



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

HMICFRS STANDARDS OF BEHAVIOUR REPORT

Report of the Chief Fire Officer

Date: 20 September 2024

Purpose of Report:

To inform Members of the recent publication by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services of the Standards of Behaviour report and outline the steps being taken by the Service to address the recommendations.

Recommendations:

It is recommended that Members:

- Note the contents of the report.
- Agree to receive further updates via the Human Resources Committee.

CONTACT OFFICER

Name: Michael Sharman
Assistant Chief Fire Officer

Tel: 0115 8388100

Email: michael.sharman@notts-fire.gov.uk

Media Enquiries Contact: Corporate Communications
0115 8388100 corporatecomms@notts-fire.gov.uk

1. BACKGROUND

- 1.1 Following reports of misconduct, and the findings of the Independent Cultural Review of London Fire Brigade, the Minister of State for Crime, Policing and Fire commissioned His Majesty's Inspectorate of Constabularies and Fire & Rescue Services (HMICFRS) to publish a spotlight report into the values and culture of fire and rescue services (FRSs). This report, containing 35 recommendations for improvement, was published in March 2023. A paper outlining the report was presented to Human Resources Committee in April 2023. A further update report, detailing progress made against the recommendations, was presented to the Human Resources Committee in April 2024. A brief update on this can be found at Paragraph 2.18 of this report.
- 1.2 Building on some of the findings of the spotlight report, between October 2023 and January 2024, HMICFRS carried out further research into the handling of misconduct in FRSs. Data and staff surveys from 44 FRSs were analysed, along with 10 thematic onsite inspections. Nottinghamshire Fire and Rescue Service (NFRS) was not one of the 10 FRSs inspected.
- 1.3 On 1 August 2024, HMICFRS released a further report titled, "Standards of Behaviour - The Handling of Misconduct in the Fire and Rescue Service". The full report can be found [here](#). The purpose of this report is to provide Members with an overview of this report and provide assurance on next steps.

2. REPORT

MISCONDUCT REPORT – SUMMARY OF FINDINGS

- 2.1 Some of the key findings within the HMICFRS Standards of Behaviour report include:
 - Improvement is happening but unacceptable behaviours remain – the report states HMICFRS is “pleased to see the beginning of improvements”. With awareness of the Core Code of Ethics (CCoE) being raised, “but pockets of unacceptable behaviour remain, and future progress is needed, particularly in parts of the misconduct process”.
 - Staff are experiencing misconduct – 10% of the FRSs workforce responded to staff surveys as part of the thematic inspection on standards of behaviour. Of these, 41% had witnessed misconduct in the previous 12 months and 34% had experienced misconduct in the same period.
 - Watch culture – the impacts of “negative watch cultures”, are noted within the report stating that although attitudes and behaviours are showing signs of improvement, these changes are too slow, built on poor foundations, and are not being made consistently across England.

- A lack of confidence in the processes for raising concerns – the report identifies that while staff felt the process for raising concerns was clear, there was some confusion about different reporting mechanisms. The report also highlights a perception by respondents that issues raised, “wouldn't be treated confidentially or impartially,” emphasising that such perceptions are a serious problem.
 - Inadequate training for those undertaking investigations – the report identifies “the inadequacy of training” as the most common and significant root cause of issues related to misconduct investigations. This shortfall is also evident among those who hear appeals, as they “rarely had training to do so” and overly relied on human resources support.
 - Scrutiny of misconduct cases is ineffective – the report found limited evidence of oversight and scrutiny in misconduct cases across most of the inspected FRSs. The report indicates the need for better organisational learning and the development of practical solutions at a service level.
- 2.2 HMI Roy Wilsher stated “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.”
- 2.3 The report presents 15 recommendations to improve the sector. The recommendations are broken down into the areas of:
- The culture in fire and rescue services;
 - The extent to which services are identifying misconduct;
 - The effectiveness of misconduct processes;
 - Understanding misconduct and sharing lessons learned.
- 2.4 Each recommendation has a timeframe allocated to it by which HMICFRS state that they expect to see implementation. One of the recommendations is for immediate implementation, while the others are spread over a timeframe of 12 months.
- 2.5 The specifics of each of the 15 recommendations can be reviewed in Appendix A of this report.
- 2.6 The Service is reviewing each of the recommendations and is in the process of undertaking a gap analysis to define the actions required to complete the recommendations. An action plan will then be produced.
- 2.7 Scrutiny of the delivery of this action plan will be through the Community Risk Management Plan (CRMP) Assurance Board which is chaired by the Chief Fire Officer.
- 2.8 For further scrutiny, it is recommended that Members agree to receive periodic updates, via the Human Resources Committee, to assure themselves that the necessary progress is being made.

LOCAL CONTEXT

- 2.9 The Standards of Behaviour report does not make for positive reading for the sector. NFRS recognises the effect that this could have on local trust and confidence in the Service.
- 2.10 The Service's 2024 staff survey saw improvements in response rate (68% from 63%) and overall satisfaction/engagement (72% from 68%), compared to the last staff survey in 2022. Participants in the survey report good working relationships in teams, including those with their line managers. With 82.3% agreeing or strongly agreeing that they feel included and welcomed at work.
- 2.11 Whilst the Service is rightfully proud of these results, there is no room for complacency and work continues to further improve workplace culture and ensure that everyone has a workplace where they are treated with dignity and respect and feel safe.
- 2.12 Members will be aware that the Service had an Independent Review of Equality, Diversity and Inclusion undertaken in 2021 which presented recommendations, and a resulting 12-point action plan. A revisit and associated progress report was issued in October 2023 that showed improvements across a range of areas.
- 2.13 This work has complemented the Service's approach to embedding the Core Code of Ethics (CCoE) which has been progressed since their publication in 2021, alongside the Service's values, which have been central to the Service's approach since 2015. The Service's own Behavioural Framework was updated in 2020 to incorporate the CCoE.
- 2.14 Similarly, the Service has used the publication of the Independent Cultural Review of London Fire Brigade as an opportunity to reflect on current focus and activity within the Service and learn lessons from the recommendations within that report. A report was presented to the Fire Authority on 13 January 2023 setting out the findings and reflecting on the lessons that could be learned from the review.
- 2.15 In addition to the immediate actions required to respond to the recommendations of the report, being an inclusive organisation and having a positive workplace culture is a priority within the CRMP and strategy development for period 2025-28.
- 2.16 This approach will see assurance against the delivery of the HMICFRS recommendations, but also oversee the delivery of the Service's commitment to embed an inclusive culture which is set out in the Service's CRMP (Goals 4 and 5).

HMICFRS SPOTLIGHT REPORT UPDATE

- 2.17 Further to the information provided for Members of the Human Resources Committee in April 2024, a brief update on progress against the recommendations in the HMICFRS spotlight report is provided below.
- 2.18 35 recommendations were made in March 2023, 20 of which were delegated to Chief Fire Officers. Whilst some of the timescales have lapsed on these recommendations, 16 have been completed, with work underway on the remaining four recommendations.
- Recommendation 9 – Disclosure and Barring Service (DBS) Checks – the DBS policy has been fully reviewed and amended in line with the change to regulation. This recommendation should be fully compliant by end of September 2024.
 - Recommendation 20 – Implement the Fire Service Standards ‘Leading and Developing People’ and ‘Leading the Service’ – the Service currently has evidence of progress against these Fire Standards and provides assurance updates to the Strategic Leadership Team.
 - Recommendation 22 – 360 Feedback for All Managers – this method of feedback has been available for all middle and senior leaders for over seven years now; the Service is currently looking at ways to implement this for all supervisory managers with a review of current provision taking place by March 2025.
 - Recommendation 24 - Watch and Team Cultures – the Service currently reviews and monitors staff feedback through a variety of sources. The Service is also developing and seeking to implement a ‘cultural dashboard’, with a view to this launching by June 2025 at the latest.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are a range of human resources implications associated with the recommendations within the report, which aims to enhance employee experience and workplace culture, particularly for staff from under-represented groups. These will be identified through the gap analysis and delivered through the action plan.

5. EQUALITIES AND ETHICAL IMPLICATIONS

- 5.1 An equality impact assessment (EIA) has not been undertaken because this is not a new or changed policy, function, service or project. EIA's will be completed where appropriate for individual workstreams.
- 5.2 The nature of this report and the work it has recommended has helped the Service to continue its journey to embed the National Core Code of Ethics and promote an inclusive workplace and Service.

6. ENVIRONMENTAL AND SUSTAINABILITY IMPLICATIONS

There are no environmental or sustainability implications arising from this report.

7. LEGAL IMPLICATIONS

There are no legal implications arising from this report.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 Negative reporting of culture and values presents a risk to the Service, both from public and staff perception, trust and confidence.
- 8.2 Implementation of the recommendations helps to build a positive workplace culture, mitigating the risk of negative behaviours impacting on communities and staff.

9. COLLABORATION IMPLICATIONS

There are no collaboration implications arising from this report.

10. RECOMMENDATIONS

It is recommended that Members:

- 10.1 Note the contents of the report.
- 10.2 Agree to receive further updates via the Human Resources Committee.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Craig Parkin
CHIEF FIRE OFFICER

The Culture in Fire and Rescue Services		
Recommendation	Action Required	Timescale
1	By 1 February 2025, CFOs should, as a priority, make sure their staff are aware of, and follow the CCoE. Services should build the code into all relevant policies and practices.	01-Feb-25
2	By 1 February 2025, CFOs should make sure a policy for probationary staff is in place. This policy should make clear that Services can immediately dismiss probationers who fail to meet the required standards of behaviour set out in the CCoE fire standard.	01-Feb-25
3	<p>By 1 May 2025, CFOs should make sure their workforce plans allow staff to be moved from a wholetime watch to a different watch or station, within their contractual requirements, proactively and reactively as required.</p> <p>By 1 May 2025, CFOs should also make sure firefighters who are promoted are posted to a different watch or station, including when the promotion is temporary for two months or more. If this is not possible, CFO should show how the risks of reinforcing a negative culture have been addressed.</p>	01-May-25
The Extent to Which Services Are Identifying Misconduct		
4	By 1 February 2025, CFOs should make sure their Services create or have access to a dedicated professional standards function to oversee the investigation of concerns raised within a Service or from an external source. This should oversee cases to make sure they are investigated in a fair and transparent way, manage complex cases directly and act as a point of contact for all staff involved.	01-Feb-25

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Recommendation	Action Required	Timescale
5	<p>By 1 November 2024, CFOs should make sure all staff understand how to raise a concern and use grievance and whistle-blowing processes. CFOs should:</p> <ul style="list-style-type: none"> • Make sure staff know how Services will handle responses and maintain confidentiality and anonymity; and • Explain how staff can access Services' whistle-blowing capability and the difference between whistle-blowing and other processes for raising concerns. 	01-Nov-24
6	<p>By 1 February 2025, CFOs should make sure a programme of training is in place for all supervisors and managers on how to manage staff performance and welfare and how to raise an issue. It should be supported by relevant policies and procedures. Training should include:</p> <ul style="list-style-type: none"> • Staff welfare and absence management; • The process for managing individual staff performance, addressing poor performance and potential misconduct issues; • How to handle difficult conversations and resolve issues informally, if appropriate, when a concern is identified; and • Clarifying the role of human resources services in helping managers to deal with staff concerns and misconduct issues. <p>CFOs should make sure all managers and supervisors attend the training programme.</p>	01-Feb-25

Recommendation	Action Required	Timescale
The Effectiveness of Misconduct Processes		
7	<p>By 1 May 2025, CFOs should make sure the policies and processes for misconduct are consistent for all staff and are fairly applied within their respective conditions of employment.</p> <p>By 1 August 2025, the National Joint Council for Local Authority Fire and Rescue Services and the National Joint Council for Local Government Services, supported by the National Fire Chiefs Council, should make misconduct processes consistent for all staff irrespective of the terms and conditions of their employment.</p>	<p>01-May-25</p> <p>01-Aug-25</p>
8	<p>By 1 November 2024, CFOs should make sure all allegations of misconduct are handled in a consistent way and staff have confidence in misconduct processes. CFOs should carry out a full review of the processes, from initial identification of a misconduct issue through to the resolution or outcome. This should include a review of how services:</p> <ul style="list-style-type: none"> • Monitor and manage investigations; • Maintain accurate records; and • Adhere to required timescales. 	01-Nov-25
9	<p>By 1 August 2025, CFOs should introduce a case management system if they do not already have one. The case management system should allow data to be produced that will help them to better understand and oversee misconduct cases in their services.</p>	01-Aug-25
10	<p>By 1 May 2025, CFOs should make sure their Services have enough capacity to carry out their misconduct investigations. They should consider using external investigators or a similar independent resource to support the process if required</p>	01-May-25

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Recommendation	Action Required	Timescale
11	<p>By 1 May 2025, CFOs should review the training their Services provide for supervisors and managers who investigate misconduct issues at all levels. CFOs should make sure:</p> <ul style="list-style-type: none"> • All staff who carry out investigations receive adequate training to carry out the task; • A programme of refresher training and ongoing support is available so that staff can maintain a level of competence; and • It is clear how Services' human resources provision, staff associations and any trade union representative or fellow employee will support the investigation process. 	01-May-25
12	<p>With immediate effect, CFOs should make sure all staff are aware of the welfare support, including occupational health support, that is available to staff involved in misconduct processes. CFOs should encourage all staff involved in misconduct processes to access this support, whether they are an alleged perpetrator, complainant, witness, investigator or decision-maker.</p> <p>Welfare personnel should be independent of the investigation and have been appropriately trained for this role.</p>	Immediate
13	<p>By 1 November 2024, fire and rescue authorities and CFOs should consider varying the approach to hearing appeals so that appeals for complex or serious cases are heard by a panel rather than one person.</p> <p>By 1 February 2025, fire and rescue authorities and CFOs should make sure all Service managers and Members of fire and rescue authorities who hear appeals receive appropriate training.</p> <p>CFOs should make sure Services have a consistent approach to hearing appeals.</p>	<p>01-Nov-24</p> <p>01-Feb-25</p>

Recommendation	Action Required	Timescale
Understanding Misconduct and Sharing Lessons Learned		
14	<p>By 1 November 2025, CFOs should implement a process that makes sure they can oversee and scrutinise their Services' performance relating to misconduct issues. This process should provide:</p> <ul style="list-style-type: none"> • A strategic overview of performance and analysis of trends, including disproportionality; • Regular reporting of issues, outcomes and trends to the fire and rescue authority; and • Identification of learning outcomes and how they will be shared with fire and rescue service staff, to prevent repeat behaviours. 	01-Nov-25
15	<p>By 1 February 2025, CFOs should put in place a process for sharing learning from misconduct cases that have been resolved while preserving the confidentiality of all parties involved. Any learning should feed into the national system, when established.</p> <p>By 1 May 2025, the National Fire Chiefs Council should establish a system for sharing learning from more serious cases of misconduct with fire and rescue service staff. The information shared should preserve the anonymity and confidentiality of all parties involved. The College of Fire and Rescue, once it is established, should take responsibility for maintaining this system.</p>	<p>01-Feb-25</p> <p>01-May-25</p>