

ESFRA Response

Reforming our Fire & Rescue Service White Paper - Consultation Questions:

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

The key point regards flexibility and to some extent FRSs already have this under their IRMPs which are based on local risk. Additionally, FRSs have duties under the Civil Contingencies Act and are key members of Local Resilience Forums. However, it is critical that there is consistency and clarity to ensure effective funding, independent inspection and the opportunity to benchmark. There are also concerns regarding future risks emerging from Climate Change – for example there is no statutory requirement for FRSs to respond to Flooding and the numbers of wildfires are increasing.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

FRSs already provide an active role in this area we are rightly proud of our record in ESFRS on prevention work. However, there needs to be greater clarity as very few FRS benefit from direct funding for this work. So the specifics and definition of what is meant by “an active role” should be clearer. Obviously in a national health emergency, such as a pandemic, the FRS already play a role through the Local Resilience Forums. FRS all contribute to reduction in alcohol harm & smoking cessation through Home Safety Visits. The sweeping and unfair description of ‘unduly neglected protection and prevention work’ is both untrue in our case, and unhelpful in encouraging further improvement.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

This service has a specific Business Continuity plan for industrial action with a degradation plan. It is accepted that without additional funding, enactment of this plan this would result in some degradation of our current levels of service and attendance times.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

Q5: Please provide the reasons for your response.

The National Joint Committee in its current form means only LGA members and the trade unions are in the room for pay negotiations. A comprehensive review of the arrangements with the alternative options set out would be helpful and provide greater transparency in order to form a view.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

Q7: Please provide the reasons for your response.

Consistency would be helpful, but care must be taken when setting entry requirements to ensure inclusivity. Professional advice from education professionals for the fulfilment of national role maps would be helpful. For the avoidance of doubt, we feel that “degree entry” would be inappropriate for Firefighters. There is evidence that it has not served Policing well since its introduction for PCs. It is essential that even if a minimum entry requirement is introduced there should still be some local flexibility with regards to qualifications and skills requirements rather than it be rigid.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

Not enough information has been provided for an opinion on this, therefore it would appear to be a premature proposal. We understand NFCC are introducing direct entry schemes in 2023 and believe those should be evaluated first.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

Q10: Please provide reasons for your response.

A broad variety of pathways and development will be required dependant on the previous experience of leaders to ensure efficiency. Leadership development should be available to all operational and support staff, whatever area/entry level/ rank people are at.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

Not enough information – it depends on what the programme was, what experience candidates have, how much it would cost and who would pay?

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.

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

Central to this there needs to be an annual evaluation of data collection methods and choice of data collected. Where data is (badly) structured without the opportunity for appropriate analysis, it can become a pointless exercise. Who would oversee and host the repository and the data choices?

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.

Good benchmarking is required both cross sector and inter sector – we should be able to compare data across the country, with devolved administrations to spot trends and also seek open data for collaboration with key partners.

Research is fundamental to ensure maturity and future development of data development.

Q14: To what extent do you agree/disagree that each of the activities outlined above are high priorities for improving the use and quality of fire evidence and research?

- Collaborating

- Commissioning
- Conducting
- Collating

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
X				

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.

Accessible information and comparative data are necessary when working in collaboration. Continuing to work with university research groups in a timely way to ensure useful research is brought into practical use in a timely way. This should consider how fire and rescue service activity is contributing to wider achievements.

Practical and national research hubs that are correctly resourced are vital to ensure research is also accessible beyond the immediate or commissioning group and to avoid valuable evidence and research failing to be fed into (compared, collated and evaluated) wider knowledge groups. Collaboration with other organisations on certain subjects, such as on climate change and biodiversity research should also be done to address practical mitigation/adaptation and the process for implementation, e.g. Centre for Alternative Technology.

Tapping into other sector and international research – particularly with the future direction of climate change impacts is important.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

Preference would be to ensure that the current NFCC Code of Ethics is adhered to rather than to make it statutory, which seems heavy handed. Keep it to a professional code.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
			X	

There are other ways of embedding ethical values rather than making it statutory and a huge amount of work has been done in our service on the Leadership and Behavioural Framework to clarify expectations. Why would it being statutory be

more effective? The key to dealing with breaches of ethics is ensuring a robust disciplinary policy and procedures are in place.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
			X	

We do not believe it should be a statutory code

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
			X	

It is the job of a CFO to ensure that the relevant disciplinary policy and procedures are upheld within the service – we disagree with this being statutory code.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

Q21: Please give the reasons for your response.

There is little evidence that swearing an oath results in a reduction in unacceptable performance and behaviour. If there is to be an oath, we believe it should take the form of an oath of service to the Public and the community served rather than to the Crown (Fire is not a crown service like the Police). In this context it would be more appropriate to be a professional oath rather than contractual. It is possible that it may encourage pride in service. We considered a parallel to the Hippocratic Oath taken by doctors to be more fitting to the FRSs which is more of a humanitarian service sector.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

It would depend on the content of the oath and full consultation with all stakeholders. Applying it retrospectively may present issues, as staff are already employed.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
			X	

An oath would be too high level to be used as a disciplinary tool – Code of Ethics and conduct and disciplinary policies are more appropriate to be used for this purpose.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
X				

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

The framing of this appears to be based on a presumption that there is a lack of professionalism within the majority of the sector. We do not agree. Efficiency and alternative funding is a priority for the sector (if that is included under the banner of Leadership, that is fine). Cross Sector support for the new professional coaching and mentoring framework as part of Leadership development is welcomed.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

Q28: Please provide your reasons for your response

We would require further clarity on the role of current FS college v. a new 'independent' one. It could be a tool to encourage wider diversity within the profession. Clarity is needed on the definition of 'independent' – will it be industry led/government led/ or a private company? Needs to be collegiate and collaborative. It is a potential risk. Where will the cost of the college fall? The suggestion seems to be that the College would have potentially no cost but it is difficult to see how this would work, cost free, in practice.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				X

Q30: What factors should be considered when transferring fire governance to a directly elected individual?

Please provide the reasons for your response.

This would create a democratic deficit and lack of cross-party buy-in. The FRS is well trusted by the public and in part that is because the FRA are representative of our varied local communities. Local councillors know their local communities well and this could not be replicated by a single elected individual. If the current Governance model is working and the service performance is good, then why would it be changed, there are other priorities.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				X

See comments to Q30

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?

Yes	No
	X

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

Why the white paper suggests the removal of Combined Fire Authorities is not clear or evidenced, nor is it reflected in performance and the findings of the HMICFRS.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

Q36: Please provide the reasons for your response.

Strengthening does not necessarily mean changing, if the Home Office wished to see elected Executive models, then that could be designed in a revision of Combined Fire Authority Constitutions.

Irrespective of any changes to governance, clarifying the legal basis for the Fire & Rescue Service would be helpful in terms of standardising and codifying the statutory framework – by way of example, CFAs do not benefit from the general power of competence under the Localism Act, whereas County Fire Services do. Also there is no clear statutory power for most Combined Fire Authorities to dispose of land, as the standard land disposal power available to local authorities in section 123 Local Government Act 1972 does not apply to CFAs. However, it is noted that the Hampshire and Isle of Wight Fire and Rescue Authority (Combination Scheme) Order 2020 incorporates that provision.

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

In the case of Combined Fire Authority, it seems inappropriate to be proposing the removal of a model that is already high achieving. For the benefit of efficiency it is not the coterminosity of the “county” boundary that is key but the coterminous delivery of Service provision in order to deliver efficiency and effectiveness. There is no issue geographically within Sussex in terms of coterminosity of boundaries – what the actual issue is relates to the fact that the two FRS within the wider area are under two different, but well-functioning models

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?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
X				

Q39: Please provide the reasons for your response.

Important to ensure money for fire and rescue is not diverted to other services. A minimum three-year funding settlement is also required to allow for planning and stability rather than one off grants.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		X		

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

There is joint accountability for many of these listed responsibilities. Clear accountability is key. Setting Response standards should be an operational matter in our view.

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

Q43: What factors should we consider when giving chief fire officers operational independence?

Please provide the reasons for your opinions.

Operational decisions made by the CFO must not conflict with Budget or strategy including responsiveness to the climate crisis. Good governance requires that the CFO ensures that the political leadership of the service is kept well informed in order to ensure transparency and democratic accountability.

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

More research is needed on this and more information to understand the implications for Fire. We would wish to see specifics of how Corporation Sole work in other organisations/ sectors.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
	X			

Need to understand better the remit of the proposed “Executive leadership” – need to know where they overlap/integrate e.g. CRMP is both strategy and operational delivery, so it would seem to be a joint responsibility.

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
X				

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

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
X				

Q48: Please provide the reasons for your response.

Noting that there are strategic elements of the delivery of Operations and its not as clear cut as simply presented in this paper
--

END