

The Joint Universities' Fire and Rescue Research Group
C/o Professor Peter Murphy
Nottingham Business School
Nottingham Trent University
Email: peter.murphy@ntu.ac.uk
Tel: [REDACTED]

Fire Reform Consultation
Fire Strategy and Reform Unit 4 th Floor, Peel Building
2 Marsham Street
London SW1P 4DF

By email: firereformconsultation@homeoffice.gov.uk

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Dear sirs,

Reforming Our Fire and Rescue Service

Building professionalism, boosting performance, and strengthening governance

I refer to the public consultation, which commenced on 18 May 2022, and is due to close on 26 July 2022. I am writing on behalf of the Joint Universities' Fire and Rescue Research Group which is a corporate member of the Fire Sector federation.

We would like to offer the following comments in response to the white paper. Our comments are in two parts. Part 1 consists of our specific responses to the 48 questions identified in the Fire Reform Consultation paper. These are followed in part two by some key issues affecting Fire and Rescue Services that the Reform White Paper does not address but, in our view, could and should have been addressed as part of the public consultation process and the reform process.

People

Q1: To what extent do you agree/disagree that fire and rescue services should have the flexibility to deploy resources to help address current and future threats faced by the public beyond core fire and rescue duties?

The experience of Fire and Rescue Services in responding to contemporary emergencies and exemplified by the COVID-19 pandemic, together with international experience, suggests that the current 'definition' of core fire and rescue duties in England is too narrow and does not reflect current practice.

The issue of core and non-core or statutory and non-statutory services has arisen as an issue since the implementation of long-term austerity policies designed to reduce public expenditure in England from 2010 onwards was reflected in the 2012 National Framework and explicitly referred to four times in the 2018 National Framework (and has been repeatedly referred to by the previous Chief Inspector of HMICFRS) but they have never been strictly defined. During this period and in each case where core or statutory duties are mentioned the intention is to limit expenditure on 'other activities' i.e. non-core duties or services. The nearest reference to a precise 'definition' is the reference to "core functions around prevention, protection and response" (Home Office 2018 p 5) and the "statutory duty to ensure provision of their core functions as required by the Fire and Rescue Services Act 2004" (Home Office 2018 p 11).

It is increasingly clear that Fire and Rescue Services both individually and as part of their collaborative work with emergency service partners, are facing a greater and more diverse range of challenges to the safety and security of their communities, to which the public (rightly) expects them to respond. It is also clear that external scrutiny via HMICFRS and the proposed new regime for local public audit that the government and the NAO have accepted following the Independent Redmond Review, will provide more robust financial and performance scrutiny, so that services can more effectively be held to account.

This issue of a definition emerged and coincided, not only with policies of austerity, but within a period when there was no clear and robust external inspection regime for FRS, and the local public audit regime was demonstrably no longer 'fit for purpose'. Thus, the scrutiny of FRS activities and their achievement of value for money (together with other strategic and operational objectives) was inadequate, and ultimately was potentially undermining public confidence in some services.

In these circumstances we agree that fire and rescue services should have the flexibility to deploy resources to help address current and future threats faced by the public. These threats or risks should be identified in their risk registers, assessed in their Integrated Risk Management Plans/Local Resilience Plans, and addressed in their strategic and operational planning. Any significant new roles should be subject to appropriate training and reflected in collective bargaining arrangements. They should be evaluated against both their creation of public value (in the safety and security of citizens and local communities) and their value for money. Regular public reporting by the inspectorate and external auditors should facilitate dissemination of new initiatives and innovations and curtail any unjustified expenditure.

Q2: To what extent do you agree/disagree that fire and rescue services should play an active role in supporting the wider health and public safety agenda?

The 2017 Act encouraged or strengthened a number of initiatives and collaborations between the police and fire services, but it did little to encourage similar engagement between fire and health services. The active involvement of fire and rescue services in supporting the wider health and public safety agenda is an increasing and successful feature of pre- and post-pandemic service development across many countries not least in Scotland, N. Ireland and in Wales since devolution of the service to the three devolved administrations and co-terminosity of the operating environment in Scotland and N Ireland.

In most instances Fire and Rescue Service activity supporting the wider public safety agenda has generally been evaluated positively and has been supported by the public, not least because fire safety is the core objective of the service.

In a period when continuing restrictions on public expenditure are likely to continue, it will be necessary to carefully evaluate such activity against alternative uses of resources and ensure that statutory obligations on FRS are not compromised. However, in principle, if FRS can generate or add value to meeting their local community's health and public safety objectives they should be enabled to do so, provided they are engaged in mutually agreed and supportive, openly accountable, and transparent activity in the public interest. This would help fire safety policy to be developed and delivered holistically, consistently and coherently across government.

Q3: To what extent do you agree/disagree that the business continuity requirements set out in the Civil Contingencies Act 2004 provide sufficient oversight to keep the public safe in the event of strike action?

The consultation paper notes that business continuity requirements are set out in the fire and rescue service National Framework for England and in the Civil Contingencies Act 2004/National Resilience Strategy. The consultation suggests that the Home Office and NFCC propose to ensure that each service has a robust business continuity plan that considers a range of challenges, including the impact of industrial action, and that these plans are independently assured.

We agree that these are both 'dated' and in need of review and in principle we support strengthening the basis on which all Category 1 and 2 responders cooperate and support local regional and national resilience structures, (not only local resilience arrangements).

We have previously noted that these arrangements which originally were designed to operate at the National Regional and Local levels (with appropriate risk registers, resilience forums and response and collaboration protocols) have been particularly weakened at the regional level since the abolition of the nine Regional Government Offices in England and their regional resilience co-ordination role in 2011. It is notable that since 2011 one common inadequacy of the English responses to major disasters and emergencies (notably at Grenfell, the South West Somerset levels in 2014 and in the Manchester terrorist attacks) that required mobilisations beyond local agencies has been the inadequacy of the regional level co-ordination.

We consider that any business continuity requirements should be consistent and complementary across the two sets of arrangements and that they should both be subject to regular independent assurance, collectively commissioned by the national service leadership (Home Office, NFCC, and National Resilience Assurance Team) having consulted HMICFRS.

Q4: To what extent do you agree/disagree that the current pay negotiation arrangements are appropriate?

This is clearly a contested issue. It is clear that key national stakeholders including the government and the previous Chief Inspector of HMICFRS have lost confidence in the current arrangements. The previous Chief Inspector of HMICFRS has called for a fundamental review the current arrangements operation and effectiveness. The FBU are clearly opposed to changing current arrangements, although it is less clear (to us) what the position of the Fire and Rescue Service Employers is.

The Institute of Employment Rights has laid out some complexities in the legal background given that the current arrangements are voluntary collective arrangements from which the state may be legally required to refrain from unwanted interference by International and European law (Blackburn 2021). In the circumstances we would wish to see the legal issues clarified and the basis of any independent review established before it is operationalised or any call for evidence is made. For an independent review to be effective it must have the buy-in from all key stakeholders and should not be imposed by government.

Q5: Please provide the reasons for your response.

We acknowledge that the Thomas Review demonstrated the need for some reforms, and the recent experience with pandemic's tripartite agreements, although contended by the FBU, was not universally positive. However, in view of the important and sensitive issues involved and the current circumstances, in which neither the government nor the HMICFRS are parties to the National Joint Council, we would wish to see the legal issues clarified before commenting further.

Q6: To what extent do you agree/disagree that consistent entry requirements should be explored for fire and rescue service roles?

The consultation asks whether ‘we’ (presumably the Home Office or the fire sector collectively?) should explore clearer, consistent entry requirements for fire service roles, so that a consistent approach is applied across the country. We agree that this should be explored but question whether this would be better commissioned from or by NFCC, the FRS employers and/or Chartered Institute of Personnel Development.

However rather than pursuing a simplistic debate on entry requirements a number of key stakeholders, including the Fire Sector Federation, advocates the widespread adoption of a ‘Third Party Accreditation’ (TPA) approach to facilitate public assurance on the capacity and capabilities of all FRS staff. The adoption of a demonstrable, comprehensive and formalised TPA approach would facilitate the integration of a more professional FRS into a holistic fire safety approach to protect society

Q7: Please provide the reasons for your response.

The NFCC, employers and CIPD have direct professional qualifications and experience in these matters. The wider fire sector is increasingly seeking TPA arrangements for assurance of its products and services, including the professionalism of individuals. FRS organisations already employ specialist finance, HR, IT, Legal, Procurement officers etc. who are all professionally assured by internationally recognised third parties. However, those officers involved in operational policy making, in training and assessing operational personnel, in determining community risk programmes and in responding to emergencies, currently lack established assurance and professionalism arrangements. We see the development of comprehensive TPAs as part of the role for the proposed independent College of Fire and Safety suggested by the White Paper (see response to question 27)

Q8: To what extent do you agree/disagree that other roles, in addition to station and area managers, would benefit from a direct entry and talent management scheme?

We agree that other roles, in addition to station and area managers, could potentially benefit from a direct entry and talent management scheme, although with the current (and anticipated) low levels of recruitment for the foreseeable future the impact of such an initiative will unfortunately be limited.

Professionalism

Q9: To what extent do you agree/disagree with the proposed introduction of a 21st century leadership programme?

We strongly agree with the proposed introduction of a 21st century be-spoke leadership programme. While the police Strategic Command Course provides a model there are equally a number of alternative public leadership models, not least in Health Service and in the devolved administrations that could usefully contribute to the development of the model.

We are concerned with the White Papers’ over-emphasis of the police experience, structures and procedures in the consultation’s proposals generally (and specifically in its proposals for a new College and a new leadership programme), which could lead missed opportunities to address fundamental FRS matters like capacity and capability in the English system. While police and Fire

services share historical antecedents from their respective establishment in the 19th century, England is the only advanced western jurisdiction that is seeking to bring structures, operational systems and processes within Fire And Rescue Services closer to the their equivalents in the police, other jurisdictions including Scotland and Wales have been bringing structures, operational systems and processes within Fire and Rescue services closer to health and ambulance services.

Q10: Please provide reasons for your response.

There is a clear demonstrable need for a be-spoke leadership programme for Fire and Rescue Leaders, both political leaders and senior managers. The proven benefits of similar initiatives in other sectors and the fall off/reductions in attendance by Fire and Rescue Service personnel in generic and executive leadership courses in Higher Education Institutes are clear indications of this need.

Q11: To what extent do you agree/disagree that completion of the proposed 21st century leadership programme should be mandatory before becoming an assistant chief fire officer or above?

While highly desirable, making it mandatory “before becoming an assistant chief fire officer or above” is either necessary nor desirable (given numbers involved) and it risks missing potential candidates. It would also preclude high level external entrants at ACFO/DCFO/CFO levels.

The Police equivalent has resulted in unnecessary and unwarranted losses to senior positions from Chief Superintendents in the service who have gone on to successful careers in criminal justice but outside constabularies. The Fire and Rescue Services could ill afford to repeat this mistake.

Q12: To what extent do you agree/disagree that each of the activities outlined above are high priorities for helping improve the use and quality of fire and rescue service data?

- A national data analytics capability.**
- Data-focused training.**
- Consistent approaches to structuring data**
- Clear expectations for data governance**
- Securing data-sharing agreements**

The quote from the previous Chief Inspector that the “the sector is missing opportunities to use data and technology effectively” and lacks an overall national strategy to bring consistency and promote innovation is the culmination of over 12 years of academic and professional research about the state of data and information in the sector (e.g. Murphy and Greenhalgh, 2013; 2018; Murphy et al 2020). We strongly agree that that data and information in the sector is inadequate and in a decline that dates back to 2010 which recent initiatives have failed to address. All of the activities outlined above should be high priorities for helping improve the use and quality of fire and rescue service data. We are particularly concerned that the white Paper has insufficient focus and proposals on the need for improved data and information to be used in the Integrated Risk Management Plans, in the overview and scrutiny arrangements and in the improvement of service planning and delivery.

However, the sector will continue to miss opportunities to use data and technology effectively if it continues to be set within an incoherent and partial policy framework. As the Fire Sector Federation, the All-Party Parliamentary Interest Group on Fire and others have said fire safety policy needs to be

addressed holistically, comprehensively, consistently, and coherently across government. There needs to be far better alignment of government policy on issues like sustainability and resilience in the built environment which involve core parts of the FRS role.

Q13: What other activities, beyond those listed above, would help improve the use and quality of fire and rescue service data? Please give the reasons for your response.

The sector and key stakeholders need a service specific; publicly available; quality assured; real-time and web-based interactive and independent single national repository (similar to the LGA Knowledge Hub – see <https://khub.net/web>) together with user friendly and free to use analytical and investigative tools. It should be independent of any individual stakeholder and constructed on the basis an ‘observatory’ model. The potential independent college for Fire and Rescue is a potential host.

Robust comparative data and information particularly on financial and service performance, together with identification of innovation and good or notable practice (both domestic and international) is essential to continuous improvement in public services and creative collaborations between members of the Fire and Rescue Services Community of Interest.

This could and should be supported by the central fire and rescue research capability proposed under Q14 but should not be limited to this team.

However, we would re-iterate part of our response to Question 12, i.e. we will not use data and technology effectively unless it embedded in fire safety policy that is holistic, comprehensive consistent, and coherent across government.

Q14: To what extent do you agree/disagree that each of the activities outlined above are high priorities?

- **Collaborating**
- **Commissioning**
- **Conducting**
- **Collating**

All four activities (collaborating, commissioning, conducting, and collating) should be part of the remit for improving the use and quality of fire evidence and research together with an annual ‘future’ programme of the proposed workstreams to be drawn up and published in advance and made subject to public consultation. There also needs to be a strong international element to this work.

Q15: What other activities, beyond those listed above, would help improve the use and quality of evidence and research on fire and other hazards? Please provide the reasons for your responses.

There needs to be mechanisms in place that provide appropriate quality assurance to those contributing to or using the data and information within the repository.

Q16: To what extent do you agree/disagree with the creation of a statutory code of ethics for services in England?

This together with a number of the following proposals (Q 17- Q 24 inclusive) give the strong impression that the government is seeking and/or supports the re-introduction of a strongly hierarchical command and control culture within Fire and Rescue Services – more akin to the culture of the police service or the military rather than to that of a modern Fire and Rescue Services.

While command and control leadership (allied to a strong, collective mutually support team approach) still has its place and may be appropriate in dangerous 'response' situations, it is no longer the appropriate or dominant culture within fire services nor is it appropriate for the majority of the tasks, roles and responsibilities that the service now has to undertake (see Knox 2019 and particularly section 4.3 the context of leadership). Response services within Fire and Rescue tend to have a culture of mutual respect and responsibility around a strong team ethic with strong elements of servant leadership.

The reintroduction of a strong command and control culture would undoubtedly have a detrimental impact on the economy, efficiency and effectiveness of the service and would make service and organisational improvement and innovation less likely. Fire Services and their personnel thrive on problem solving and proactively taking the initiative.

The creation of a statutory code is presented in the consultation as a response or way of addressing cultural change within local services. It will not achieve this as cultural change is a complex and long-term challenge that needs multiple mutually supportive initiatives. Creation of a statutory code of ethics for services in England and making it mandatory is more rather than less likely to be counterproductive.

The public regularly demonstrate far higher confidence and satisfaction with Fire and Rescue Services and their personnel than they do for colleagues in the police service. This proposal, together with later proposals for an oath demonstrate the undue influence of the police experience on the White Paper proposals. Whether or not the police service need or benefit from these initiatives is a moot point, they are not needed in Fire and Rescue services.

Q17: To what extent do you agree/disagree that placing a code of ethics on a statutory basis would better embed ethical principles in services than the present core code of ethics?

As implied above placing a code of ethics on a statutory basis would no better embed ethical principles in services than the present core code of ethics. It is neither needed nor desirable.

Q18: To what extent do you agree/disagree that the duty to ensure services act in accordance with the proposed statutory code should be placed on operationally independent chief fire officers?

It would be counter-intuitive to impose a statutory code 'operationally independent' chief fire officers, there is no evidence to support such an imposition and it is also likely to be counterproductive in practice.

Q19: To what extent do you agree/disagree with making enforcement of the proposed statutory code an employment matter for chief fire officers to determine within their services?

We agree any ethical code should be a matter for chief fire officers to determine but making it formally or statutorily an employment matter would be counter-intuitive and also likely to be counterproductive in practice. It raises particularly sensitive issues unsuited to over formality which more appropriately should be dealt with as individual cases.

Q20: To what extent do you agree/disagree with the creation of a fire and rescue service oath for services in England?

Our view would very much be dependent on the proposed wording, but we doubt that the creation of an oath would have any material benefits to the economic, efficient and effective delivery of services and/or improvement to public safety.

Q21: Please give the reasons for your response

We are not convinced of the need for an oath in Fire and Rescue Services at this time and the detailed working will be crucial to its acceptability.

Q22: To what extent do you agree/disagree that an Oath would embed the principles of the Code of Ethics amongst fire and rescue authority employees?

Embedding ethical principles may be acceptable in an oath but it would be dependent on the proposed wording

Q23: To what extent do you agree/disagree with an Oath being mandatory for all employees?

Mandating is not likely to help create ownership and adherence. It is more likely to generate resistance and be seen as an unnecessary and unwelcome imposition on the service by the government.

Q24: To what extent do you agree/disagree that breach of the fire and rescue service oath should be dealt with as an employment matter?

If an oath is imposed it should be dealt with in a more holistic, sensitive, and professional manner not straightjacketing it into formal employment procedures.

Q25: To what extent do you agree/disagree that the five areas listed above are priorities for professionalising fire and rescue services?

- Leadership
- Data
- Research
- Ethics
- Clear Expectations

We would like to make clear that in our view leadership should include political and corporate leadership (and scrutiny and assurance thereof) rather than just service and operational leadership.

We have referred in previous answers to the Third-Party Accreditation (TPA) approach to facilitate public assurance on the capacity and capabilities of all FRS staff. Although some of the five areas listed above should be higher priorities and will have greater impacts than others, they are all areas that could help to professionalise fire and rescue services

Q26: What other activities, beyond the five listed above, could help to professionalise fire and rescue services?

The main areas missing are improving and professionalising the governance of services, their internal and external scrutiny and their strategic and operational collaborations.

The overview and scrutiny arrangements of fire and rescue services is particularly weak and inadequate in those services that have transferred to Police Fire and Crime Commissioners where scrutiny panels lack adequate knowledge of experience policy and/or practice. Relatively few fire services specialists have been engaged by these panels and they have not been subjected to adequate public assurance mechanisms such as external inspection of governance and assurance arrangements.

Q27: To what extent do you agree/disagree with the creation of an independent College of Fire and Rescue to lead the professionalisation of fire and rescue services?

In the past there has been a Fire Services College and an Emergency Planning College, both of which provided services to the sector that were effective and productive when they were within public or collective ownership and their objectives were aligned and responsive to those of the emergency services. Both became ineffective, unused, and unfit for purpose when they were under-resourced and eventually transferred to private companies and made subject to commercial objectives.

We strongly support the creation of an Independent College by and for the Sector that would be collectively owned and governed, have a public charter and be adequately resourced. Properly established it should be given legislative powers to support its work with a strong co-operative working relationship with the NFCC embedded in its purpose and articles of association. It should be a trust or a Community Interest Company or an arms-length agency of an existing public sector organisation and not a private sector operation. Although the white paper suggests that it should be at 'arm's length from government' there needs to be explicit robust assurances of its independence and in its envisaged role should be reporting to parliament and parliamentary scrutiny arrangements rather than to the Home Office as part of the government executive.

Governance

Q29: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to a single elected individual?

We consider that there is insufficient evidence or justification either official or independent at this time to justify any significant extension of the PFCC single directly elected model. An ongoing independent research project has been investigating and comparing governance by existing PFCC and Fire Service Authorities since the first PFCC were established.

Early findings suggest that introducing a single elected individual (PFCC) can add a new scrutiny dimension to FRS, which in effect, can streamline and improve the accountability process. Second, it can enable the public to directly hold the politician to account in elections. However, this may come with the individual's party-political allegiance, which can ultimately have an effect on the service's strategic decision-making process. A single person governance model can also result in a lack of increased accountability to local communities in comparison to the traditional FRA model as it appears to depend on the implantation and operational strategies of individual PFCCs.

There are many variations in the governance of fire services in England, which are difficult to compare. While the government's stated preference is towards single elected individuals overseeing fire services in the foreseeable future, greater efforts are needed to ensure that inconsistencies in terms of governance and accountability arrangements are minimised in fire and rescue services. One solution would be to give the fire and rescue sector the opportunity as a whole to move to one governance model, which would reduce current discrepancies among different models and introduce common governance arrangements across all services. However, such a significant change should be based upon an open, clear, and comprehensive review of all the options set out in an appropriate consultation exercise and not as a 'side issue' of the current consultation.

We agree that there is a need for a clear demarcation between the political and strategic oversight of the service (whatever the governance model), and the operationally independent running of the service by the chief fire officer. We also agree that the governance body should have oversight and

ultimate control of necessary funding and estates and that decision-making, including budgets and spending, is transparent and linked to local public priorities

Q30: What factors should be considered when transferring fire governance to a directly elected individual? Please provide the reasons for your response

PFCCs established to date have required a 'local case' to be made either to local 'upper tier' political representatives (although these councils had no powers to veto proposals) and/or to the Secretary of State and all cases included a financial appraisal from CIPFA. This process has proved serially inadequate e.g. as a result of the leading nature of some consultation questions, the limited options for responses, and the local case consultations being commissioned by PCCs themselves rather than independently commissioned or commissioned by both PCCs and FRAs jointly, (see Eckersley and Lakoma 2021) and has been subject to criticism (Murphy 2016a, 2016b).

The Eckersley and Lakoma (2021) research revealed clear differences between the cases of Essex and Northamptonshire on the one hand, and the other force areas on the other. In the first two cases, the clear governance and financial problems provided obvious justifications and/or for the proposed reform. PCCs in the other areas had a more difficult task trying to persuade others of the need to change. Lacking such clear reference points as Essex and Northamptonshire, their strategies focused on framing the existing governance arrangements as a problem, by using symbols and in effect priming strategies that appealed to pre-existing perceptions of how public services operated, which proved to a limited extent successful.

At the time, that the first PFCCs were proposed it was suggested that 6 sets of evidence were needed to robustly justify the transfer to PFCC (demonstrable local community need, robust governance and scrutiny arrangements, a comprehensive long-term financial evaluation, public support and a strategic and operational appraisal of the future deployment of the three emergency services). In our view these criteria should be revisited and much more robustly applied.

Q31: Where Mayoral Combined Authorities already exist, to what extent do you agree/disagree that fire and rescue functions should be transferred directly to these MCAs for exercise by the Mayor?

MCA have tended (although not all) to ensure that adequate knowledge, capacity, organisational infrastructure and experience of Fire and Rescue Services and their governance has been included in their organisation arrangements or commissioned by them. They have also benefitted from appropriate policy, scrutiny and assurance capacity when compared to PFCCs. We support the initiative to explore options for transferring the fire functions directly to the MCAs for exercise by the mayors in Sheffield City Region, West Midlands and West Yorkshire although in Cambridgeshire & Peterborough any proposals should not be pursued at this time and should await the resolution of the current dispute and upheaval at the authority.

Q32: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to police and crime commissioners?

We were not party to the discussions referred to on page 27 and have seen no evidence (confidential or published) of the "immense value in what PFCCs in the four areas (Essex Northamptonshire, North Yorkshire and Staffordshire) who have responsibility for fire have provided, including strengthened local accountability, enhanced collaboration and improvements in what their fire services provide the public". There is no evidence to support such assertions in the

HMICFRS inspection reports or their respective pandemic reports. Our independent academic research does not support such a strong conclusion at this time.

In our view their needs to be a much stronger evidential base, an appropriate evaluation process and greater transparency in the process before individual or collective transfers are considered.

Q33: Apart from combined authority mayors and police and crime commissioners, is there anyone else who we could transfer fire governance that aligns with the principles set out above?

In addition to an executive councillor, a freestanding directly elected Fire Commissioner should be considered as a potential option and although that is not mentioned in the consultation paper it has operated successfully in other countries, including parts of the USA.

Q34: If yes, please explain other options and your reasons for proposing them

Such a role would be more likely to attract potential candidates with a direct interest in and more likely to have knowledge and experience of Fire and Rescue Services.

Q35: To what extent do you agree or disagree that the legal basis for fire and rescue authorities could be strengthened and clarified?

We strongly agree that the legal basis for fire and rescue authorities should be strengthened and clarified, whether or not there is a transfer of responsibility to a single individual.

Adherence to the 'Nolan' principles of Public Life and acknowledged good governance principles (based upon and adapted from the CIPFA "*International Framework: Good Governance in the Public Sector*") should both be explicitly included in statute and/or a New National Framework.

Q36: Please provide the reasons for your response.

We strongly agree that this should expressly set out the role and function of the FRAs and in particular their (internal and external) oversight and scrutiny functions, which are currently demonstrably some of the weakest in the public services. We have agreed (above) that the relationship between political oversight and operational decision making needs to be clarified, although in practice it will clearly continue to overlap. Research by ourselves and others also supports the need for greater transparency, particularly where there is direct individual governance arrangements, which in certain PFCC cases we found less transparency than comparable FRAs.

Q37: To what extent do you agree/disagree that boundary changes should be made so that fire and rescue service areas and police force/combined authorities (where present) areas are coterminous?

We agree that boundary changes should be made so that fire and rescue service areas and police force/combined authorities (where present) areas are coterminous as this will facilitate the improvement and co-ordination of services. The detail of these changes should be subject to independent assessment by the Boundary Commission rather than by those with vested interests.

England has historically and recently seen a number of ad-hoc mergers of neighbouring Fire and Rescue Services that have generally generated economies of scale and more economic efficient and effective services. Experience for historical amalgamations in all four home countries and more recently from Scotland (Murphy *et al.* 2019) suggests there are additional opportunities for further improvements

Q38: To what extent do you agree/disagree with ring-fencing the operational fire budget within fire and rescue services run by county councils and unitary authorities?

The white paper refers to Fire Funding and revenue funding is historically part of the annual local government financial settlement. The financial formular and distribution model upon which this is based is widely acknowledged (by the government and all key stakeholders) to be partial, unfair and no longer fit for purpose. This inadequacy and unfairness have been exacerbated since the distribution formular was frozen in 2013. The last two years have also seen HMT Spending Plans and the local government settlement for single years which have further reduced authorities' abilities to effectively plan for the future. We are disappointed that there is little acknowledgement of the urgent need to provide a long-term fit-for-purpose financial support arrangements for locally delivered public services including the Fire and Rescue Services. We would have welcomed a strong commitment to work towards a robust long-term solution to this unacceptable situation.

The white paper also makes no mention of the impending changes to the local public audit arrangements which follow from the Independent Redmond review of local audit and the transparency of local authority financial reporting and the subsequent consultation about the application of changes to non-local authority services which was issued in July 2021.

On balance we disagree, with ring-fencing the operational fire budget within fire and rescue services run by county councils and unitary authorities and agree with HMT historical position on hypothecating or ring-fencing local revenue budgets

Q39: Please provide the reasons for your response.

Ring-fencing the operational fire budget within fire and rescue services run by county councils and unitary authorities (sometimes known as service hypothecation) has consistently been opposed by the HM Treasury as part of the annual local government financial settlement as it clearly restricts authorities' ability and flexibility to respond to community wants, needs and changes in priorities.

Northamptonshire Fire Service were content to move to a PFCC model so they could ring-fence their resources from central government and council tax and make their own decisions as opposed to the county council arrangements. This was because under the former county council administration, there was little or no investment for FRS in the period from 2011-2017, as resources and investment had to be transferred to failing children services, and adult social care with all other services obliged to contribute.

Q40. To what extent do you agree with this proposed approach (as outlined in the table above)?

For the avoidance of doubt this table (on page 31 of the consultation) should also refer to responsibilities emanating from Civil Contingency arrangements and wider resilience responsibilities (these should all be shown as the responsibility of the CFO).

The first line should refer to "Setting strategic priorities" (to differential with operational priorities) and the second should include setting medium and long-term financial strategies as well as the annual budget. We agree that opening and closing fire stations should be a joint decision.

Q41. Do you have any other comments to further support your answer?

No these should be self-explanatory.

Q42. Are there any factors we should consider when implementing these proposals?

There needs to be appropriate independent dispute resolution arrangements put in place as part of the contingency arrangements for implementation.

Q43: What factors should we consider when giving chief fire officers operational independence? Please provide the reasons for your opinions.

The key factors are to ensure robust overview and scrutiny arrangements (including internal and external auditing and dispute resolution arrangements) are in place. This should be enshrined in the authority's constitution and there should be clear financial delegation arrangements in place.

Q44: What factors should we consider should we make chief fire officers corporations sole?

Legal implications and public liability insurance needs clarifying as does the differentiation between strategic and operational responsibilities. Ex-post facto accountabilities in the event of public inquiries, coroner investigations and other potential liabilities require clarity as between the responsibilities of the authority and the service (most notably financial provision and budgets). An alternative would be to consider designating the post as the 'Head of Paid Service' which is the statutory post usually held by chief executives in local authorities. Logically the 'Section 151' officer role should be held by the Director/Head of Finance and the Monitoring Officer role should be held by the senior officer responsible for Overview and Scrutiny.

Q45: To what extent do you agree or disagree that the responsibility for strategic and operational planning should be better distinguished?

We agree that the responsibility for strategic and operational planning should be better distinguished as suggested in the consultation. There is however also a need to clarify these distinctions in the light of Civil Contingency planning arrangements.

Q46: To what extent do you agree or disagree that the strategic plan should be the responsibility of the fire and rescue authority?

We agree that the strategic plan should be co-produced between the authority and the Chief Fire Officer, but the ultimate responsibility should lie with the fire and rescue authority. We believe that there is an urgent need to put in place robust internal and external scrutiny and accountability arrangements, including arrangements for external inspection and public disclosure of both the authority and the service. All of these are currently inadequate.

Q47: To what extent do you agree or disagree that the operational plan should be the responsibility of the chief fire officer?

Strongly agree

Q48: Please provide the reasons for your response.

To improve accountability and transparency to the public, ownership by the service and greater assurance to all key stakeholders including category I responders to emergencies.

Omissions

In our view there are a number of key issues affecting Fire and Rescue Services that the Reform White Paper does not address but could and should have been addressed. In some cases, this might

involve merely clarifying the government's current position, although in other cases the issues are more fundamental.

These issues generally fall into three areas namely, inadequacies in the current external inspection regime, the current and future funding arrangements for the services and the need to revisit the Building Regulations and the enforcement regime following recent events and experience

There is no mention in the white paper about possible changes or potential improvements to the external inspection regime as currently operated by HMICFRS or its relationship to the police inspection arrangements or the HMICFRS 's relationship to the Home Office. We have commented above about the over-emphasis and reliance of using police experience (see responses to Questions 9 and 16) to justify or assert the need for proposed reforms to Fire and Rescue Services, and this applies to HMICFRS policy and practice as well as to the current Home Office white paper.

For example, after 4 years of operation the inspection regime still undertakes what are essentially operational 'service' inspections and has no proposals to inspect the performance of the corporate governance arrangements and/or the strategic or financial functions of the various fire and rescue authorities. Similarly, there has been no proposals to inspect, assess or undertake thematic reviews (other than the response to Covid-19) since HMICFRS was established. This is despite the sectors (and individual services performance) on issues such as equality, diversity and inclusion which for a number of years have been continually acknowledged as a long-term and widespread issue within the sector.

There is also relatively little focus in the white paper on the fundamental need to improve and support the Integrated Risk Management Planning process or to redirect greater investment into protection and prevention services. This has been despite successive governments policy for many years to strengthen IRSPMs and give greater priority to both prevention and protection services. The protection of the more vulnerable within communities clearly requires greater attention, as inequalities and hence risks to these individuals and groups are clearly increasing. In practise there has been no progress on the implementation of either of these oft repeated policy objectives (strengthening IRSPMs and greater priority and investment to prevention and protection services) as has recently been demonstrated and articulated in recent HMICFRS Inspection reports.

As we point out in response to question 12 (relating to improvements in data) fire safety policy needs to be addressed much more holistically, consistently, and coherently across government than it is at the moment. There needs to be far better alignment of government policy on issues like sustainability and resilience, in the built environment which are multi-departmental issues, and which involve core parts of the FRS role. The white paper is noticeably silent on fire policy continuity and integration as aspects of reform and appears unduly focussed on managing workforce and political governance rather than how to improve the delivery of services to the public.

Finally, although it is referred to tangentially in our response to Questions 29 and 38 above, there is inadequate attention given to the future regime for the funding of Fire and Rescue Services either nationally or locally. This is despite successive governments long-term commitment to creating and implementing the 'Fair Funding Review' for local government financing and the repeated government acknowledgements of the need for multiple-year Local Government Finance Settlements based upon a revised funding formula for central financial support. Similarly, there is no mention of any proposals or implications for the adoption of changes to the Local Public Audit regime resulting from the Redmond Review and NAO changes to the Code of Audit Practice despite these needing to apply to the Fire and Rescue Services.

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Yours sincerely

Pete

Professor Peter Murphy
Director of the Joint Universities' Research Group
Head of Research
Nottingham Business School
Nottingham Trent University
Peter.murphy@ntu.ac.uk
Tel [REDACTED]