2015. This increase, coupled with the decreasing numbers of

³ Ironically these individual and sector wide reports mirror to an uncomfortable degree similar problems in the police service where a critical report on vetting, misconduct and misogyny was published in 2022 (HMICFRS 2022) and the Metropolitan Police was found to be "institutionally racist, sexist and homophobic" (Casey 2023).

total wholetime firefighters resulted in women representing 7.4% of the total wholetime firefighter workforce. The 2023 statistics show an increase in the number of wholetime firefighters who were women of 379 (22.4%) on the 2020 numbers. The overall number of wholetime firefighter numbers saw a slight increase of 22, 0.1%. During this period the number of staff who chose not to identify their gender rose from 1 to 655 in 2023. The increases in numbers identifying as women and those not identifying their gender increased the percentage of wholetime firefighters who identified as women to 9.3% of the total.

(ii) Race

During the previous labour administration, the number of wholetime firefighters who identified themselves to be from an ethnic minority rose to 1,252, 4.5% of the wholetime firefighter workforce⁴. Between 2010-2015 the number of staff identifying themselves to be from an ethnic minority decreased by 567, a 10.3% reduction from 2010. However, as this was against the backdrop of the total wholetime firefighter workforce decreasing by 4,660, the percentages of staff identifying themselves as ethnic minority appears as an increase to 7.9% within this period⁵.

There was a very small change in the number of staff identifying themselves to be of ethnic origin, a decrease of 1, between 2015-2020. However, as the total wholetime firefighter workforce decreased by 2,427, this resulted in the percentages appearing as an increase of 0.7% to 8.6%. Between 2020 and 2023 numbers of wholetime firefighters who identified themselves to be in an ethnic minority increased by 170, a 9.4% increase from 2020. The percentage of staff who did not respond to this question decreased to 7.2% (from 9.1%). Overall, the percentage of staff identifying themselves to be of an ethnic minority increased to 9.4%.

(iii) Sexual orientation

Sexual orientation, within the Fire statistics workforce and workforce diversity data tables are only available from 2011. Please note that at the time of initial collection in 2011 the percentage of staff who did not state their sexual orientation, or from whom it was not collected, was 69.4%, this fell to 61.4% in 2015. Since the statistics are 'calculated by dividing the number of gay, lesbian and bisexual staff by the sum of all stated orientations' [fire-statistics-data-tables-fire1107-191023.xlsx \(live.com\)](#) the initial statistics, collected between 2011 and 2015 represent less than 40% of the workforce.

Between 2011-2015 the percentage of wholetime firefighters, who identified themselves as being lesbian, gay or bisexual (LGB) increased by 9 to 318, a 2.9% increase on the 2011 numbers. Within this timespan there was a reduction in the overall workforce of 3,958 and an increase in the number of staff identifying their sexual orientation, with a greater percentage identifying as heterosexual. This resulted in the percentage of staff identifying themselves as LGB decreasing from 3.5% to 3.3% within this period.

During the period between 2015 and 2020, the percentage of staff for whom sexual orientation had not been collected fell to 41.3%, from 61.4%. Therefore nearly 60% of the population of wholetime firefighters were represented in the 2020 statistics. The number of staff identifying as LGB had increased by 201, a 63.2% increase on the 2015. Similar to the 2010-2015 timespan, there was a

⁴ This is calculated by dividing the number of staff who identified as being in an ethnic minority by the sum of all stated ethnicities. Not stated ethnic origin are not included in the denominator.

⁵ 'This is calculated by dividing the number of mixed, Asian or Asian British, Black or Black British, Chinese or Other Ethnicity staff by the sum of all stated ethnicities. Not stated ethnic origin are not included in the denominator' [fire-statistics-data-tables-fire1104-191023.xlsx \(live.com\)](#).

reduction in the overall workforce of 2,427 and an increase in the number of staff identifying their sexual orientation. The percentage of staff identifying themselves as LGB as a percentage of those identifying a sexual orientation increased to 3.9% within this period.

The number of staff who identified as LGB rose by 212 between 2020-2023. This represented an increase of 40.8% on the 2020 numbers. The percentage of staff for whom this data was not available decreased from 41.3% to 33.4%. Overall, the percentage of staff identifying themselves to be LGB increased to 4.8% of the population who had identified a sexual orientation.

b) Draft Proposals for reform proposed by the previous Conservative government.

In its white paper and consultation, under the section entitled Modern Working Practises (Home Office 2022 p.12), the government highlighted two areas that have an indirect but important impact on EDI and organisational culture. One related to the flexibility of the Chief Fire Officer (CFO) to make operational decisions and the second was the inflexibility arising out of the national negotiation mechanism which has been seen by HMICFRS as a barrier to a rapid and flexible response, not least during the pandemic (HMICFRS 2021c). The independence of the CFO to make operational decisions has had sector wide and almost unanimous support since the 2017 Act highlighted the anomaly between the position of the CFO and that of Chief Constables. The operational independence for CFO would also help clarify the boundaries between strategic and operational issues. The inflexibility arising out of the national negotiation mechanism has been a more contentious issue, is unlikely to be resolved by the proposals presented in the policy consultation and is outside the scope of this paper.

In the sections specifically devoted to improving professionalism, leadership, and professional standards; better data, research, and information: and culture, ethics and clear expectations are highlighted as five priority areas for professionalisation (Home Office 2022). Finally, they suggest the creation of an Independent College of Fire and Rescue to lead the professionalisation of the fire and rescue services ('mirroring' the College of Policing). It would have a central research and co-ordination capability, build on the successes of the Fire Standards Board and create and implement 'clear expectations' for fire service personnel. Under the leadership improvements the consultation noted the Police Strategic Command Course provided a model the government wished to explore and the proposed statutory code of ethics, introduction of a mandatory fire service oath (possibly dealt with as an employment matter!) all reflected the police model.

The Ministerial foreword to the governments post-consultation policy report published in December 2023, highlighted London's Independent Culture Review, and the inspectorate's findings on culture and values to illustrate the scale of the challenge and the need for reform (Home Office 2023). Its response was to focus on creating a College of Fire and Rescue and raising professional standards with elements of professional standards such as the code of ethics (but not the Oath) being put on a statutory basis "when parliamentary time allows" (p.9)

"We have focussed our efforts on the reform steps that will have the most impact for the public and for fire professionals: supporting dedicated fire staff to develop a

profession to be proud of and ensuring that fire services do more to put the public first. *This means setting up a professional body* to continue to raise standards. It means putting integrity and leadership front and centre with great training, consistent and more open recruitment practices and a statutory code of ethics” (p.4).

More specifically on EDI and organisational culture it states:

“Inclusion is essential within a modern fire and rescue service. The sector would benefit from better representation across the workforce; there is much work to be done to have a fire service that reflects the community it serves and that everyone is treated with fairness and respect, in an environment where they can thrive. We will continue to work with key partners in the sector to ensure this remains at the forefront of any recruitment and development schemes.” (p. 18).

In addition to the legislative requirements these and other changes would mean the 2018 National Framework for Fire and Rescue to be substantially amended or replaced.

c) Proposals from the Home Affairs Select Committee.

The letter from the chair of the Select Committee states: “We had planned to produce a full report to summarise our findings, but due to the imminent election announced by the Prime Minister on 22 May 2024, we have set out what we were intending to be some of our key conclusions and recommendations below” (Home Affairs 2024b). It notes that as of 31 March 2023, 8.7% of firefighters were women, 8.0% of firefighters were from an ethnic minority but that the culture - the way that some people who work within the service think it is acceptable to behave in the fire and rescue service “is lamentable”. “There are systemic failures that mean the fire and rescue service in England is institutionally misogynistic, racist, and homophobic”. (Home Affairs 2024b p.2).

They called *inter alia*, for new processes to deal with poor leadership based on new enforceable standards, and the FRS Core Code of Ethics to be placed on a statutory basis. In addition, they recommended enforcement powers be granted to HMICFRS “so that cultural change can happen at speed”. The committee wanted improved scrutiny of leaders based on updated guidance from the LGA on accountability and oversight of leadership. They wanted the national framework to be updated to reflect the nature of the challenge in embedding a positive workplace culture where bullying and harassment are not tolerated and with specific reference to cultural change” and fire authorities to be regularly reminded of their obligations and duties. They also wanted the FBU to be pro-active in promoting, through action, a culture that is free from bullying and harassment and ensures victims are not prevented from speaking out.

The Home Affairs Committee’s recommendations are:

- 1) Government should conduct a review of the processes in place to deal with poor leadership and issue an enforceable set of standards, if necessary, put the FRS Core Code of Ethics on a statutory basis.
- 2) The FBU acknowledges that they have policies in place but that they should be a leader in promoting, through action, a culture that is free from bullying and harassment and

should make it clear that non-disclosure agreements should never be used in settlements with employees who have been subject to bullying and harassment, ensuring victims are not prevented from speaking out.

- 3) HMICFRS should be given enforcement powers so that cultural change can happen at speed. Cultural change should be fast-tracked and embedded, and they urge their successor Committee in the new Parliament to return to this important subject to monitor progress.
- 4) Fire and rescue authorities, also have a crucial role to play in ensuring that leaders are held to account for their behaviour. Fire and Rescue Authorities should improve their scrutiny especially when it comes to holding them to account on the culture within their service.
- 5) The LGA should update the guidance that it provides to fire and rescue authorities about accountability and oversight of leadership with specific sections on cultural change.
- 6) The government should write to every fire and rescue authority in England before the next general election reinforcing their obligations and duties and send reminders at least every two years and certainly after local elections.
- 7) The 2018 Fire and Rescue National Framework for England should be updated to reflect the nature of the challenge in embedding a positive workplace culture where bullying and harassment are not tolerated. It should include specific reference to cultural change.

5. Discussion and recommendations

Having explored the background and antecedents of EDI and organisational culture issues, reviewed, and compared the emerging recommendations from the former (Conservative) governments' proposals for reform (Home Office 2022, 2023) and the former Home Affairs Select Committee recommendations (Home Affairs 2024a, 2024b) we now present our own views and recommendations as a contribution to the on-going policy debate.

Along with most of the sector we support the proposals for the operational independence of the CFOs and those for improving professionalism, leadership, better data, research, and information, all of which are much needed and overdue. There is a need and an appetite in the sector for greater oversight and extended and improved standards. The need for more effective internal and external scrutiny extends beyond EDI and organisational culture issues and is a generic and systemic weakness within the sector.

In 2014, the Committee on Standards in Public Life made clear that the public wanted all providers of public services to adhere to and operate by common ethical standards, regardless of whether providers are in the private, public, or voluntary sectors (2014). In 2021 they made plain that a system of standards regulation which relies on convention was no longer satisfactory. They therefore recommended that ethics regulators and the codes they enforce should have a basis in primary legislation, and that government has a more thorough and rigorous compliance function and have maintained that position in subsequent reports. In our view professional oversight bodies should be responsible for overseeing codes of ethics and the proposed Independent College of Fire and Rescue would provide the opportunity for independent oversight of the FRs code of ethics, as well as its' periodic review if and when the college

is established. Before that happens agreeing and placing the code on a statutory basis should be expedited.

While we agree with the sentiments of the select committee, the use of ‘non-disclosure’ sometimes referred to as ‘settlement’ agreements are a matter for the new national negotiating arrangements.

HMICFRS current remit is to ‘inspect, monitor and report on the efficiency and effectiveness of ... FRSs with the aim of encouraging improvement’ (HMICFRS 2022). The authors believe that HMICFRS should remain an inspectorate, and not become a regulator. Statutory Intervention powers are available, specifically within Section 7 and Annex D of the 2018 National Framework (and elsewhere under the Local Government Act 1999) and can be exercised by the Home Secretary. These existing powers have been used extensively and proven adequate when addressing FRS and Local Authorities (Coleman, 2009, Murphy et al, 2012, 2019). HMICFRS can recommend that these intervention powers be used although the Home Office have not used these powers since 2017 in Avon FRA (Baker 2017).

We would recommend, that in future rounds of HMICFRS’s inspections the inspectorate’s methodology should be extended to embed inter alia, managerial leadership and organisational cultures, including EDI and become a corporate or institutional inspection rather than a service inspection. Should this recommendation be accepted, and implemented, there would be no need for the government to reinforce obligations and duties. If it is not accepted, then a site based thematic inspection of EDI and organisation culture may be needed from HMICFRS.

Conclusions

There are a number of issues and recommendations that will require primary legislation for successful implementation such as placing the Code of Ethics on a statutory footing, the establishment of the new college, the operational independence of CFOs, or extending enforcement powers to HMICFRS. These are therefore dependent on parliamentary time being available.

The 2004 Fire and Rescue Services Act however, requires the Secretary of State to keep the Fire and Rescue National Framework for England under review and we agree with the Home Affairs Select Committee that the Framework should be updated to reflect the nature of the challenge in embedding a positive workplace culture where bullying and harassment are not tolerated and that it should include specific reference to cultural change. The current framework is however inadequate in a number of areas and to replace it does not require primary legislation. Given the pressure on parliamentary time it might be judicious to expedite its replacement.

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