report

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REPORT OF THE CHAIRMAN AND CHIEF FIRE OFFICER

GOVERNMENT WHITE PAPER – "OUR FIRE AND RESCUE SERVICE"

1   PURPOSE OF THE REPORT

1.1   To inform Members of the key issues contained within the White Paper "Our Fire and Rescue Service", presented to Parliament on 2 July 2003, and to identify some potential issues for the Authority arising from it.

2   BACKGROUND

2.1   Members will recall that, as a consequence of the industrial dispute between the National Employers and the Fire Brigades Union, the Deputy Prime Minister appointed an independent review body to conduct an inquiry into the Fire Service. That review team, chaired by Sir George Bain published its report *"The Future of the Fire Service: reducing risk, saving lives"* in December 2002. The detail contained within that report was reported to the Fire Authority in January 2003.

2.2   Within that Review document, Sir George Bain looked to Government to give a commitment to implementing reform by recommending changes to primary legislation through a new Fire Services Act and to the delivery of a White Paper. Changes to Section 19 of the Fire Services Act have already been introduced and the legislative reform through Regulatory the Reform Order is on track. The Government has now published its White Paper and is committed to introducing new legislation to bring about the most significant reform of the Service since 1947 in the next session of Parliament. Copies of the White Paper have been distributed to Members, with a summary leaflet produced by the Office of the Deputy Prime Minister, issued to all personnel.

3   THE WHITE PAPER

3.1   There have been a number of reviews into the Fire Service, most notably those produced in recent years by the Audit Commission. It has to be said that this is the first time a review of the Fire Service has been followed by the publication of a White Paper, a vision for the Service produced by Government.

3.2   Whilst the Government recognises the valuable role of the Fire Service it is committed to public sector reform and the improvement of public services. It is also moving to improve civil protection by the introduction of the Civil Contingencies Bill (reported to Members elsewhere on this agenda). There is a clear role for the Fire Service in the front line response to natural and man made disasters and the need to place it on a statutory footing. That wider role is formally recognised by renaming the Service the 'Fire and Rescue Service'.

3.3   Underpinning the Government's vision, there are six themes for reform within the White Paper:

- Protecting people
- National, Regional and Local responsibilities
- Institutions
- Management
- Working in the Service
- The future

3.4   In summary, the vision for the Fire Service is one that focuses on prevention rather than cure, working with communities and other agencies at all levels to contribute to the building of safer, stronger communities. It also sees the Service supporting the Government's agenda for social inclusion, neighbourhood renewal and crime reduction.

3.5   In order to achieve this, there is intent to increase operating flexibility, devolve responsibility to the front line and improve personnel systems. New standards for service delivery and inspection regimes are intended to ensure reform and deliver better value for money.

PROTECTING PEOPLE

3.6   There is recognition within the White Paper that the role for the Service has widened since 1947, in both volume and range of service provision. Recognition is also given to the fact that there is public expectation that the Service will respond to an extensive list of emergencies and rescues, including those from water. The New Dimension of terrorist threat and increasing likelihood of major natural disaster feature in that increased expectation. Initial centrally procured resources and funding have already been provided to meet the mass decontamination response to the threat posed by terrorism.

3.7   Having said that, it is also stated in the White Paper that the resources of the Service are not currently best placed to deal with the prevention of loss of life and injury from fire, with an identified over-provision in cities and under-provision in urban areas, reflecting the existing building-based fire cover provision. Whilst the number of fire deaths has decreased in the last 25 years, the number of injuries has increased, suggesting that fire prevention work is still not having the degree of impact it should be having for the resources employed.

3.8   Evidence shows that fire discriminates, targeting those in the poorest communities who are 30 times more likely to be the victims of arson and 15 times more likely to die in fire. Work aimed at reducing the risk faced in those communities will also contribute to the Department of Health's targets to reduce health inequalities. There is a real need to target community safety measures and resources on those communities in areas of greatest risk; working to reduce the likelihood and impact of fire, based on a risk management approach. That work is already in progress as a result of the publication of Fire Service Circular 7/2003.

3.9 It is identified that firefighters can be central to the role of engaging with communities either through outreach programmes or by the development of 'community fire stations', equipped with meeting, recreational and other public access facilities. The White Paper is clear that it does not see the required reduction in fire deaths and injuries being achieved through operational means.

3.10 In support of the renewed drive to secure public safety from fire, the government is preparing to invest millions in centrally run community fire safety and arson reduction programmes, review the Building Regulations, and introduce legislation to make community safety a statutory function and tidy up existing legislation anomalies. Home risk assessments (currently being introduced into Nottinghamshire) are seen as central to the future approach to domestic incident reduction strategies.

3.11 There is an explicit expectation within the White Paper and in FSC 7/2003 that co-responder schemes will be developed and introduced widely throughout the Fire Service.

NATIONAL, REGIONAL AND LOCAL RESPONSIBILITIES

3.12 The Government has recognised that there is a need to review the governance and management of the Fire Service, identifying centralism as a block to innovation and change. It does, however, go on to recommend a new national framework to deal in a co-ordinated way with standards, inspection, research and development, pay and some major procurement opportunities to secure economies of scale.

3.13 It is looking to develop a regional approach, either by improved collaborative arrangements, or by extending the use of combining arrangements in the Fire Services Act. It has suggested that the central/regional approach to the delivery of mass decontamination provision and the urban search and rescue to follow are as a result of identified shortcomings in individual Authority's abilities to deliver. Joint Control rooms are cited as an example.

3.14 It has stated that, should regional assemblies be established, it will transfer responsibility from existing fire authorities to the new regional bodies. In the intervening period, within the White Paper, the Government has placed an expectation on fire authorities to establish "robust regional management arrangements" before April 2004. Members will be aware that there already exists a forum comprised of Chairs of Fire Authorities and Chief Fire Officers from the five East Midlands counties. There is the potential to develop that arrangement to meet the Government's expectations.

3.15 According to the White Paper, the case for moving towards regional-scale control rooms is made. It sees that arrangement as a pre-cursor to shared control rooms with other emergency services.

3.16 Human resources, fire investigation, health and safety, and training are further examples of 'common service' areas that are identified in the White Paper as requiring a regional approach to their future delivery. It is argued that savings from reduced bureaucracy will be made as a result of regionalisation.

INSTITUTIONAL REFORM

3.17   It is argued that the recent industrial dispute has identified weaknesses in the existing structural and advisory arrangements for the Fire Service. The CFBAC and the NJC are referenced as being examples of institutions that require reform. There is a proposal to establish new bodies to advise the Government on strategic and operational issues:

Professional Standards – led by personnel from both the Inspectorate and the Fire Service College. The College will be given the responsibility for the development and introduction of new management and personnel systems (based on IPDS).

Practitioners' Forum – will be led by CACFOA and will deal with policy development.

Quality Assurance – will be the responsibility of the Audit commission supported by the new Service Improvement Teams.

Business and Community Forum – to engage Fire Service stakeholders to look at wider fire and general safety interests.

3.18   In addition to the above, the Deputy Prime Minister will convene an ad-hoc group from the Fire Service and outside interests to advise on strategic issues.

IMPROVING PERFORMANCE

3.19   Comprehensive Performance Assessment (CPA) and Best Value are seen as key features of the Government's drive to improve the Fire Service as part of its wider vision for the public sector. It will look to develop a national framework for assessment and quality control. Where appropriate, national standards will be introduced to ensure constancy of delivery, particularly in the areas of CBRN, training and development, and procurement. High performing authorities will be given increased freedom and flexibility to manage. Equally, however, there will be arrangements put in place to deal with failing authorities.

3.20   New performance indicators will be developed to better suit the new expectations being placed on fire authorities and give the public more information on how their Service is being delivered. The level of inspection in the future will reflect the performance of individual fire authorities.

3.21   The Government is looking for improvements in leadership and management from the Authority level down to the lowest levels of Fire Service management. It is looking to introduce multi-tier entry to open up posts to those outside the Service with appropriate skills to move the Service forward.

MANAGEMENT

3.22   There is discussion within the White Paper of the need to review the relationship between fire authorities and their senior managers. It is suggested that the Fire Authority will set policy and be accountable for the overall direction of the Service. It is further suggested that the senior managers must have managerial independence to deliver the service according to those policies. Members will be required to undertake training in risk assessment and management in support of the 'new' role. As stated in the previous section, working up through the Service from firefighters to senior officers will not be the only route through the uniformed management of the Service.

3.23 The industrial dispute has, according to the White Paper, identified weaknesses in the operation of the NJC. The Government intends to reform the arrangements for negotiation by creating three separate bodies: Chief Fire Officers, Middle (uniformed) Management, and firefighters and Control Staff. Non-uniformed staff will be represented as now. It is intended to include the Retained Firefighters Union and the Fire Officers Association in those new arrangements. The Government has stated in the White Paper that it has no intention to remove the right to strike from firefighters at this stage but it will keep the position under review.

WORKING IN THE SERVICE

3.24 In its research for the White Paper, the Government identified some poor statistics for the Fire Service in terms of its employment history:

- In 2002 women accounted for only 1.74% of the operational workforce.

- In that same year minority staff accounted for only 1.8% of the total workforce.

- Only 2% of the Fire Service is graduates compared with 25% in the police.

3.25 The shift system is identified as being partly to blame as well as operationally inefficient. Watch culture is identified as being rigid and closed. Opportunities to vary the existing working patterns are presented in the White Paper where these are identified as satisfying organisational need.

3.26 Bullying and harassment are still viewed as being widely reported and intolerable. The Government has stated that it will "end bullying and harassment".

3.27 The Discipline Regulations and the Appointment & Promotion Regulations are considered anachronistic and outdated. It is intended to abolish the existing Discipline Regulations and replace them with regulations based on ACAS best practice guidance. New job-related medical standards will be introduced for all uniformed personnel.

3.28 The Grey Book will be revised to provide a clear framework with less detailed terms and conditions than at present. This it is argued will allow greater local flexibility. The disputes machinery will be reformed along the lines of ACAS guidance with the intention of removing the arrangement whereby one party can act unilaterally to invoke the procedure. In future both sides must agree before the procedure is invoked.

3.29 The valuable contribution of the retained service is recognised in the White Paper. So too are the difficulties associated with recruitment in certain areas. A number of arrangements are considered to assist fire authorities to overcome this situation including:

- Alternative pay arrangement linked to wholetime pay
- The introduction of an appropriate pension scheme
- Providing a harmonised training platform
- Opportunities for development and promotion
- Securing a variety of working patterns

3.30 The Integrated Personal Development System (IPDS) is seen as a major building block for the future success of the Service and those operating within it. It will provide a mechanism to clearly identify roles within the Service and the skills required to safely and effectively work within them. It will link the individual development needs to those of the organisation. There will be opportunities to identify clear standards and mechanisms for securing competence. IPDS will apply to all personnel regardless of whether or not they wear a uniform of work full or part time.

THE FUTURE

3.31 The Government intends to take a twin-track approach to moving those reform onward – those aspects that require legislative change and those that don't will be advanced separately. The new Service Improvement Teams will play a pivotal role in the establishment and implementation of IRMPs and the means to deliver this agenda.

3.32 The new institutional bodies will be created and the Audit Commission will set up the CPA framework for the Fire Service. The Government will work with the LGA to introduce the tasks for the Regional Management Boards. Proposals for the pensions scheme will be introduced. Discipline Regulations will be abolished and the Appointment & Promotions Regulations amended.

3.33 The new Service Improvement Teams will be responsible for monitoring the delivery of key aspects of the White Paper and for ensuring that the programme of reform meets the Government's expectations.

IMPLICATIONS FOR THE FIRE AUTHORITY AND NOTTINGHMAHSIRE FIRE AND RESCUE SERVICE

3.34 It is pleasing to report that many of the visionary aspects of the White Paper are in keeping with the vision and stated objectives of the Fire Authority, and contained within its existing and draft strategies. The transition from reaction to prevention, fire prevention methodologies and policies based on risk assessment rather than prescription, are examples of such work. The introduction of the Equalities and Fairness ad-hoc committee and the Improvement & Development Board are further examples of the recognition for change to achieve the targets and expectations placed upon the Service.

3.35 The introduction of District team-based working pre-dates the White Paper's identification of the need to bring stations and their communities closer together and to focus on local safety issues. Devolved responsibility and accountability through the introduction of District Plans is another good example of the change process being applied locally.

3.36 There are examples of successful regional collaboration and a successful approach to the regional implementation of mass decontamination, with officers from this region and in particular Nottinghamshire taking a lead role in the national roll-out of CBRN measures and equipment.

3.37 It would be easy, however, to ignore the fact that there is still much to be done to deliver the Fire Authority's vision, to deliver its targets and to address the issues raised in both the Independent Review and the White Paper. There is still much to be done to identify the detail underpinning the White Paper and reliance upon the ODPM to provide the timetable, process and detailed guidance to deliver many key aspects. The relationship between the work being carried out to deliver the recent pay agreement and the White Paper is also in need of clarification, as there appears to be some confusion both locally and

nationally about which aspects of the reform agenda are immediately implementable.

3.38 What is clear is that there is a major agenda for change ahead of the Service with greater responsibility and accountability on the Authority and Chief Fire Officer. There is a clear need to identify how the Authority and Service will change and to identify that clearly to both the public and employees alike. The work being undertaken to deliver the IRMPs and to implement IDPS will do much to secure major components of the future of the Fire Service locally.

3.39 Work is also underway to introduce the White Paper to local stakeholders, with meetings ongoing between Local Authority Chief Executives, Police, Health and other agency Chief Officers, and the Chief Fire Officer and other senior officers of the Service. Those meetings are intended to identify the proposed new role for the Service and the potential for greater local involvement in safety and social inclusion issues.

3.40 The Fire Authority will need regular involvement in the development of both the future direction of the Service and the key strategic policies required to deliver it.

3.41 This report is not intended to be exhaustive, nor could it be. It does identify the major aspects contained within the White Paper. There will be a need to consider where gaps exist between existing strategies and policies and the White Paper, and to report accordingly. It must not be forgotten that work arising as a result of the White Paper is in addition to work already impacting on the Service such as IRMPs, Precepting and the Prudential Code. This is in addition to the day-to-day management of the Service.

4   FINANCIAL IMPLICATIONS

4.1 There are clearly financial implications as a result of the publication of the White Paper. Some aspects of those have been addressed through budgetary provision e.g. initial aspects of IRMP and IPDS development. Further financial implications will be identified as the work progresses on those and the Government produces guidance and detail on aspects of White Paper implementation. It is probable that the Authority will be required to consider re-aligning strategic priorities in the future to accommodate this without securing additional funding unless the Government provides transitional funding.

4.2 It is widely documented that the Government expects reform and the pay agreement to be funded from efficiency saving delivered by the reform programme. It is not clear how or where those will be achieved.

5   PERSONNEL IMPLICATIONS

5.1 There are a number of personnel implications arising from this report. Changes to regulations involving discipline, and appointments and promotions, medical standards, IPDS and changes to the retained are but a few examples. As details of the personnel implications emerge, as the work progresses, these will be identified to the Authority as appropriate.

6.2 Failure to secure the requirements of the Government, in terms of their reform agenda, could have a direct impact on both Members and Officers when inspected within the proposed performance regime.

6   EQUAL OPPORTUNITIES IMPLICATIONS

6.1   The White Paper is intended to reform the Service in such a way that greater equality of opportunity is achieved both at initial entry and through the promotions system. There are also opportunities to address the imbalance that currently exists between the wholetime and retained elements of the Service.

7   RISK MANAGEMENT IMPLICATIONS

7.1   There are risk management implications contained within this report but without the degree of detail that is necessary to meet the needs of the Authority at present. Clearly, the approach to service delivery identified in the White paper is based on risk assessment and will be the subject of public and other stakeholder scrutiny when produced.

8   RECOMMENDATIONS

8.1   That Members consider the implications contained within this report and the White Paper itself, and discuss the implications.

8.2   To task the Chief Fire Officer with producing a detailed report on the White paper and other major issues, to be discussed at the next or an extra meeting of the Authority.

9   BACKGROUND PAPERS FOR INSPECTION

None

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CHAIRMAN OF THE FIRE AUTHORITY   **CHIEF FIRE OFFICER**