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ODPM: Housing, Planning,
Local Government and the
Regions Committee

The Fire and Rescue Service

***Draft Volume of Written Evidence:
Volume 2 (Memoranda FRS 31 to FRS 65)***

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List of written evidence

	<i>Page</i>
Office of the Deputy Prime Minister (FRS 31)	Ev 3
Cumbria Fire and Rescue Authority (FRS 32)	Ev 15
Bedfordshire and Luton's Combined Fire Authority and Fire & Rescue Service (FRS 33)	Ev 20
Derbyshire Fire Authority (FRS 34)	Ev 28
Royal Berkshire Fire Authority (FRS 35)	Ev 32
David Taylor MP (FRS 36)	Ev 35
Local Government Association (LGA) (FRS 37)	Ev 37
Oxfordshire County Council Fire Authority (FRS 38)	Ev 49
Northgate Information Solutions (FRS 39)	Ev 56
Leicester, Leicestershire and Rutland Combined Fire Authority (FRS 40)	Ev 61
David Elwell MBE, Communications Manager, Essex County Fire and Rescue Service (FRS 41)	Ev 62
Austin Mitchell MP (FRS 42)	Ev 64
Fire Service Research & Training Unit, Anglia Ruskin University (FRS 43)	Ev 65
Association of Principal Fire Officers (APFO) (FRS 44)	Ev 70
South East Regional Management Board (FRS 45)	Ev 78
East Sussex Fire and Rescue Service (FRS 46)	Ev 86
Hampshire Fire and Rescue Service (FRS 47)	Ev 95
World Fire Statistics Centre (FRS 48)	Ev 99
Joint Submission by Jagtar Singh OBE and Wayne McCollin (FRS 49)	Ev 101
Retained Firefighters Union (RFU) (FRS 50)	Ev 114
Lynne Harding (FRS 51)	Ev 140
Ann Rosemarie Everton, Emeritus Professor, University of Central Lancashire (FRS 52)	Ev 143
North Yorkshire Fire & Rescue Authority (FRS 53)	Ev 146
Association of Chief Police Officers (ACPO) (FRS 54)	Ev 153
Fire Officer's Association (FRS 55)	Ev 155
Ambulance Service Association (FRS 56)	Ev 158
Networking Women in the Fire Service (NWFS) (FRS 57)	Ev 164
Fire Protection Association (FPA) (FRS 59)	Ev 169
Commission for Racial Equality (CRE) (FRS 60)	Ev 181
Fire Industry Confederation (FIC) (FRS 61)	Ev 189
FireWorks Project (FRS 62)	Ev 197
Fire Brigades Union (FBU) (FRS 63)	Ev 198
Colin Ive MBA (FRS 64)	Ev 215
Health and Safety Executive (HSE) (FRS 65)	Ev 217

Memorandum by the Office of the Deputy Prime Minister (FRS 31)

Executive summary

1. The fire and rescue service (FRS) has made major progress and delivered significant improvements since the Select Committee's last Inquiry, through the modernisation programme implemented in partnership with the ODPM.
2. The *Independent Review of the Fire Service in 2002*¹ stated that "The fire service needs to be changed from top to bottom and every aspect of its work reformed to bring it into line with best practice at the start of the twenty-first century".²
3. The *White Paper – Our Fire and Rescue Service*³ - was published in response to this and set out a vision of a modern, effective and efficient service for the twenty-first century. It signalled the importance of a shift towards preventing fires, and acknowledged the wider role of the service.
4. The vision of the White Paper was of a reformed FRS which:
 - Placed the wider rescue and community role of the service on a statutory footing;
 - Moved from a prescriptive set of national standards of fire cover to the more flexible system of integrated risk management plans (IRMPs) where decisions about fire cover are made within a strategic framework set by locally elected members
 - Overhauled fire institutions and the pay negotiating bodies;
 - Looked at improving working conditions; and
 - Moved towards a culture which promoted diversity.
5. The modernisation agenda is now underpinned by the legislative framework provided by the Fire and Rescue Services Act 2004. The Act represents a comprehensive reform of the statutory framework. In particular, it places the prevention of fires at the heart of legislation, for example with the creation of new duties to promote fire safety; and gives fire and rescue authorities (FRAs) powers to work with other partners in the community to deliver this duty. The Act gives statutory effect to other roles FRAs already undertake, such as attending road traffic accidents and, by Order, their new responsibilities in relation to terrorist threats and other activities, such as responding to serious flooding

¹ Chaired by Sir George Bain and presented to the House on 16 December 2002.

² Foreword to *The Future of the Fire Service: reducing risk, saving lives*.

³ June 2003.

(subject to stakeholder consultation and Parliamentary scrutiny). The Act also gives FRAs wide discretion to plan, equip and take action to meet local risks and priorities.

6. The ODPM works in partnership with the FRS to implement the modernisation and resilience agenda, taking advice from key stakeholders including the Chief Fire Officers' Association (CFOA) and the Local Government Association (LGA).
7. Since 2003, some significant changes have been made, both at the front line and at the centre, in order to deliver modernisation. For example:
 - Since April 2003 every FRA has been required to produce an Integrated Risk Management Plan (IRMP). They are now consulting on their Year 3 plans covering 2006/7;
 - The Home Fire Risk Check Initiative, which the Government will fund to the sum of £25m by 2008, has led to some 278,000 home fire safety checks being carried out and 330,000 smoke alarms being installed. This supports, in particular, our target to reduce accidental fire-related deaths; and
 - The three major resilience programmes of the FRS are now being rolled out and are helping raise the capability of the service.

At the centre, ODPM has recently combined its work on fire and civil resilience into one directorate – the Fire and Resilience Directorate (FRD). This will ensure that FRS modernisation and resilience go hand-in-hand as we move to implementation of key projects and the move towards including them in core business. The department will therefore present a single face to the wider stakeholder community.

8. This memorandum outlines the progress that has been made in implementing the vision of a modern service.

Our aims, objectives and targets

9. The overarching aims of the department in relation to fire modernisation and civil resilience are as follows:
 - To help transform the way the FRS works;
 - To develop a more flexible response focused on high risk areas so as to save more lives;
 - To respond better to future issues such as demographic shifts, global threats and climate change;

- To build capacity at a regional and local level by engaging better with our partners;
 - To strengthen the country's resilience in partnership with others, in particular by enhancing the capability of the FRS to respond to major incidents through our fire resilience programme (Firelink, FiReControl and New Dimension).
10. The Directorate also contributes to wider ODPM and cross government priorities, including:
- Acting in support of the Government's wider agenda of social inclusion, neighbourhood renewal, crime reduction and respect;
 - Helping to develop planning, and adapting to changing circumstances, including the threat of terrorism and environmental disaster; and
 - Supporting relevant workstreams as part of the Government's overall capabilities programme, led by the Civil Contingencies Secretariat (CCS).

Objectives and priorities for the fire and rescue service

11. The fire Public Service Agreement (PSA) target for England, which came into effect on 1 April 2005 is:
- By 2010, to reduce the number of accidental fire-related deaths in the home by 20% and the number of deliberate fires by 10%.
- This includes a floor target:
- That no local fire and rescue authority has a fatality rate, from accidental fires in the home, more than 1.25 times the national average by 2010.
12. The National Framework for the FRS supports the delivery of this target by setting out:
- The Government's expectations for the FRS;
 - What FRAs are expected to do; and
 - What support the Government will provide.
13. The National Framework is a statutory document which, in effect, acts as a "contract" between the ODPM and the FRS. The Framework sets out both a broad context for the work of the service, which is flexible and can be adapted to suit local circumstances, and specific aims and requirements which each FRA must deliver. This facilitates both local

flexibility to meet local circumstances and clear, transparent communications between central government and the FRS on critical issues.

14. The approach set out in the Framework has been delivering results. It is estimated that the FRS currently saves some 1,650 lives per year from dwelling fires alone. The latest provisional figures show that there were 16% fewer accidental fire deaths in 2004/5 than a year earlier. Deliberate primary fires have also fallen to 23% below the 2010 PSA target. It is critical that momentum is now maintained to consolidate these indicative figures into sustainable trends, particularly as fire incident reports confirm that around 80% of victims can be classified as 'hard-to-reach' groups.
15. The FRS also contributes to the ODPM efficiency target to deliver £105m gross cashable efficiency savings in 2007/8. FRAs' first Annual Efficiency Statements confirm that they are well on track to meet their efficiency target, predicting that they will have delivered efficiencies of more than three times the predicted trajectory by the end of 2005/6. The challenge now will be to continue to make savings.
16. The benefits of resilience projects are clear, with New Dimension equipment being deployed in response to the flooding at Carlisle and the fire at Hemel Hempstead, and to assist with urban search and rescue in the aftermath of the Pakistan earthquake.

Achievements

Resilience

17. The fire resilience programme aims to enhance the capability of the FRS to respond to major incidents. It comprises three main projects:
 - Firelink – which will deliver a wide area radio network enabling FRAs to communicate with each other and the other emergency services;
 - FiReControl – which will deliver a modern, cost effective and resilience command and control network to ensure the efficient and effective deployment of FRS capabilities; and
 - New Dimension – which will deliver enhanced capabilities to respond to incidents requiring the mass decontamination of the public, the rescue of the public from collapsed structures and flooding.
18. Together, these projects are delivering major change in the FRS as part of its modernisation and will lead to the integration of resilience into core business. New Dimension has already delivered much of the equipment that FRSS use to respond to

major incidents. Government is investing over £200 million⁴ in this part of the resilience programme alone. The Firelink and FiReControl projects are already reaching major procurement milestones to achieve the goal of regional control centres from which FRSs will be able to work more flexibly across borders and communicate with the other emergency services using the same radio system.

19. This investment also brings substantial benefits for the local tax payer where regional control functions and equipment deployment result in efficiencies without compromising local autonomy. This complements the regional and local approach to resilience through inter-agency forums, which provide a vital voice for the FRS to contribute to effective multi-agency planning and response. We are ensuring that change is fully embedded in the service through our collaboration with FRSs, through the secondment of officers from the service to the projects and through the wider involvement and commitment of CFOA. On the ground firefighter roles are changing, providing a receptive environment for the development of new skills to use New Dimension equipment, modern call handling technology and digital radio systems - all of which attract new recruits and provide improved career paths for those already in the service. In all, the FRS is benefiting from major investment in its future.

Fire prevention and risk management

20. The White Paper⁵ signalled the importance of a shift towards preventing fires, rather than simply responding to them. This culture is now embedded in the FRS, and has been supported by a number of initiatives, implemented in partnership with the FRS and other stakeholders.
- **IRMPs** are entering their third year, and a strategic steering group has been established to ensure that stakeholders are content that correct processes have been followed, and that a robust risk analysis has taken place. The Government is committed to providing ongoing support for the implementation of IRMPs.
 - **Community Fire Safety** is an important tool in our drive for fire prevention. Government has invested heavily in initiatives such as the provision of £4.5m (funding until March 2006) under the Community Fire Safety Innovation Fund. This is in addition to the £11.3m we have made available over the same period as part of the Arson Control Forum's Implementation Fund to support local arson prevention projects.

⁴ £188m in capital and up to £16m annual crewing cost.

⁵ Our Fire and Rescue Service, 2003

- Initiatives supported by the **Arson Control Forum** have had positive results. In the year ending March 2005, deliberate primary fires in England fell by 23% to 72,700, a figure which included a decrease of 25% in the number of deliberate vehicle fires to 46,400. This is 30% below our baseline target.
- The FRS has also been undertaking **work with children and young people**, and a strategy for progressing this work has recently been released for consultation by the ODPM.
- The **Regulatory Reform (Fire Safety) Order 2005**⁶ will come into force on 1 April 2006. This will underpin the fire prevention agenda by providing guidance to the public.
- The **e-Fire** national project (an internet 'portal' for the FRSs in England) will carry safety information and interactive content to assist members of the public and premises operators in improving their own safety as well as in requesting the delivery of services locally. It will also help FRAs to engage with communities. The launch is planned for April 2006.
- We are looking closely at the **fitting of sprinklers** in new and altered premises where occupants are vulnerable to fire, including schools, residential care homes and houses of multiple occupation.

Working together

21. Regional management boards (RMBs) were set up in each English region outside London by 1 April 2004 and have taken responsibility for the six workstreams⁷ set out in the 2003 White Paper. The Government has, however, continued to make clear that it has no plans to regionalise the service.
22. The National Procurement Strategy for the FRS 2005-08 sets out the ODPM's strategy for FRS procurement. FiReBuy Ltd has been established to drive this strategy forward.
23. The principle of working together is also being related to other issues. For example, the FRS IT infrastructures have been reviewed. A Communications Technology 'roadmap' has been produced for implementation in partnership with CFOA and the LGA. This should facilitate the sharing of information between FRAs, other agencies and central government.

⁶ SI 2005 No. 1541

⁷ Ensuring resilience to emergencies; establishing regional control centres; introducing regional procurement; integrating common and specialist services; developing regional training; and introducing regional human resource functions.

Institutional arrangements

24. The following institutional arrangements are now in place and provide advice to the Government:
- the Practitioners' Forum, Business and Community Safety Forum, Central Local Partnership Fire sub-group and Ministerial Sounding Board continue to provide advice to officials, complementing input from FRS personnel and professional bodies;
 - A review of the service's main negotiating body, the National Joint Council (NJC), has been undertaken and we have seen limited improvements. We continue to press for further reform, such as the inclusion of smaller unions (e.g. the Retained Firefighters' Union) on the Council; and
 - HM Fire Service Inspectorate (HMFSI) will be replaced in March 2007 by a core team of professional FRS advisors, supported by FRS secondees. This team will provide professional advice to ministers and officials, advice to the Secretary of State in respect of powers of operational direction and intervention, operational assurance, and guidance to the FRS in support of government initiatives.

Fire and rescue staff

25. The Government recognises the need, highlighted by Professor Sir George Bain in his review, for FRSs to have an effective professional human resource function. The 2005-06 National Framework states that the Government will work with FRAs, CFOA and the Chartered Institute of Personnel and Development to stimulate the development of a skilled, professional and strategic HR function by developing the workforce, and encouraging networking and the sharing of best practice.
26. Through RMBs, FRAs are required to take responsibility for the development and welfare of their staff and to plan for this. There is also support from the centre, including initiatives such as:
- the Diversity Happens programme, providing the service with strategic focus and guidance;
 - new firefighter selection tests to tackle direct and indirect discrimination; and
 - literature encouraging under-represented groups to consider a career with the FRS
27. A number of tasks still need further work. For example, FRAs have been asked to develop and implement new disciplinary procedures. Sickness levels are also a cause for concern

and remain relatively high. The ODPM is working with the Health and Safety Executive to address this, and a report is due in spring 2007.

28. Government is working with unions with the aim of bringing a new pension scheme into operation for new entrants to the FRS from April 2006⁸. One of the benefits of this new scheme is that FRS staff on role-related duties rather than firefighting, who were formerly eligible for ill health retirement, will be able to remain in employment. Early indications are that this is helping FRAs to reduce the level of ill-health retirements from 62% of all retirements in 2002-03 to 25% (provisional) in 2004-05.
29. The report by the Retained Review Team was published by the ODPM in February 2005. A stakeholder task group is taking forward the recommendations from the report and FRAs will self audit and take necessary steps to bring themselves in line with central guidance. Government is committed to the promotion of the role of retained firefighters, and a press and regional workshop campaign is planned for 2006 to publicise this.

Centre of Excellence

30. As set out in the White Paper, we believe there is a strong case for developing a Centre of Excellence for the fire and rescue service. This would build on the strength of the Fire Service College but also expand its current role to encompass good practice, promoting excellence and distance learning. We expect to make an announcement early in the new year.

Workforce development

31. The Integrated Personal Development System (IPDS) provides a competency-based approach to workforce development. Central work on the implementation of IPDS is largely complete. This will now be incorporated in core business under the leadership of the Fire Service College. In the longer term, we expect that this will become a function of the proposed Centre of Excellence.
32. The National FRS Learning and Development Strategy for England was published in November 2005 and sets out a framework for the next ten years which will ensure that staff and elected members have the opportunity to gain the skills and competencies they need at the heart of FRS modernisation. It is important to improve access to learning, particularly amongst retained duty system and non-firefighting staff. Another key issue for staff development is leadership. The ODPM will shortly go out to consultation on the introduction of a programme of leadership initiatives applicable to all FRS staff developed by task groups involving key stakeholders.

⁸ The cost of the new scheme will be about 22% of pensionable pay against 37.5% for the existing scheme. The new scheme will be open to firefighters on the retained duty system. Under the new pension arrangements, employment after age 60 will be subject to fitness.

Finance

33. The Government recognises that the modernisation and resilience programmes and the associated agreement on pay and terms and conditions has, and will continue to have, significant financial ramifications. There are increased costs to fund the pay award and potentially some aspects of the modernisation agenda, such as the increased emphasis on prevention⁹. However, the Government also believes it is right that FRAs continue to support the service in its modernisation programme. Government has made significant investment in the FRS:
- At the LGA's request, we paid £30m transitional funding to English and Welsh FRAs in 2004/05. Half of this funding will be recouped in 2006/07 and half in 2007/08. FRAs, through the LGA, have reassured us that this is achievable;
 - The first two-year provisional local government finance settlement for 2006/07 and 2007/08 was announced on 5 December 2005. This will maximise the benefits of three year spending plans for central government departments by cascading them down to the maximum extent possible;
 - Over the past seven years nearly £325m has been invested in the FRS under the PFI programme. We also recently announced that five authorities are to take forward new PFI schemes worth around £125m;
 - We have made £25m available to FRAs in England up to March 2008 to enable home fire risk checks to be undertaken and to provide free smoke alarm installation for vulnerable, high risk households;
 - Over £200m has been invested in equipment, training and crewing for the New Dimension programme; and
 - The ODPM will fund up to £1.8m in 2006/07 and 2007/08 for running FiReBuy Ltd.
34. Significant savings are also available, for example, through better targeting of resources to match risks, regional collaboration and more efficient working practices. The Independent Review of the Fire and Rescue Service said "we are confident that, within the foreseeable future, benefits will more than exceed additional costs, including those of the pay increases we propose."
35. Current figures show encouraging trends. For example:

⁹ Where a central government department's policies or initiatives increase the cost of providing local authority services, the 'new burdens' principle means that the Government will fund the additional expenditure, providing that the aggregate value of the burdens across all authorities in any financial year is greater than £100,000.

- Initial analysis of the annual efficiency statements submitted by FRAs on 17 November suggests that FRAs made £38m cashable efficiency savings in 2004/05 and that they expect to make cumulative cashable efficiency savings of £90m in 2005/06¹⁰. This is significantly ahead of the expected trajectory;
 - Changes to the pension scheme will counter the yearly volatility in pensions expenditure which has influenced council tax precept increases, and increases transparency in authorities' budgets.
 - The use of capping powers means that we expect to see average council tax increases in each of the next two years of less than 5%¹¹.
36. There is still work to be done in the coming years. For example, in spring 2006 we will revisit the potential for charging for false alarms in light of work which has been undertaken since the Inquiry of 2003. We will also start a review of charging for Road Traffic Accidents in spring 2006, as suggested by the Select Committee, drawing on the experience of the NHS.

Performance Management

37. Comprehensive Performance Assessments of all English FRAs were carried out during 2005. The ODPM has put a support team in place to work with those authorities assessed as 'weak' or 'poor' to advise and support them through the improvement planning and recovery processes. The Audit Commission will be taking this work forward and will, in due course, measure movement against the CPA baseline.
38. A suite of best value indicators has been developed, in consultation with a stakeholder working group, to reflect the performance expectations of the National Framework and the White Paper and underpin performance assessment in the FRS.
39. Local area agreements enable the FRS to tap into a much wider range of partnerships, and possibly funding, to support work on key priorities and outcomes¹² through their participation.

¹⁰ This £90m represents total efficiency gains of 4.4% against the provisional 2004/05 baseline (including capital charges). All figures are provisional, subject to possible revision by some FRAs.

¹¹ We made clear in our General Election manifesto that we would not hesitate to use our capping powers to protect council tax payers from excessive rises in future years.

¹² Children and young people; safer and stronger communities; healthier communities and older people; and economic development and enterprise.

Research

40. The ODPM commissions a wide range of research to underpin all aspects of fire and civil resilience policy. Recent projects include the development and implementation of the fire service emergency cover (FSEC) toolkit to support IRMP and the evaluation of arson and community fire safety projects. Scientific research projects include the evaluation of suitable personal protective equipment and detection equipment to improve the FRS capability to respond effectively to a chemical, biological, radiological and nuclear incident.
41. Current research priorities include the development of lower cost domestic sprinkler systems in support of our PSA target, and the creation of a national FRS strategy and academy to ensure greater collaboration and communication between the whole research community. We will be taking forward work to ensure that regional control centres can take advantage of FSEC toolkit data, and have recently begun a scoping study looking at the potential benefits of co-responder schemes.

Conclusion

42. Since the Select Committee's last Inquiry into the FRS and the publication of the White Paper in 2003, the FRS has gone through a process of fundamental change. The FRS is now focussed on preventing, not just responding to fires. This is already achieving large reductions in the number of fire deaths. The FRS has been through cultural change - moving from rank to role. A competence-based approach to training at all levels has been introduced and the FRS is striving to become a more diverse and flexible organisation and employer. The FRS has taken on and developed expertise in dealing with a range of resilience issues professionally and efficiently, working across individual FRA boundaries to achieve results.
43. The ODPM has laid the foundations and supported the service through all these changes as we have set out in this memorandum. We are well on the way to having a fire and rescue service that is fit for purpose in the 21st Century. We remain firmly committed to the modernisation programme and driving change in each fire and rescue authority.
44. There are a number of challenges facing the service in the next 10 years, not least the aging population; the number of single person households; the construction of 4 million new dwellings; and the increasing threat from terrorism and natural disasters. So the FRS will need to continue to adapt and change. Looking ahead, we are developing a vision to meet these challenges and the role that the FRS will need to play in the future. We have already enhanced the capability of the service to respond to major incidents, such as terrorist attacks and those caused by climate change. We are enhancing these capabilities still further. We have already asked fire and rescue authorities to prioritise their community fire safety work with vulnerable groups and we are also asking authorities to

work in partnership to deliver their functions more efficiently and effectively. We are encouraging them to look at their structures to ensure they have the capacity to meet the challenges ahead.

45. There is more to do. But, in the last two years, the fire and rescue service has become a more modern, more dynamic service. It is now better equipped to protect the public against the changing and growing threats that we face. And it is ready to respond to the new challenges it now faces.

Memorandum by Cumbria Fire and Rescue Authority (FRS 32)

1. Introduction

- 1.1 At this time of unprecedented change, Cumbria Fire & Rescue Authority welcomes the opportunity that the Select Committee is taking to examine progress on Fire & Rescue Service reform.
- 1.2 Cumbria has embraced the modernisation agenda and believes that its Fire & Rescue Service has been at the forefront of a range of initiatives. However, the sheer scale and pace of reform is of concern. That concern is increased when you consider the different starting position of many individual fire and rescue authorities and particularly the issues surrounding the differing governance models that exist. That different starting point will, in a number of cases, affect the ability to move both resources from intervention to prevention and achieve the level of efficiency savings required by Government.

2. Regional Controls and Firelink

- 2.1 The Fire & Rescue Authority acknowledges the clear requirement within the National Framework document to deliver the Regional Control project. There are, however, genuine concerns over several aspects of the project, not least the public belief that the rural nature of Cumbria has not been adequately addressed. This is exacerbated by the distance of the proposed Control from Cumbria and which has undoubtedly raised real fears in the minds of ordinary people.
- 2.2 The full business case has not yet been made available to individual fire and rescue authorities, which add to those genuine concerns outlined above. At no stage yet has it been demonstrated that this project represents value for money for the people of Cumbria.
- 2.3 There is already slippage within the project and if the timescale for the North West of 2008 is to go back further, then Cumbria Fire & Rescue Authority will be unable to maintain its existing Command & Control system. An approach has been made to the Office of the Deputy Prime Minister (ODPM) asking that if this does happen then could the costs of a replacement Command & Control system be considered under New Burdens funding. If we are to finance a replacement Command & Control system ourselves, then it would not deliver best value simply because the lifespan that we would obtain from it would be extremely limited due to the move to a Regional Control. We understand that this request has been refused following replies to individual Members of Parliament who had supported our submission.
- 2.4 There are increasing concerns following the announcement by Government that the preferred governance model for the new Regional Fire Control is to be a local authority company and that this must be established by Spring 2006. There are a number of risks in

doing this for individual authorities, particularly in relation to financial obligations and aspects of the European Procurement Directive.

- 2.5 The Human Resource aspects of this project are also ambiguous and there is a distinct lack of clarity. This Authority is committed to its staff but it is impossible to provide them with any information. Now that the location of the North West Control is known and, taking into account the distances involved, there is a realistic possibility of redundancies.
- 2.6 The Authority is also greatly concerned about the continuing slippage to the Firelink project. The decision by Government to procure a national system is to be commended. However, the continuing delays with this project will now result in this Authority having to incur the financial burden of investing in the existing radio infrastructure which is becoming increasingly unreliable. The existing system was shared with Cumbria Police who have now moved to Airwave and the entire cost of that existing system have now fallen to this Authority. That will result in additional costs of around £100,000 per annum for the next three years together with the whole costs of decommissioning in Year 3. Again, this was submitted to the Office of the Deputy Prime Minister to be considered under New Burdens and we understanding that request has been refused. These additional costs, together with the potential costs of replacement elements of the Command & Control system (para 2.3) are not one that this Authority has brought about and it is extremely difficult for Members to justify in terms of best value this additional expenditure for local Council Tax payers for what are obsolete systems. The Government should give greater considerations to New Burdens funding for where these two important projects of a Regional Control and Firelink are impacting financially on individual authorities.
- 2.7 There must be greater consultation and clarity from Government with individual authorities. If these vital projects are to be delivered in a timely and cost effective manner, then the Government must recognise this position and should not impose additional costs at a local level.

3. **Governance**

- 3.1 The differing governance models do not best serve the needs of the Fire and Rescue Service in this country.
- 3.2 Cumbria County Council, as the Fire & Rescue Authority, are acutely aware of the difficulties of adequately funding its Fire & Rescue Service against the need to passport Education funding, the requirement to establish Childrens and Adult Services at this time, together with other competing demands of the County Council.
- 3.3 Those competing demands are not faced by stand-alone fire and rescue authorities. To an extent the outcome of the recent Fire Comprehensive Performance Assessment (CPA)

reflected that capacity and funding are real issues for some fire and rescue services who are still part of a County Council.

- 3.4 That position also impacts upon the Regional Management Board and the ability of a County Council Service to play a full role in certain aspects of joint working. If we take the example of procurement, Cumbria Fire & Rescue Service is part of a much larger organisation than all of the remaining fire and rescue authorities within the Region put together. Through being part of a County Council, the fire & rescue service is tied to corporate contracts which deliver best value to the organisation as a whole. Other than joining with the other fire & rescue services for the procurement of specialist equipment it is not cost effective to step outside of those County Council contracts.
- 3.5 That is also the position in relation to the provision of Legal Services, Human Resources, ICT and Property. This effectively leaves us as the only County Council Fire & Rescue Service within the Region on the periphery of some aspects of joint working within the Regional Management Board.

4. Finance

- 4.1 The funding formula for the Fire & Rescue Service in this country has, to a degree, disproportionately rewarded the more urban services at the expense of largely rural retained services. To an extent the current formula rewards similar aspects twice over whilst aspects of sparsity are not included.
- 4.2 That position is exacerbated for a Service such as Cumbria who, as part of a County Council, have to compete for scarce resources and who unlike the majority of fire & rescue authorities are not a precepting authority in their own right.
- 4.3 The Audit Commission made reference during the recent CPA for Cumbria Fire & Rescue Authority that it had to operate within tight financial constraints and meagre resources. A largely retained service does not have a similar ability to move resources from intervention to prevention or to achieve the level of efficiency savings required by Government as a more urban fire and rescue service with large numbers of Regular firefighters.
- 4.4 Reference was made in the opening paragraphs of this submission to the different starting points of individual fire and rescue services in relation to the modernising agenda. Where authorities started from a low financial base and had already embarked upon aspects of modernisation and the re-direction of efficiencies prior to the industrial action, then they are as a consequence at a disadvantage when additional efficiencies are now required.
- 4.5 That financial position has been significantly worsened by the recent changes to the funding of both existing and the new pension schemes for the fire and rescue service.

- 4.6 It is acknowledged that changes had to be made to the pension scheme and the ability finally for retained firefighters to join the new scheme, is to be applauded.
- 4.7 What should have been a cost neutral change to the funding mechanism has resulted in potential oncosts to this authority in the revenue budget for 2006/07 of up to £1million.
- 4.8 Verbal assurances had been provided by the ODPM that the impact of retained firefighters joining the new pension scheme would be reflected in the funding mechanism. That impact, together with the changes to the existing scheme, have undoubtedly not been reflected in the grant settlement for this Authority and will have to be borne by local Council Tax payers with no visible improvement to levels of service.
- 4.9 These unprecedented oncosts will clearly affect a service that the Audit Commission stated was already operating within tight financial constraints. In light of what can only be described as a financial hammer blow, it is difficult to see how this Authority can possibly invest further resources in its Fire & Rescue Service at this time in order to improve service delivery and to take forward the reform agenda. Unlike many urban fire and rescue services, there is little scope that these costs can be offset through reducing the number of Regular firefighters. In financial terms the reform agenda has impacted disproportionately on the citizens of Cumbria.
5. **Retained**
- 5.1 The reform agenda and the demands upon the Service in terms of community safety, civil contingencies and additional statutory duties for the fire and rescue service, have immense implications for the retained service.
- 5.2 Around 60% of fire cover in this country is provided by retained firefighters. Yet the basis of their employment and reward mechanism remain an anachronism.
- 5.3 There has to be recognition by Government of the vital role of the retained service and the extent that large areas of this country is dependent upon them. If the Fire & Rescue Service is increasingly expected to fulfil a civil protection role, then increased levels of investment in recruitment, retention and training must be provided.
- 5.4 Cumbria, as many other rural fire and rescue services, are experiencing real difficulties in recruiting and retaining retained firefighters. Increasing levels of commitment required to meet training and health and safety requirements of a modern emergency service, a changing culture away from intervention to prevention are placing significant demands upon our part time workforce and their conditions of service have not kept pace with the reform agenda.
- 5.5 A number of services are looking at alternative methods of payment for their retained firefighters and are looking to move to a salaried scheme which rewards cover provided

rather than being based on response to incidents. Such a move will also reflect the change in society where greater emphasis is now placed upon leisure time and where people do not want to be tied for significant periods of time and which at present form a fundamental element of any retained firefighter contract. Such changes of employment have to be a priority if the cultural change from intervention to prevention is to be achieved and if we are to ensure the basic provision of fire cover in many areas.

5.6 The ability to bring that about has not been assisted in the changes to the funding mechanism of the pension scheme. As a result the people of Cumbria will see additional oncosts for no improvement in service delivery.

6.0 **Joint working with other Emergency Services**

6.1 The recent Government announcement for the restructuring of the Police and Ambulance Services in this country will have undoubtedly moved their focus away from areas of joint working. It is hoped that the Government can complete this process as quickly as possible to allow partnership and collaboration between the emergency services to again move forward. The advent of Local Area Agreements gives even greater impetus to that joint working.

7.0 **Conclusion**

7.1 The terms of reference of the Select Committee, as set out, is to examine the implications for citizens and the Fire & Rescue Service of the reform agenda and to gauge progress at this time of unprecedented change. We would ask that the Government recognise and address the issues included within this submission and that in moving this agenda forward also recognise that there is a fundamental difference between the governance models of fire and rescue authorities in this country and the financial basis upon which they operate. We believe that there is a growing understanding by Government of those issues and of the unique difficulties facing many retained rural fire and rescue services and for the citizens they serve. We also believe that if the reform agenda is to succeed then there has to be more openness and consultation between all parties.

Only through partnership and an open dialogue will we achieve the level of change required.

Memorandum by Bedfordshire and Luton Combined Fire Authority (FRS 33)

Introduction

1. We are pleased to have this opportunity to submit evidence to the inquiry which provides a useful stock-take of progress and success, whilst also identifying some of the barriers to that in an environment of almost unprecedented change.
2. We wish to take this opportunity to express our view in each of the areas indicated as of interest in the Select Committees' November press release.

Memorandum

1.(a) The Introduction of Regional Control Centres

- 1.1 This Authority is ambivalent about the development of regional control centres because we believe that this is a matter of output. It is imperative that the fire and rescue service has access to high quality mobilising and operational resource management facilities and if that can be achieved effectively, the scale of the organisation providing it is of no consequence.
- 1.2 Once this Authority can see a tangible improvement in our existing in-house service, we will be happy to migrate.
- 1.3 We do, however, have some concerns as to whether this is achievable :
 - i) The Business Case is not clear, and we do not feel all options have been explored;
 - ii) Funding arrangements are not fully resolved in respect of the burden which will fall on our taxpayers;
 - iii) There is insufficient detail available concerning the governance model, accountabilities and responsibilities which will remain with local fire authorities and those that will not. The consequences of miscalculations could be met in lives;
 - iv) We believe that the future of control centres should be decided on the practical decisions of functionality, cost and most effective service delivery, and not on any local or national political consideration;
 - v) In view of the doubts surrounding i), ii) and iii) above, this Authority has some reservations as to whether this direction will actually deliver improved value for money. We do, however, recognise that genuine improvements to our services are worth paying for.

1.(b) Firelink

- 1.4 There is no real doubt that a national radio scheme which is fully interoperable and provides improved data transmission is overdue within the fire and rescue service.
- 1.5 We are concerned about the growing complexity of the project which is probably due to a lack of clarity in the business case or the product methodology.

2.(a) Community Fire Safety and Fire Prevention

- 2.1 There is no doubt that the expansion of our fire prevention role to include a wide range of community safety initiatives is already paying dividends. Reduction in fire deaths and injuries, primary fires and arson are very good indications of this, as are increases in smoke detector ownership and the prominence of the service working in our community with youth and road accident reduction.
- 2.2 Most of this new work is funded by careful examination of our resources and effectively delivering more with similar resource levels.
- 2.3 We are pleased with our achievements in this area, but recognise that there is still much more preventative work to do and future funding must recognise these demands and increased responsibilities based on demographic research which balances each aspect of service delivery. It is simplistic to suggest that these new measures can be met from efficiency savings indefinitely.

2.(b) Operational Service Delivery

- 2.4 Our communities enjoy an increasingly high level of operational service across a wider range of activities, including specialist rescue, civil resilience, and mass decontamination. The Service also maintain the ability to deal with the completely unexpected or unthinkable. This requires good equipment, a high level of effective training and constant operational preparedness.
- 2.5 It is our view that whilst we strive to constantly improve our fire prevention services we will not do so to the detriment of that operational efficiency. It is equally our view that it is our reputation for high quality response which gives us the public confidence to engage in all of the much-wider community safety agenda. This is a credibility that some public services are apparently losing.

2.(c) Institutional Arrangements

- 2.6 We welcome the new freedoms and greater local flexibility that come from the new Fire and Rescue Services Act and resultant changes to fire service institutions and procedures.

- 2.7 This is already accruing great benefit to improving service delivery and balancing our strategy through integrated risk management planning based on well-researched risk assessment.
- 2.8 Regional Management Boards, whilst delivering against some of their objectives are questionable in creating sustained, measurable cost efficiencies. We believe it would be far more effective to drive a higher level of inter-service collaboration through an additional set of best value performance indicators for each fire authority or fire and rescue service in the six key themes.
- 2.9 We are disappointed with the lack of progress in developing negotiating machinery to replace the National Joint Council, and in the development of a negotiating and consultative body for senior officers below Assistant Chief Fire Officer grade.
- 2.10 This is, in some way, reflective of the reluctance of the Fire Brigades Union to engage in the development of reforms, other than those which fulfil their own specific aspirations.

2.(d) Governance

- 2.11 This Authority believes that there should be a single governance model for fire authorities and that this model should be reflective of the current combined fire authority or metropolitan fire authority model which are broadly similar.
- 2.12 We believe this model creates the following opportunities :
- i) Precepting and direct accountability;
 - ii) An identifiable, stand-alone authority;
 - iii) Greater flexibility in the local deployment of resources;
 - iv) Allows more effective financial planning and the management of reserves and balances;
 - v) creates greater public ownership.
- 2.13 This Authority believes that quality service delivery is related to effective governance and management, together with appropriate resourcing. There is some speculation that many authorities are too small. Unfortunately this is not supported by any evidence. Indeed, successive government reports, (such as : the report of Sir John Banham; Audit Commission reports 'Streamlining The Cities' 1993, and 'In The Line of Fire'; The Royal Institute of Chartered Surveyors Memorandum 1984, and 'The Independent Enquiry' by Sir George Bain 2002), suggest the contrary but have been misinterpreted by some. The concept that the fire and rescue service is a local service provided locally is the right one. This is further supported by the fact that here in Bedfordshire and Luton, we exceed national average

performance in all service delivery indicators, despite reducing council tax in the current financial year.

- 2.14 The publicised position of ODPM is that combination to create larger fire and rescue services and authorities is a matter for local determination where it provides a clear case for sustained capacity improvement. We believe that this is the right approach, and decisions should be based on clear evidence. We deplore any politically or otherwise-motivated imposition of structural review.

3.(a) Finance

- 3.1 As discussed previously, we believe that the self-precepting model offers the greatest opportunity for financial stability and planning with direct accountability to the council taxpayer.
- 3.2 It also offers greater monitoring opportunity by central government and a more realistic indication of “whole service” costs.
- 3.3 Whilst we welcome the improvements to grant allocation we remain concerned that the overall percentage of fire service funding provided by grant is comparatively very low. This places a disproportionate burden on the taxpayer in relation to the fire and rescue service, but we recognise as well that the overall effect is still relatively small in cost per capita.

4.(a) Management

- 4.1 We believe that the safe and effective management of a fire and rescue service is best provided by officers that understand critical incident command balanced with high quality development in managerial skills.
- 4.2 We have deep reservations about the long term effect of fire services being managed by non-operational people. Conversely, we are concerned that the current void left by the abolition of the ‘Brigade Command Course’ and, more importantly, its selection procedure, has left us without recognised means to develop operationally-competent personnel into top management positions.
- 4.3 We have no difficulty with fast tracking talented people more quickly to top positions through IPDS, provided that such fast tracking includes incident command competences.
- 4.4 We believe that the organisational risk is too high to put untrained people into vulnerable positions simply to demonstrate intent or tokenism.

5.(a) Promoting Diversity

- 5.1 We believe that more must be done to enrich our workforce with women and minority ethnic people, despite the fact that we are one of the top performing services in the country in terms of representation in the workforce by those groups.
- 5.2 We welcome stretch targets even though they are practically unachievable, but would like to see the performance indicator widened to include all staff. We believe this would enable us to demonstrate “critical mass” in terms of potential recruits feeling that the fire and rescue service is genuinely seeking their interest.

6.(a) Civil Resilience

- 6.1 We welcome the government’s investment in civil resilience and the wider role it presents for the fire and rescue service.
- 6.2 This Authority would have been pleased to be hosting more of those resources and now have an impending concern about how we would meet a new public expectation without resources to do it. An example is the capabilities of the urban search and rescue units, which have become public knowledge but are actually only available in a limited number of services as a regional resource. We now have to consider how to resource for an incident which is too small for a regional response but beyond our existing technology and training.
- 6.3 Notwithstanding this, in terms of large scale resilience we believe the fire and rescue service has worked hard to develop new procedures and understandings that have been successfully rehearsed and enhance our existing mutual aid arrangements.

7.(a) The Future - 10 Years On

- 7.1 We believe that over the next 10 years a number of key factors will impact on the fire and rescue service :

7.2 People:

The combination of demographic and sociological change together with developments in human resources and recruitment practices will have impacted on our workforce in the following ways:

- Integrated Personal Development System (IPDS) workplace assessment/development and integral.
- More diverse workplace/small recruitment pool.
- Greater flexibility of duty systems in place.

- Integration of core skills, regardless of duty system.

7.3 **Operations:**

A wide range of factors will impact on operations over the next ten years, these may include: increased population, more housing, higher divorce rate, later average marital age, greater longevity, more emphasis on leisure and work/life balance, increased care in the community and personal independence, more road traffic, greater inter-service collaboration, developments in operational techniques and equipment design, new policies, procedures and risk analysis techniques will have become effective. The result of these factors may be:

- More targeted response.
- Older population.
- More single occupied dwellings – increased risk aversion, more calls for help.
- Increased call rate.
- Increased road traffic collisions.
- Automatic fire alarms (AFAs) reduced.
- Malicious calls reduced.
- Joint operations response.

7.4 **Resources:**

The direction of the National Framework and in some cases work that is currently underway, indicates that the way we use and secure our resources will evolve over the next ten years. These examples give some idea of what that evolution may produce:

- Community fire stations.
- Regional Control.
- Key support services outsourced or collaborative.
- Specific equipment designed for risk.
- Creative use of technology.
- Embedded National Procurement strategy.

7.5 **Finance:**

Assuming that current economic pressures and developments in local government financing continue, many of our key cost drivers may change or result in change to the way we are funded. Within ten years we will have to have considered and accommodated the effects of issues including:

- Realising maximum benefits from Regional Management Board (RMB).
- Continued cost effectiveness.
- Greater use of challenge funding.
- Review of local tax mechanism.
- Less pension burden.

7.6 **Fire Safety:**

The use of community and statutory fire safety as part of risk management, together with technological advancement and legislative change, will have significant impact on our fire safety role over the next ten years. It is reasonable to expect a number of additional developments to be in place:

- Regulatory reform.
- Increased advisory and educational role/less enforcement.
- Less technical staff.
- Regional enforcement/technical task group.
- Smoke detector in every home.
- Sprinklers in high risk premises and dwellings.
- Integrated fire protection in all new buildings.

7.7 **Governance:**

Increasing emphasis on performance audit, political accountability and public scrutiny, coupled with the full impact of legislation such as freedom of information – may drive development in governance, or the way in which the organisation is governed rather than managed, in a number of key areas:

- New governance model.
- Community forum.
- Regional policies.
- More focussed political engagement.

8.(a) In Summary

- 8.1 Bedfordshire and Luton Fire & Rescue Service are committed to modernisation, value for money, and continuous improvement.
- 8.2 Much has already been delivered but we need measured and consistent support from government to allow us to make considered and evidence-based decisions on the provision of services which best suit our local communities.

Memorandum by Derbyshire Fire Authority (FRS 34)

Introduction

Derbyshire Fire Authority welcomes the inquiry into the Fire and Rescue Service. It is hoped that the inquiry will help to further progress the modernisation of the service.

There is no doubt that much has been achieved in recent years through the leadership of fire authority members and professional fire officers, against a difficult industrial relations backdrop, which has resulted in improved services and safer communities. We are, for instance, very proud of the reduction in accidental fires, deaths and injuries that have been achieved through the efforts of all our staff.

Furthermore, as the Office of the Deputy Prime Minister recently recognised in its PSA report, Fire and Rescue Authorities are making real progress in delivering efficiencies at the frontline, in areas such as the better allocation of resources to risk, more efficient working practices, reducing responses to false alarms and procurement.

Nevertheless, we recognise that there is still scope for further improvement, particularly with regard to matters such as civil resilience, arson reduction and equality and diversity. We are also concerned to address matters relating to the recruitment and retention of staff on the retained duty system.

Regional Control Centres and Firelink

This inquiry focuses initially on the specific issues surrounding the introduction of Regional Control Centres and the FireLink radio project. This Authority is fully committed to the FiReControl and FireLink projects, and continues to support their implementation.

There is little doubt that the FiReControl and Firelink projects have the potential to secure improvements in levels of resilience for major incidents, terrorist attacks and natural disasters. These projects should provide an operating framework that will enable improvement, providing opportunities to develop new and efficient ways of working across regional boundaries.

However, we do have a number of outstanding concerns with regard to the Full Business Case, the discharge of legal responsibilities, the clarification of governance arrangements and 'out of scope' implications for the Fire Authority. We remain frustrated with the absence of a Full Business Case.

Our concerns include:

- Full acknowledgement of Fire Authority interests and concerns by ODPM;
- Statutory duties for Fire Authorities – difficulty in making decisions when information is not available;
- Final Business Case ;
- National Resilience is not an individual fire and rescue authority responsibility. Additional costs should be met centrally;
- Additional costs for Fire Authorities not met in a structured way through the New Burdens process;
- Uncertainty and lack of ownership of governance arrangements;
- Capacity issues for individual Fire Authorities;
- Maintaining public confidence.

Our concerns with regard to Firelink include:

- The absence of a Business Case
- The lack of information on financial or other ongoing resource implications arising from Firelink.

Furthermore, we are concerned that Government does not appear to want to recognise both projects as ‘new burdens’ and as such ensure funding for the implementation phase is maintained. Any reduction to, or non-acknowledgement of such costs will restrict the ability of fire and rescue authorities to complete the projects successfully.

Resilience

This Authority recognises the considerable progress in improving civil resilience that has been achieved by the New Dimensions programme. This has been achieved by an effective working partnership between ODPM, individual authorities and Regional Management Boards. The effectiveness of such arrangements were recently confirmed by the local, regional and national response to the major fire at Buncefield fuel supply depot, Hemel Hempstead, Hertfordshire. Staff from Derbyshire Fire and Rescue Service readily volunteered to attend the incident, and stay away from home overnight, with the High Volume Pumping unit that had been previously supplied by ODPM.

Notwithstanding the good progress made so far, there is clearly still some way to go before the New Dimensions programme is properly completed. Work is still ongoing, for instance, with regard to

CBRN, Urban Search and Rescue, long term capabilities management and the establishment of a National Coordination Centre.

We are therefore very concerned by ODPM's decision to greatly reduce support for the programme from April 2006 onwards. This poses a significant threat to the proper completion of the programme as individual Fire Authorities who are faced with many competing priorities may lack the resources to complete the work within the intended timescales. National resilience should be properly resourced and sustained, not left to the uncertainty of local decisions. ODPM should continue to support the New Dimensions programme until it is properly completed. Individual Fire Authorities and Regional Management Boards will then be able to sustain their contribution to the partnership, providing the country with the level of local, regional and national resilience that the public expects.

The lack of clarity with regard to water rescue from inland waterways remains a concern and the recently published response to consultation on the draft Emergencies Order has only served to create further ambiguity. The Fire and Rescue Service should have a statutory duty to respond to such incidents, as it is the agency best placed to provide such a service, and be properly funded to do so.

Fire Prevention

The Fire and Rescue Service has made considerable progress in reducing the risk to communities arising from fires in the home. The new statutory duties included within the Fire and Rescue Services Act 2004 have given further emphasis to a broad range of education, prevention and protection activities there were already being progressed prior to being required.

Derbyshire Fire and Rescue Service has achieved considerable success in reducing fires, deaths and injuries in the home. For example, no preventable fire deaths have occurred in dwellings in our area over the past fourteen months. Whilst we are not complacent about future risks, we believe that such achievements have not been fully recognised by central Government.

We welcome the recent publication of a Strategy for Children and Young People specifically designed for the fire and rescue service. This will complement our involvement with Local Area Agreements and other partnership working.

The Fire and Rescue Service has much to offer in addressing community issues such as anti-social behaviour and youth crime. This is now starting to be recognised and government departments should work together to reinforce the role of the service in such activities.

Many fire and rescue services are now working with partner agencies to prevent road accidents. The value of such work also warrants greater recognition and support.

We remain frustrated that the value of sprinkler systems in domestic property, schools and high risk premises has not been fully recognised by building legislation. The evidence of their value is overwhelming and central government should make the necessary legislative changes to ensure the wider use of sprinklers. We also recommend that central government legislate to ensure that all new homes built in the UK have an integral sprinkler or stored pressure water suppression system.

Memorandum by Royal Berkshire Fire Authority (FRS 35)

Further to the invitation inviting submissions to the ODPM Select Committee on Fire & Rescue Service modernisation, Royal Berkshire Fire Authority met on 14th December 2005 where this matter was discussed.

As the Chief Fire Officer I have been tasked to bring the following points to the attention of the Select Committee:-

1. With regard to the first of the two main issues to be considered by the inquiry, Regional Control Centres, this Authority has already expressed its concerns regarding the regional fire control project and can reiterate the main issues that it has with this project:
 - The unacceptably short time for consultation
 - The lack of effective consultation
 - The ambitious timescale for the RCC project
 - The lack, even at this advanced stage, of a full business case.
 - The failure to acknowledge the full transitional costs
 - Our concerns regarding the technical issues – will it be done?
 - Our concerns regarding the governance issues – how will it be run?

In addition to these concerns, which are on record from previous Authority meetings, we would add the corrosive effect that the long delays have had on the morale of our Control staff, who are still providing an effective 24/7 service to the public.
2. The second key issue for the inquiry, FireLink, raises similar concerns. Although it is clear that the ODPM is directing and funding the roll out of the FireLink project the ultimate funding for the project is likely to fall upon Fire & Rescue Authorities. Once again there is insufficient detail on funding and governance issues for Fire & Rescue Authorities to make effective decisions for future arrangements.
3. Similar issues also arise with other modernisation initiatives: the funding and governance arrangements of the FireBuy project are equally unclear. And whilst the ODPM's commitment to public safety in supporting improved resilience through the New Dimensions initiatives is welcomed there has only been limited consultation with Authorities over the actual impact that deploying such assets will have.
4. A key issue for this Authority, as with nearly all Fire and Rescue Authorities, is that of capacity. The Audit Commission noted that capacity was an issue for FRS's overall and felt that effective planning for improvement was being hindered by a lack of resources. The

current tight financial strictures imposed on fire and rescue authorities bring about a ‘Catch 22’ situation where improvements required by government cannot be implemented without incurring sanctions from the same government. Although transitional funding was given for this purpose it was applied on a one size fits all basis and took no account whatsoever of how effectively an Authority was already being run. Although efficiencies of scale do exist the initial estimates of the savings that could be made were general not specific and were based in many instances on little more than anecdotal evidence. On this issue the previous inquiry reported, in January 2004, that: “*We have concerns about the distribution and recovery of this loan. Government must ensure appropriate distribution and equitable recovery*”. For us those concerns remain. The recent, welcome, announcement that the transitional loan can be paid over two years does not address the inequity of the notional loan.

5 Other issues also remain unresolved from the January Inquiry.

- The government have yet to run any widespread information campaigns to prepare the public for the changes that are occurring through the IRMP process (paragraph 45)
- The government would appear not to have addressed the inquiry’s proposal “*for the introduction of sprinkler systems in schools, houses of multiple occupation and the domestic properties of vulnerable groups, such as the elderly. We strongly recommend that in this year’s revision of the Building Regulations, Ministers introduce a requirement for sprinklers to be fitted to all new build properties of these types, as this would have more impact on public and firefighter safety, than any other proposal in the White Paper*” (paragraph 55)
- There is no standard measure of consistency for IRMP’s as suggested in paragraph 42, although an operational toolkit is being trialled by this and other Authorities.

6 The funding mechanisms for FRA’s are also in need of review. The FSS process is unclear, apparently arbitrary, and again places little or no emphasis on the base cost per head of a Fire and Rescue Authority.

7 This Authority, like many others, is delivering against the targets set for it by the ODPM. Currently we are recording an average of 0.125 accidental fire deaths in dwellings per 100,000 population, (BVPI 143(i)) and have reduced the number of deliberate fires by 27% in five years - against a target of 10% in 10 years. We have also demonstrated our corporate health by scoring one point off excellent in the recent, rigorous, CPA process. It is against this background that we would submit to the committee our concerns that genuine, often innovative, improvements that are evidence led and based on improving our service to, and

the safety of, the public are being marginalised by an overly prescriptive approach. We would contend that the National Framework should indicate the outcomes that the government rightly and understandably wish to see the Fire & Rescue Service deliver rather than seeking to prescribe the means that are to be used to achieve those aims.

Memorandum by David Taylor MP (FRS 36)

Context

1. I am submitting evidence to the Select Committee's inquiry on the Fire and Rescue Service owing to my interest in the government's programme of public service reform, government's public procurement methods and record, local government finance and the proposed location for the Regional Control Centre (RCC) for the East Midlands being Castle Donington, in the North West Leicestershire parliamentary constituency.
2. The FiReControl Project proposes to close ALL existing emergency fire control rooms in England (46) and replace them with 9 regional centres in the next few years. It is accepted that the current arrangements provide a very high standard of service. The Government claims their plans would provide an improved service.

Standards of performance in the new fire and rescue service

3. There are justifiable concerns among both firefighters and the public about the future responsiveness and standard of service the new Fire & Rescue Service the government envisage as being co-ordinated by the nine new RCCs will be able to provide.
4. **Staff cuts** are inevitable. Out of the existing 15,000 control staff, estimates vary as to how many will be lost as a result of the creation of the RCCs and disbanding of the existing network Fire Control Rooms. This lack of certainty and transparency has increased opposition to these proposals within the service and elsewhere.
5. The government's claim that '**regionalisation**' of the fire and rescue service will lead to a better service is with out evidence or international precedent.
6. In the East Midlands there are currently five Emergency Fire Control Rooms, one for each fire brigade. The government's proposal to replace these five Fire Control Rooms with one RCC is likely to lead to an increase in response times to major accidents and fires across the East Midlands.
7. With one RCC covering the East Midlands, the **IT system** connecting RCCs and Fire and Rescue staff will have to be infallible.
8. To date, however, the government's record in procuring public sector IT projects has been poor. The public sector IT systems contracted out for the Benefits Agency (as was), Magistrates Courts, Child Support Agency, DEFRA, Criminal Records Bureau (Home Office), Individual Learning Accounts (DfES), Immigration & Nationality Directorate, Passport Agency (both Home Office), Air Traffic Control System (DTLR, as was) and others have all failed to work properly or been cancelled at huge cost to the taxpayer and to the people relying on and working in these departments.
9. The government have ignored calls from the Fire Service, the public and parliamentarians to conduct an **independent inquiry** into these proposals. The public sector will operate the

new RCCs but will carry the can if the IT system connecting them and staff fails people in emergency situations.

Cost

10. The projected cost of the nine RCCs shot up over the summer. As late as June this year, the government predicted the RCCs as costing £988 million to establish. By August 2005, the Minister, Jim Fitzpatrick MP, was prepared to confirm press reports that the cost *could* be £2 billion.
11. As with other public sector reform projects (the sale of local authorities' housing stock and all PFI/PPP projects, for example), the use of private sector consultants rather than civil servants to push the government's agenda has made a significant contribution to these escalating costs. Details secured by the FBU under Freedom of Information legislation discloses a figure of £44 million in consultancy fees and this is likely to rise.
12. Neither the **Strategic Outline Business Case** nor the **Mott MacDonald** report is a reliable indicator of the cost of establishing /or running the RCCs¹³.

Location of East Midlands RCC (Willow Business Park, Castle Donington)

13. The choice of a business park does not inspire professional or public confidence.
14. As with proposed locations for some of the other RCCs, Willow Business Park is on a flood plain and heavy rains could well jeopardise emergency, as well as training, operations in and from such locations.
15. Proximity to Nottingham East Midlands Airport (NEMA), whilst clearly advantageous in the event of a major aircraft accident or terrorist incident, also creates the risk of being cut off from the rest of the region (and the eight other RCCs) in the event of a major emergency incident.
16. Proximity to NEMA also increases the possibility of RCCs being disabled by **terrorist activity**, as with the location of London's RCC – Canary Wharf.

¹³ Hansard 27th October 2005, Column 486W

Memorandum by the Local Government Association (LGA) (FRS 37)

Summary

1. There have been considerable changes in the fire and rescue service since the ODPM select committee published its last report in this area in January 2004. The LGA wishes to take this opportunity to set out the distance we have already travelled, as well as highlighting a number of areas where considerable work is still needed if we are to achieve the aim of a modern, effective fire and rescue service.
2. In considering areas of progress, we note particularly:
 - the development of Integrated Risk Management Plans;
 - success in tackling fire and the impact of fire;
 - changes to negotiating machinery;
 - impressive progress towards efficiency targets;
 - the move to a new pensions scheme for firefighters;
 - the greater clarity over the roles and responsibilities of Regional Management Boards; and
 - the increasing numbers of co-responding schemes.
3. We would then wish to draw to the attention of the committee a number of areas on which we consider further work to be needed if the Fire and Rescue Service is to continue to develop and improve, in particular:
 - the need for transparent governance arrangements and accountability in the regional dimension;
 - the importance of sustainable, long-term solutions for the range of modernisation projects to which ODPM is currently heavily committed;
 - the continuing lack of a coherent strategy from central government to support the installation of sprinklers in schools and other buildings where vulnerable people are situated;
 - the need to recognise the considerable demands on the fire and rescue service in driving through a major programme of change, while continuing to provide a first class service to the public;
 - the slow progress being made in achieving greater diversity within the service;
 - the pressures on the retained service; and
 - the need for effective action to reduce attacks on firefighters.

4. In view of the focus of the committee's inquiry, our submission then makes some specific remarks on FiReControl and Firelink.

About the LGA

5. The LGA was formed on 1 April 1997 from the belief that one voice was needed to present the case for local government. As the national voice for local government, the LGA speaks for just under 500 local authorities representing over 50 million people and spending £65 billion a year on local services. We exist to promote better local government and represent the local authorities in England and Wales.
6. This memorandum has been agreed by the lead members of the LGA's Fire Services Management Committee, the body delegated to deal with the fire and rescue service issues on behalf of the LGA's Safer Communities Board. We should be happy to provide further information on any of the points raised here, either in writing or at an evidence session.

Modernisation: the story so far

7. The 2004 pay deal set out a clear framework for the future of the fire and rescue service: new roles for authorities, and enhanced pay for firefighters in return for modernised working practices - in particular, the flexibility to manage service provision to meet local needs. Local government is at the sharp end of delivering on this agreement, and the leadership offered by elected members has played a crucial role in driving change. The challenges they face in doing so are considerable (as recent industrial action demonstrates), but the political will to drive improvements for the benefit of local communities is strong, and good progress is being made.
8. The results of the Fire CPA demonstrated the importance of strong leadership from elected members in driving performance. The LGA is working closely with the Improvement and Development Agency to take forward work to develop leadership capacity, building on existing resources such as councillor mentoring, the Leadership Academy, IDeA Knowledge (an online information sharing service) and bespoke support. In addition, we are working with CFOA and the ODPM to disseminate examples of notable and innovative practice to support future improvement.
9. The cross party Fire Services Management Committee, formed earlier this year, meets formally bi-monthly (and communicates regularly between meetings) to consider the key issues facing fire authorities and how best the LGA can support delivery. In addition, our

Fire Forum provides a valuable opportunity for elected members from all fire authorities to meet on a regular basis to share information and good practice.

10. The LGA will continue to support fire authority members in their leadership role, and to work constructively with ODPM, CFOA, the IDeA, the Audit Commission and other stakeholders to drive forward modernisation. The following paragraphs provide a flavour of what has been achieved so far.

Integrated Risk Management Planning

11. Integrated Risk Management Plans (IRMPs) are at the heart of the modernisation agenda. We are now in the second year covered by the plans, and fire and rescue authorities have embraced the opportunities they offer to work in partnership to deliver a better service more efficiently. There is always scope to improve still further, and the LGA will continue to work closely with fire and rescue authorities, the Chief Fire Officers' Association, ODPM and other stakeholders to disseminate examples of positive practice and to support authorities in developing their action plans and preparing future IRMPs.
12. The timing of the publication of the National Framework does, however, present some problems for authorities. We understand that ODPM's intention had been to publish the draft Framework each September to allow authorities to consider the implications in their own IRMP consultation documents. This year, however, the draft framework was not issued until November, with a closing date for consultation of 18 February 2006. For many authorities, this year's IRMP consultation period will have now closed, or will be closing shortly, and budgets must be agreed in February. The late publication of the draft framework means, therefore, that they will not now be able to consult on how its implications should be reflected in their IRMPs, and will severely limit the extent to which they can be considered in the budget setting process. While we welcome the move to National Framework covering a two-year, rather than a one-year period, it will be important that future publication schedules are better co-ordinated with authorities' planning processes.

Reducing fire and the impact of fire

13. A crucial outcome of the range of work being undertaken to improve the effectiveness of the fire and rescue service is the continued progress in reducing fire deaths and injuries. Increasing levels of community fire safety work, often undertaken in partnership with other local agencies, has been an important factor in driving progress. The provisional total number of fire deaths recorded in the UK in 2004/05 fell to its lowest in 45 years, while the

number of injuries in fires fell by 11 per cent from the previous year. That this has been achieved in the midst of the biggest reform of the service for 30 years is a credit to the work of fire authorities and fire service personnel at all levels.

14. But we cannot be complacent. The future holds considerable challenges if we are to continue this trend: demographic shifts, with an increasing older population, statistically more vulnerable to fire; higher property densities in urban areas; environmental change; and the threat of terrorism. A clear framework from central government (which should set out how the National Framework will fit with the greater flexibilities offered by Local Area Agreements), appropriate funding (including for investment in fire safety research), continued joint working with local delivery partners, and the power to take risk-based decisions at a local level will remain crucial in equipping our fire and rescue services to respond to these challenges.

Negotiating machinery

15. Pay and nationally determined conditions of service for uniformed personnel in the Fire and Rescue service are consulted upon or negotiated, as appropriate, within the National Joint Council for Local Authority Fire and Rescue Services (the NJC). Considerable change has been negotiated through this body, including the most recent Pay and Conditions Agreement (2003), and the detail supporting that agreement. Such changes include:
 - a new pay structure, linked to the Integrated Personal Development System, that rewards competence rather than time served;
 - pay parity for employees on the retained duty system;
 - a contractual obligation on employees to carry out any reasonable activity within their role map, and the ability to require employees to work at different locations;
 - deletion of the local disputes procedure and replacement with a local consultation and negotiation procedure that narrowed the scope of potential disputes to issues that require collective agreement. Third party involvement is subject to the agreement of both parties as is any reference to arbitration (previously unilateral);
 - agreement that fire authorities can introduce any duty system subject only to four basic requirements (42-hour week, two days off every week, compliance with legislation, being family friendly), and that employees can work combinations of duty systems;
 - the FBU has lifted its ban on pre-arranged overtime, and part-time working has been introduced;

- jointly agreed grievance and disciplinary procedures, the latter for the first time recognising absence and unsatisfactory performance issues, and providing a process to deal with such cases;
 - agreement that an authority's Integrated Risk Management Plan, including the number of personnel on duty at each location at different times of day, is the decision of the fire authority, having consulted with the appropriate parties, and does not require any formal collective agreement.
16. Currently, employees are represented on the NJC by the Fire Brigades Union. Since the Pay and Conditions Agreement was reached a working party - chaired by the Chair of ACAS, Rita Donaghy - has undertaken a review of the existing constitution of the NJC. The report contained a number of recommendations including the introduction of a mechanism to provide for representation of other trade unions, including:
- a low threshold of 8.33% of the workforce to secure one of the 12 seats on the Employees' Side. Each of the remaining seats to be allocated on multiples thereof;
 - the introduction of separate negotiating arrangements for middle managers (station manager to area manager).
17. The Fire Brigades Union have accepted all of the recommendations contained within the report. Whilst the Employers' Side are content with the majority of the recommendations, there are some areas where they would wish to see change. Discussions will continue with the Fire Brigades Union in January 2006 to endeavour to secure agreement within the NJC on a revised constitution covering the issues of: any proposed threshold; whether an entirely separate NJC for middle managers would be preferable to the Middle Managers Negotiating Body (as part of the overall existing NJC) recommended by Rita Donaghy; and the question of whether the clause in the constitution concerning reference of disagreements to ACAS should be on a unilateral or bilateral basis.
18. In the interim, the Employers have recognised both the Retained Firefighters Union and the Fire Officers Association for consultation purposes and three meetings have so far taken place.

Efficiency

19. While modernisation brings costs as well as savings, it is clear that efficiencies are already being delivered. The ability to respond to local circumstances through Integrated Risk Management Plans has seen a number of authorities implement changes to station

deployment, shift patterns and new types of appliances, and utilise front line staff on fire safety work.

20. While authorities will all clearly have different starting points, initial analysis of their annual efficiency statements suggest that £38m cashable efficiency savings were made in 2004/5, and cumulative cashable efficiency savings of £88m are expected in 2005/6. While these figures are at this stage provisional, they nevertheless indicate that authorities are already significantly ahead of the savings of £25m projected to have been achieved by the end of the next financial year. In addition, all fire authorities have recently submitted efficiency plans covering the three year period to 2007/08, which aim to deliver aggregate annual savings of £105m by the end of the period. This is equivalent to nearly 5 per cent of current budgets.

Pensions

21. The new firefighters' pension funding scheme, due to be implemented in April 2006, is broadly welcomed by the LGA. It responds to the concerns we have expressed for many years about the existing "pay as you go" arrangements and should put in place a secure and sustainable basis for pensions in the years to come.
22. There are three points we would make about the move to the new scheme:
 - it will be important that central Government ensures that adequate provision is set aside in national budgets to cover the impact of the forecast real increase in total pension costs;
 - the 2006/07 and 2007/08 grant settlements must protect individual authorities from unacceptable levels of volatility in grant receipts arising from changes to formula allocations; and
 - the initial transfer of grant from Fire Service to national budgets is monitored to ensure that Fire Service funding levels for non-pension costs are protected.

Regional Management Boards

23. Fire and rescue authorities have long recognised the importance and value of working across boundaries and the establishment of Regional Management Boards formalises this approach. ODPM's clarification of the role of RMBs is welcome.
24. The LGA remains clear that RMBs are the appropriate vehicle for gaining the benefits of cross-authority collaboration, while maintaining effective links with the local community

and clear accountability to local people through elected members. We will continue to support RMBs in this role, including by hosting the regular meeting of RMB chairs to facilitate problem solving and the sharing of good practice.

Co-responding

25. Under a "co-responder" scheme firefighters, when first to arrive at an incident, can administer first-aid in the absence of a paramedic. This entails training of firefighters in basic life-support skills, including use of automated defibrillators. An ambulance is still dispatched to every co-responder call. As such, the role and workload of ambulance staff is in no way affected by the scheme, but patient care is greatly improved and lives can be saved by the rapid availability of first-aid (particularly the use of defibrillators for victims of heart attacks). As such, the LGA strongly supports the promotion of co-responding schemes.
26. Despite the continuing and disappointing opposition from the Fire Brigades Union, a recent survey by the Chief Fire Officers' Association found that 37% of Fire and Rescue Authorities in England had initiated co-responder schemes, and that 80% of those who had not done so planned to initiate a scheme at some point in the future. The LGA welcomes the stronger line on co-responding in the draft National Framework for 2006-08, which notes that "Fire and Rescue Authorities should actively review the opportunities for improving community safety by implementing co-responder schemes in partnership with other agencies." We will continue to work with fire and rescue authorities, and to support joint working with health partners, to promote co-responding as a key means to reduce deaths and injuries.

Key issues for future progress

27. Notwithstanding the good progress on the issues outlined above, there remain, however, some key areas where considerable work is needed if the momentum of modernisation is to be maintained.

Governance and accountability in the regional dimension

28. As noted above, the importance of working across fire authority boundaries is accepted, both in terms of improving efficiency and for reasons of civil resilience. In working towards greater collaboration, however, it is important that the role of elected members in representing and being accountable to their constituents is fully recognised. Governance arrangements for new structures such as FiReControl and FiReBuy must reflect the leading role of elected members.

29. The fact that FiReBuy is likely to be designated a non-Departmental public body, with appointments to its board subject to the rules of the Office of the Commissioner for Public Appointments, must not be allowed to result in a board that is entirely unaccountable to the electorate. The skills and experience of elected members mean that they are well positioned to meet the selection criteria for board members, and the LGA would expect this to be reflected in its final composition. Cllr Les Byrom has, in addition, accepted the invitation to take up an ex officio appointment as director on the board, in his capacity as chair of the Fire Services Management Committee.
30. The continuing development of the organisational structure underpinning FiReControl has the potential to raise similar issues of accountability. As for FiReBuy, the leading role of elected members must be reflected in the governance arrangements for regional control centres.
31. The restructuring of the police and ambulance service have given rise once again to the prospect of regionalisation of the fire service. We note ODPM's assurances that this is not under consideration. The LGA remains firmly of the view that Regional Management Boards provide an appropriate mechanism to maintain accountability through the leadership of elected members, whilst facilitating collaboration, for example on resilience issues.

Sustainability

32. Many of the projects forming the modernisation programme are being set-up with funding and support provided directly by ODPM: examples include the regional control centres, New Dimension, the e-Fire portal and FiReBuy. It will be important that, in seeking to put in place sustainable arrangements to manage these resources in the longer term, we avoid setting up a plethora of uncoordinated bodies with the potential to cause confusion and duplication and reduce transparency and accountability to the public. Authorities will also need to be confident that the real costs of these projects will be reflected in their settlement when responsibility for ongoing work transfers to them.
33. The LGA stands ready to work closely with ODPM and other stakeholders in taking forward this work – particularly in relation to the proposed Centre of Excellence. We have some concerns, however, that the pace of the various projects is such that we risk developing and implementing separate solutions without the strategic overview and co-ordination necessary to produce the most sensible outcome. The recently announced merger of the Fire and Civil Resilience Directorates at ODPM offers an opportunity to address this.

Sprinklers

34. It remains a cause of serious concern to the LGA that, despite the convincing evidence of the benefits of sprinklers – particularly in schools and other buildings housing vulnerable people – there does not appear to be a coherent response from central government.
35. Each year, more than 2,000 schools in the UK suffer fires large enough to need action by local brigades. Leaving to one side the social impact of such fires, the annual cost of replacing school buildings damaged by fire has doubled to more than £93m since 1998 – a cost equivalent to building around 45 new primary schools or employing nearly 3,750 teachers. By contrast, the costs of installing sprinkler protection to a new school is as little as 1.8 per cent of the total building cost. In the face of what seems to be unanswerable logic, schools up and down the country are still being built without sprinklers.
36. Nick Raynsford's evidence to the select committee's last inquiry into the fire and rescue service noted that ODPM were in discussions with DfES and hoped to make progress on this issue. Phil Woolas also appeared to accept the argument for sprinklers in schools wholeheartedly when he attended the Fire 2005 conference in Manchester in November. There has so far not, however, been any sign that this acceptance is being matched with coordinated action between ODPM and the Department for Education and Skills. While some £5.1 billion is being spent on new and renovated schools and classrooms for 2005/06, there remains no requirement in Building Regulations for sprinklers to be fitted (a revision of the Regulations that was supported by the select committee in its January 2004 report), nor any sign that DfES are prepared to make funding available for the provision of sprinkler systems.
37. With the emphasis on prevention a key theme of modernisation, central government must demonstrate that it can fulfil its end of the bargain. The LGA remains strongly of the view that the revised Part B of Building Regulations and Approved Document B, due to be published towards the end of 2006, must require sprinklers to be fitted in new and altered premises – including schools and high risk domestic dwellings – where people are considered to be most vulnerable.

Capacity

38. Fire authorities are taking forward a modernisation programme that is both very broad and being delivered to an ambitious timetable. They are doing this at the same time as continuing to deliver a high quality service to the public. This presents a considerable challenge to both elected members and senior officers. Authorities must receive the support

they need – both in terms of resources and information from central government – if they are to continue to meet this challenge. We would highlight specifically the need for capital investment in infrastructure and equipment, pump priming resources to develop new collaboration initiatives, and funding for research and development.

Equality and diversity

39. It is unfortunate that little progress has been made to date in addressing the lack of diversity in the fire and rescue service. The LGA remains committed to achieving greater diversity, and will continue to work with central Government and other stakeholders to disseminate lessons from other sectors (such as the ambulance service) and to promote the service to women and under-represented groups.

The retained duty system

40. Much of the country relies on retained duty system personnel to maintain services for public safety, and there are sound financial incentives for this arrangement. There have, however, historically been issues relating to the ability of many authorities to attract and keep retained duty personnel. A number of reviews have taken place over the last 25 years to examine these issues, with another currently underway. Many of those reviews have called for Government assistance to make the system more attractive both to individuals and primary employers, and many of their recommendations remain relevant today. More investment is required on the part of central Government to take forward this work and to bring long-term stability to the retained system.

Hostilities towards firefighters

41. The increasing incidence and severity of attacks on firefighters being experienced by a number of authorities is cause for considerable concern. It is important that the seriousness of these offences is reflected in appropriate penalties for offenders. We note the Private Member's Bill tabled by Alan Williams MP, and welcome the increased profile it has afforded this issue. The LGA wishes to take this opportunity to emphasise its commitment to working closely with ODPM, CFOA and other stakeholders to explore the best approach to addressing this issue, whether through legislation, guidelines to the Crown Prosecution Service, or another mechanism.

FiReControl and Firelink

42. Regional control has been a high priority for the LGA and the fire community as a whole since the Government set out its policy direction in the June 2003 White Paper. The LGA

supports the implementation of an agreed and effective FiReControl project that is affordable for fire authorities. We remain clear that FiReControl must deliver:

- increased resilience;
- enhanced inter-operability and support between FRS control centres;
- more effective working with other emergency service partners, in particular the police and ambulance services;
- greater operational effectiveness in terms of call handling and incident response; and
- better value for money for local tax payers.

We are working closely with ODPM to take forward work, including through participation in the project board and various working groups.

43. We note the fact that some fire authorities have invested considerable effort and expense in pursuing tri-service control centres (i.e. joint controls with the police and ambulance service). While we understand the Government's reasons for proceeding with regional controls for fire, it will be extremely important that financial commitments that were entered into in good faith can be honoured; and that authorities have timely information to allow them to keep staff who have already undergone significant upheaval informed as plans develop.
44. The Government has committed to providing financial support to fire authorities where new burdens are incurred during the transition to regional control. Authorities face an obvious difficulty in forecasting financial commitments on a project of this kind, and we remain keen to see an assurance from ODPM that applications can be revisited retrospectively in the event that actual costs exceed estimates.
45. Retaining sufficient, skilled staff in existing control rooms to the point of transition will be a significant challenge for all authorities. They will need to have sufficient, early information from ODPM be able to provide staff with a clear route map for the move to the new arrangements. In addition, where the Best Value approach to retaining staff involves additional costs that would not have been incurred but for the establishment of regional control centres, we would expect ODPM to meet these in line with new burdens principles.
46. The timetable for implementation of regional control centres is an ambitious one, and it will be important that it allows for authorities to be confident both in the technology to be used, and the robustness and accountability of the governance arrangements being put in place. Elected members will need to be confident, for example, that they have sufficient

information on the responsibilities and liabilities of their authorities (and themselves, if they are to act as directors) to take an informed view on the appropriateness of the proposed local authority company structure.

47. It will be essential to the effective operation of the new centres that the links with the implementation of Firelink are fully understood and that the timing of both projects is properly co-ordinated. The different project management structures which have until now been in place have caused some operational difficulties for the staff charged with implementing both projects at a regional level. A more coherent project management approach would significantly increase the likelihood of successful delivery, and we are hopeful that the merger of ODPM's Fire and Civil Resilience Directorates will facilitate this.
48. Elected members have an essential role to play in explaining the case for regional control to local communities. We welcome ODPM's commitment to a series of regional events to provide the opportunity for members to discuss the proposals and hear the positive case for FiReControl.

Memorandum by Oxfordshire Fire Authority (FRS 38)

Oxfordshire (County Council) Fire Authority welcomes the opportunity to comment on this Select Committee. To minimise bureaucracy and allow the committee to identify issues that are of primary concern to the authority the following bullet point format has been chosen. This is supported by a more detailed appendix which covers the FiReControl and Firelink projects.

- We support the introduction of a statutory requirement to incorporate ‘life-safety sprinklers’ as an active fire protection measure in key buildings, particularly new builds and substantial alterations. (eg: Schools, places of public assembly and Houses in Multiple Occupation)
- In addition to the introduction of legislation, we support a regulatory requirement to provide ‘life-safety sprinklers’ in domestic dwellings, on a risk-assessed basis. Protecting those assessed, as ‘vulnerable’ will reduce fire fatalities and injuries and contributes to the wider social inclusion agenda.
- Central Government should provide a statutory basis for developing strategic partnerships with relevant public authorities to address common themes and mutual objectives across the community safety/public health agenda.
- This Authority has a number of concerns in respect of the FiReControl and FireLink project that remain to be resolved, including:
 - The robustness of the business case and impact on our local ‘value for money’ priority
 - Its contribution to increased resilience
 - The ongoing funding arrangements and local impact of revenue costs, once established
 - The structure of governance for the Control Centre
 - The impact of ‘out of scope’ issues on our existing capacity
 - Legal liabilities, accountabilities and implications for this Authority
 - Consideration for extending the scope of the FireLink project.

Detailed commentary on this position is attached as Appendix ‘A’.

- We believe that there are a number of institutional issues require urgent review. Issues include the reform of the National Joint Council and its negotiating ‘machinery’, and the future structure, governance and funding of the Fire and Rescue Service.

- We consider that there is a need to provide representative arrangements for ‘middle managers’ and secure their ability to influence and contribute to the strategic vision and direction of the Service.
- This Authority will actively promote access to and diversity within the Service whilst recognising the need to maintain operational command competences in support of an effective Incident Command Structure.
- We believe that Central Government should provide a coherent, long term ‘vision’ for the provision of the UK’s Fire and Rescue Services. The vision should be supported by clarity in respect of future funding and governance arrangements.
- More specific direction should be provided in respect of the Service’s emergency response provision (incorporating planning and preparedness) include:
 - Resilience arrangements for local, regional and national response
 - Operational assurance arrangements
 - Competence (including command and specialist skills/knowledge)
 - National/Local Response Standards
 - Implications of the ‘Emergencies for Fire and Rescue Authorities Order’
- The future of Fire and Rescue Comprehensive Performance Assessment needs to be determined. Specifically, arrangements for auditing the effectiveness and governance arrangements of Fire Authorities that are County Councils should recognise those features relevant to that structure.
- This Authority believes that central funding arrangements should be reintroduced for the Fire Service College. Additionally, the leadership and management of the College should return to uniformed officers who are best placed to maximise the facilities as a centre of excellence for Incident Command and specialist Fire and Rescue Technical training.

APPENDIX 'A'

FiReControl and FireLink

The Authority acknowledges that the benefits identified by the ODPM in terms of resilience and greater interoperability can improve the safety of personnel and our communities, but contend that these will accrue if and only if, the outcomes suggested by Government are reached. We have several deeply held concerns related to how the projects are developing and the implications for fire authorities in financial, capacity and interim continuity terms.

It is not surprising that as primary stakeholders, fire authorities have concerns over the successful delivery of these projects and the modernisation agenda in general as failure to do so would indicate an abdication of the statutory duties that not only currently but in the future will continue to fall on individual fire authorities.

The current concerns of this authority that we wish to draw to the Committee's attention include the following (it should be noted that these concerns have not been assuaged by the previously given responses to repeated enquiries at all levels of the project).

1. The robustness of the business cases and impacts on our local 'value for money' priority

It is noted that it was intended to provide a regional breakdown of the FiReControl Outline Business Case in the summer of 2005. This has not been forthcoming and there appears to be no intention of providing greater clarity of financial issues at the regional level at this time. The FireLink project has only issued limited financial information on the capital costs of provision of additional equipment beyond the current scope of supply. It is understood that Ministers are currently reviewing revenue implications. Failure to provide sufficient information on both of these projects is causing significant concern as the recent announcement of the two-year settlement for local government (inequitable from the point of Oxfordshire County Council) cannot address these unannounced costs. The lack of timely information with which to plan for the future, whilst government highlights the spectre of Local Authority capping, militates against the successful implementation of both projects.

2. Increased costs of local project delivery and interim business continuity (including new burdens issues)

The level of New Burdens funding remains a significant area of concern. It is acknowledged that recent statements have clarified that "net additional expenditure" may be met e.g. for redundancy but only if all alternatives are exhausted and if the decision is identified as Best Value. However,

there remain areas of uncertainty and disagreement. These primarily relate to the costs of ensuring the existing control rooms remain fully functional until cut over to the RCC e.g. retention schemes for staff and support for interim technical upgrades required due to the extended project timetable and the revenue costs associated with the migration e.g. training for a wide range of staff due to changes in procedures and new technology. Training costs for are currently limited to ODPM funding a “train the trainer” level not the full costs of training.

As yet there has been little indication that any new burdens funding is available for the rollout of the FireLink project. It is understood that the project has provided outline guidance of their expectations for resourcing successful local rollout. This authority would welcome clarification of this and other funding issues relating to FireLink.

3. The ongoing funding arrangements and local impact of revenue costs, once established

The headline average saving of 30% claimed by ODPM for FiReControl is considered to be as yet unsubstantiated. Two main issues can be identified, additional costs relating to higher security standards that currently are in place and residual costs of “out of scope” activities remaining in services.

Recent indications are that the ODPM now believe there are no additional costs relating to the requirement for higher security standards as part of the Critical National Infrastructure. The requirements, although modified, still remain as do their cost. As a result costs shown in the Draft Outline Business Case formerly paid centrally, will be transferred to FRS’s (possibly 10% of anticipated rental payable on each building). Such transfers of costs must inevitably have an impact on the headline 30% “saving”. This fire authorities position remains that as National resilience is not a fire authority responsibility any additional costs should not be accrued.

Of greater concern is the ongoing revenue effect of those tasks currently carried out in the Control Room, which will not be transferred in totality by the Regional Control Centre. Such out of scope activities have only recently been investigated fully and fire authorities have recently resubmitted information that indicates the level of current expenditure that cannot be included in the full national / regional business case. The original ODPM outline business case did not fully take account the tasks that would remain with Brigades and thus the basis of the business case must be revisited. The current work, and therefore costs that will still be incurred by fire authorities locally will be further refined once the detailed processes and technology to be used by the Regional control Centre are finalised. This will require a further examination of the business case and again calls into question the headline savings previously claimed.

4. Legal liabilities, accountabilities and the structure of governance for the Control Centre

This authority has grave concerns over the undeniable complication of the governance structures at a regional level and the remaining legal liabilities that will continue to fall on individual fire authorities.

Whilst the consultation on the governance arrangements for the RCC is eagerly awaited, there remains the issue of the transfer of legal liabilities of operational failure at the regional level to the constituent fire authorities who individually appear to have little direct control over the regional entity. There is, as yet, little statutory basis for the regional management board or the local government company limited by guarantee. Clarity of legal responsibilities is essential. In addition the costs for each individual fire authority to establish that the arrangements for all wider corporate governance issues are adequate are currently not identified and sufficient new burdens funding must be forthcoming for these necessary activities.

5. The effect on fire authority staff of the project, in terms of capacity, retention and continuance

This fire authority is concerned that the national project has not given sufficient cognisance of the limited capacity available in individual brigades to successfully complete both projects with their inter-related (but as yet) indistinct project timetables.

While the location of the Regional Control Centre is known, many employment issues remain for the staff involved and uncertainty remains. Staff and managers responsible for the project remain frustrated with the apparent lack of information over employment issues. Several of these may be resolved when the governance issues are addressed allowing an employing entity to be created. Meanwhile the uncertainty is debilitating for staff and adversely affecting morale. Maintaining the current Fire and Rescue service is the Service's key concern and therefore retaining existing staff and their expertise is the greatest challenge in Oxfordshire. Whilst it is acknowledged that the responsibility for maintaining existing control rooms remains with FRA's, staff consider that the national project have little understanding of the impact of delay and uncertainty on them and the authorities ability to continue to provide what is a key statutory duty.

6. Project delivery issues

The alignment of the FireLink and FiReControl projects is welcomed, particularly as they are closely related and interdependent. Issues of cost transfer between the projects remains a concern, particularly with the relative absence of information due to no full business case for either project before their alignment.

The adoption of a PRINCE2 project methodology is welcomed, as this should reduce risks to all stakeholders. However, it is apparent that the methodology is not being applied consistently and as a result regional and local teams cannot fully utilise this best practice approach.

The effect of delay to the project (the national project team has not yet managed to keep to any of its own target dates) is causing difficulty in services due to our inability to plan resourcing arrangements meaningfully. This has effect on the quality of work that can be accomplished in often limited timescales, increases stress on the very staff who are facing potential redundancy and is inefficient in that staff resources provided at the expense of the authority (and not supported by new burdens) could be underutilised.

Well-planned and executed communications are essential to successful project delivery. Whilst it is accepted that communications will never meet all needs the national project team project has consistently failed to:

- Send documents out for meetings in a timely manner.
- Circulate documents through the agreed coordinating points of contact in regional teams;
- Make clear to regional teams what information can be shared with FRAs.
- Set up the ODPM-standard collaborative software that would allow teams within the national project to access key documents, and would make communication with regional teams simpler and more reliable;

This does affect the ability of the FRAs and regional teams to:

- Deliver a considered response to the national project
- Accept the results of consultations
- Work efficiently to overcome resource issues

FireLink – specific issues

The authority is aware that several stakeholders and potential respondents to the select committee are lobbying for the remit of the FireLink project to be extended to accommodate incident ground communications, potentially in support of ICS and CCBRN considerations. This is understandable and as a matter of principal should be seriously considered. However, there are a number of issues that must be fully addressed prior to any decisions made concerning this development which could adversely effect the continued provision and commercial viability of current incident ground (largely UHF based) radio communications. These are: -

- The current technical limitations of TETRA based systems in direct mode operation (DMO) and in point-to-point (via the nearest cell base) mode. Current users of the Airwave Service informally advise that coverage and reliability issues are of concern (NOTE the current operation assumptions for FireLink never included 'in building' coverage and were based on vehicle mounted systems)
- Capacity concerns if the system requires significant cell capacity when working on a point-to-point basis

The absence (as identified above) of detailed revenue costings for in use charges. Current systems are very cost effective and are based primarily on a cost of ownership arrangement without significant revenue effect. The reliance on an external contractor to provide all communication needs must be questioned until all information is available for fire authorities to undertake a detailed business case.

Conclusion

This authority has deeply held reservations concerning both the FiReContol and FireLink projects and welcomes the select committee's inquiry as a useful mechanism to increase the project transparency and level of understanding of all stakeholders involved.

Memorandum by Northgate Information Solutions (FRS 39)

General comments

1. Northgate warmly welcomes the opportunity to respond to the Committee's inquiry on the fire and rescue service.
2. We need a service than responds effectively to emergencies, but also works to promote safety, reduce risk and prevent fires. It is essential that the structures are in place to enable effective delivery of planned reforms and a speedy response to new threats.
3. Our response focuses in particular on delivering a citizen-centred service, effective joint working and risk management. Strong leadership is needed at all levels to ensure success in a multi-agency context and sustain continuous improvement.

Northgate's philosophy

4. Northgate' approach to the fire and rescue services focuses on the 4 'P's – partnership, prediction, prevention and performance management.

Partnership

5. Partnership is critical to the new ethos of the fire and rescue service. New relationships need to be formed on the basis of mutual respect and trust. They need to be forged both internally and externally: between new and developing forms of collaborative leadership with employees, other agencies and public bodies; and the community.
6. Effective delivery requires careful balancing of national and local priorities and clear and transparent accountability between national government, regional management and local services.

Prediction

7. Prediction through risk identification is critical to prevention. Clear and detailed information is crucial to knowledgeable decision making. All too often communities are let down by the fact that local service providers do not have or do not share intelligence and information in a timely and cost effective manner and fail to connect with their communities in delivering permanent change.

Prevention

8. A citizen-centred approach to preventing fire must focus on local delivery. This needs to draw upon the best resources available and achieve the correct balance of these whether they are local, regional or national.
9. Northgate believes that the notion of subsidiarity should be the principle upon which practice is judged. Local knowledge and information is critical to responding quickly and appropriately to emergencies. So too is local deployment of resources backed up by effective risk strategies.
10. Local integrated risk management plans (IRMPs) are playing a critical part in establishing effective prevention strategies at a local level which respond to the diverse needs of local communities.
11. Where incidents occur on too large a scale, or require specialist resources beyond the capability of local service, it is crucial that there are regional and national policies and plans to tackle such events.

Performance management

12. Effective performance management systems are an integral part of good organisational governance. These must be capable of providing a picture of performance; identifying gaps in performance; of indicating areas for improvement; and developing corrective action plans.
13. Understanding the needs of the local community is as integral as gaining consensus amongst stakeholders on key indicators of success. Too much measurement can strangle services; too little can lead to lack of public accountability and a diminishing sense of public ethos.

Citizen-centred services

14. The fire and rescue service must develop proactive, preventative services in a multi-agency context. It must shape and enhance a strong community fire safety agenda. This must involve even the most vulnerable of our communities in a shared dialogue to achieve greater community well-being.

15. Northgate believes that a citizen-centred approach to preventing fire must focus on local delivery. This needs to draw upon the best resources available and achieve the correct balance of these whether they are local, regional or national.
16. New technology can assist in this process so long as individuals and organisations are adequately prepared for change and there is a clear focus on local priorities and judgements about different types of risk. Too little consideration is given to the joining up of systems and the impact of new working methods on communication – to employees, to public service users or the general public.
17. If new technology provides citizen-friendly services which are highly accessible, it is likely that satisfaction will increase and demand may be raised. Only if the relevant change management strategies have been put in place can technology really add value. Prior to new services being introduced, staff need to be prepared, the impact on service development analysed and planned and pre-emptive measures put in place to deal with any new demand.

Public information and self-service

18. We fully support the development of the e-fire project as a method for improving information provision for local citizens and businesses alike. We welcome the recent 'Prevention' campaign addressing all aspects of fire safety for domestic householders, and look forward to the inclusion of such fire safety resources on the e-fire portal. This portal will also support increased public self-service, for example in requesting home fire risk assessments.
19. Consideration could be given to encouraging local fire and rescues services to introduce a greater degree of self-service for their employees. Many standardised queries and routine tasks can be dealt with by the individual employee through the use of user-friendly electronic systems. Self-service information systems give employees potentially faster access to information and greater control over their working conditions, whilst relieving the HR function of some of the routine tasks.
20. If individuals have greater control and access to information about their working conditions including terms and conditions governing flexible employment, job-sharing, part-time working, family-friendly policies and equality policies, this will help to create a positive climate in which diversity is welcomed and celebrated.

Effective joint working

21. As the regional fire control centre programme moves forwards, our concern is that there must be clear procedures and clear responsibilities between local, regional and national bodies. There must also be national leadership focused on providing the mechanisms for inter-agency working based on the principle of collaboration.
22. Multi-agency working requires new forms of leadership based on co-operation and collaboration. Collaboration is an essential part of encouraging innovation at both a national and local level. At its best, collaboration encourages an open learning environment where people can experiment, learn from experience and share information to help drive through continuous improvement to add to the public value.
23. Collaboration should be based on recognition of what works well, and what needs changing. There is a need to build and share best practice, as well as identify and solve problems relating to national and local issues. A collaborative approach involving a range of public authorities, businesses and voluntary organisations is vital. By sharing expertise, knowledge and resources with a range of partners, the fire and rescue service can develop a holistic prevention strategy based on the effective management of risk. Northgate supports the introduction of work programmes aimed to developing a culture as well as a practice of multi-agency working.
24. Effective joint working is essential to civil resilience, and we support the development of clear guidance on the responsibilities of all Category 1 responders, in particular on how information can be shared in appropriate formats and at appropriate times – real-time or otherwise – between the fire and rescue service, local authorities and the police.

Information management

25. Our experience is that too much time is wasted in duplicating records, in carrying out routine tasks and finding, rather than on acting upon, information. Information technology can assist through integrating operational systems; generating management reports on key strategic issues; and providing more efficient systems for performance management.
26. We should ensure that centrally held information and analysis can effectively enable local corrective action. Critical to the success of such systems is that there is strong and robust local input and involvement, not only in collecting data but in defining and constantly refining central information and analysis. It is critical that regional controls or decision making do not override local information and local policy decisions.

27. Effective decisions about risk rely on achieving the highest confidence in the accuracy and consistency of underlying information. It is also crucial to ensure that processes are established to sustain accurate data collection on an ongoing basis.
28. Northgate believes that fire and rescue services need to undertake a thorough analysis of their current resources and their ability to meet future requirements. This requires a modelling process for future options to be tested. This process should help to maximise the effectiveness of available resources and ensure consistency is applied in balancing the efforts between traditional intervention strategies and the need to refocus effort on prevention and match resources accordingly.
29. Clear lines of responsibility must be backed up by integrated information systems to ensure that local flexibility can operate seamlessly alongside regional control, delivering the best use of resources for any incident.

Memorandum by the Leicester, Leicestershire and Rutland Combined Fire Authority (FRS 40)

The Leicester, Leicestershire and Rutland Combined Fire Authority would like to thank the Select Committee in providing this opportunity to contribute to this inquiry. Having had the opportunity to discuss this inquiry as part of the East Midlands Regional Management Board (EMRB) the Fire and Rescue Authority within Leicestershire fully support the submission provided by Mr Paul Woods on behalf of the EMRB.

Furthermore the Fire and Rescue Authority within Leicestershire also accepts and welcomes the changes in the legislative framework and the freedoms and flexibilities it provides. These changes will enable for better service delivery amongst the communities within Leicestershire.

In summary The Leicester, Leicestershire and Rutland Combined Fire Authority looks forward for further opportunities in the future to provide comment on the service, at all levels.

Mr Ian Cartwright
Director of Organisational Development

Memorandum from David Elwell MBE, Communications Manager, Essex County Fire and Rescue Service (FRS 41)

I have been the Communications Manager for Essex Fire and Rescue Service since 1981 and obviously seen many changes many have resulted in improvements to the service in general, However I would like to make the following observations for committee consideration concerning the Regional Fire Control Project:-

Whilst I am directly involved with both the Fire Control and Firelink Projects and the convergence issues arising from the respective projects and will support whatever the ODPM and our local management ultimately dictate, I have serious concerns about the Regional Control project:-

The proposal to consolidate the 6 Fire Service Controls including the one in Essex to form a regional control centre in Cambridge will in my opinion not provide the required resilience and efficiency. The new control will resemble a technology driven call centre and not be conducive with all of the elements of fire controls activities, many of which will not apparently be undertaken by the control in any event, probably resulting in Brigades having to effectively set a up a 24/7 ops room to liaise with the regional control centre.

The policy to site the Eastern Region Control at Cambridge Business Park in Cambridge on what is essentially a busy industrial estate is not conducive with ideals set out for such a centre. It is located near to one of the busiest road traffic blackspots in Eastern England near to the A14. This could result in staffing difficulties during bad weather and above normal heavy traffic conditions. (Although I would reiterate that the normal in that area is heavy in any event). It is apparently considered that Local Knowledge is not important, whilst to some degree this may be true in the event of a technology failure at one or more regional controls local knowledge would come into its own.

The whole concept of the regional controls is technology driven and fraught with danger, The most likely time to lose Landlines/Telecoms Infrastructure, Electrical Power and Radio Aerial Sites is during severe conditions where the use of the former facilities are in maximum demand. It is appreciated that the design concept will take into account the stated failures, however I doubt that any resilience measures will be adequate in the event of serious spat conditions.

The Fire Service considers it is a Community Based Service with a requirement to educate and liaise with the Community, however moving the control room away from the community based activates contradicts the concept.

It is appreciated that projects such as Firelink will improve radio communications, but it is imperative that fall back solutions are implemented from the outset and not as in the case of the police retrospectively.

In summary the whole concept of the Fire Service Control Project is Technology Driven and it is well known from major events such as the Major BT Southampton Exchange Failure, fires involving other BT exchanges causing national connectivity problems, and connectivity problems with networks resulting from July 7th that Communications Infrastructure will and does fail at the optimum time for its usage.

There is no apparent cost benefit analysis available for the original conception of the idea of regional control and it is considered that any savings will be taken up in supporting unnecessary high levels of technology with little or no manual back up mechanism. A significant number of concerns and issues have been raised as a direct result of convergence work being undertaken by this region, brigades in different areas currently work in different ways with variations in procedures, it is appreciated that convergence will rationalise many issues, however IRMP variations will occur and the attendance prescribed by the regional control will deal with them but only if the technology is efficient or in fact working. I appreciate that there will be many counter arguments from government and in particular from consultants about my views, but my assumptions are based on experience and there are serious concerns both from my self and my colleagues in our control room about the whole concept of control room regionalisation.

Memorandum by Austin Mitchell MP (FRS 42)

I'm pleased that you are holding an enquiry and grateful for the opportunity to submit evidence.

My concerns echo those of the Fire Brigades Union but with a special emphasis on the needs of South Humberside.

- (1) Grimsby is part of South Humberside, an area which is always tagged onto the end of the bigger units of regional government. We do not fit naturally in either Yorkshire, which we belong to for regional government purposes, or the East Midlands to which the South Bank of the Humber was previously attached. This remoteness from any regional centre in a reorganised fire service is going to cause problems and may cause delays and difficulties.
- (2) These problems stand to be heightened by the industrial make-up of the area. The South Bank is a concentration of oil refineries, chemical industries, gas generators which pose unique dangers already indicated by the Flixborough explosion in the Seventies, the Conoco fire more recently, and intermittent problems with emissions and the storage of dangerous chemicals.
- (3) It is a coastal and riparian area subject to occasional flooding.
- (4) In this situation a centralised control system which is rapidly increasing in estimated costs (already doubled in ministerial estimates) which are going to absorb a substantial part of the fire service budget and, therefore, weaken other services is a risk too far.
- (5) Because this concentration is a large new technological project the danger is that the early days will see the generation of problems. The system will be complex, risky and subject to a long settling in and proving time which heightens risk and danger in an area like mine.
- (6) Regional concentration may make co-operation with neighbouring forces to the south more difficult than it has been.
- (7) As a great believer in the maxim that if it ain't broke we shouldn't try to fix it, I am not convinced that the case has been made out. I have seen no demonstration of inadequacies in the present system which would justify such a massive change and certainly none to justify the job cuts which seem to be an implicit part of the claimed cost savings.

Finally, I must comment that the pace of change should not be rushed. We make our worst mistakes as a government and as a country when we rush into large changes, particularly in such a complex technological field as this. The risks, delays, indeed disasters which have attended other IT changes cannot be afforded when we are dealing with such a vital service as fire and emergencies.

Memorandum by the Fire Service Research and Training Unit at Anglia Ruskin University Cambridge (FRS 43)

1. Anglia Ruskin University

Anglia Ruskin University seeks amongst other things to:

- Be an exemplar for partnership with commerce, the community, public sector, industry and the region
- Develop recognised centres of research excellence
- Achieve satisfaction that exceeds expectation

As part of this mission Anglia Ruskin University established in 2001 a Fire Service Research and Training Unit (FSRTU), and a Foundation and BA Honours degree in Public Service. Dr Dave Baigent leads on both of these initiatives. Dave probably has a unique experience for this role; his PhD research on fire service culture provides groundbreaking evidence of the way that formal and informal cultures operate (Baigent 2001) and his 12 years academic experience is grounded by his previous career as a firefighter for over 30 years.

2. Fire and rescue service cultures

The main argument of this submission concerns the complicated cultural arrangements operating in the fire and rescue service. Many of the difficulties in the fire and rescue service are blamed on “the culture.” This appears to be a catch all phrase to almost pass the blame for all the fire and rescue service’s ills to something that occurs as if naturally. Few people appear to have any real understanding of the issues surrounding cultural influences and even less people recognise that culture is a quantifiable phenomenon capable of study and change.

3. Informal Hierarchy

Fire and rescue service cultures can be split into two groups:

- the formal culture (that set by managers);
- the informal culture (organised in the workplace by the watch/peer group).

It is argued that each watch on a fire station has an informal hierarchy (culture) through which older firefighters pass onto the next generations the skills required to be a firefighter (Baigent 2001). New trainees soon recognise that work, talk and learning can become something to look forward to - including firefighting because this risk associated atmosphere provides an opportunity for firefighters to prove they can overcome fear and not let their ‘mates’ down. This process of ‘fitting-in’ the next generation is both positive and negative; for the majority of firefighters the watch is their primary reference group for understanding the world and through which they develop their identity.

4. The imagery of firefighters

But the public do not share firefighter's enjoyment of risk and danger. The public are frightened of fire and the fact that firefighters '*go into buildings as everyone else is running out*' gives firefighters a special public image. Firefighters in effect become a White Knight that overcomes the Red Devil – fire (or anything else that endangers the public). As a result firefighters can be feted and their work has a masculine image. Many of those men who join the service do so to benefit from this imagery. In the UK this has led to a situation where the fire and rescue service employs mainly white working class men. Despite such a situation being unacceptable in the 21st century, the informal culture operating in the fire and rescue service resists attempts to create a more diverse workforce.

5. Negative influence of informal culture – an example provided by the harassment of women

The process of socialisation of new firefighters by fitting them in can be positive. However, if managers try to impose changes that threaten the way peer group leaders believe *their* fire and rescue service should be organised - or challenge the current white male identity of firefighters, the informal culture can become a platform for resistance. This became clear when, in the face of a recorded history of the harassment of women (Baigent 1996; Baigent 2004a) the Home Secretary set employment targets to improve the employment of women and ethnic minorities (Straw 1999). The outcome was a considerable support for the employment of a diverse workforce (HMCIFS 1999) – but little has changed. Despite additional pressure from government (Bain 2002; ODPM 2003) and a wake up call from within the fire and rescue service (McGuirk 2002), women are still harassed (Caplen 2004; Kaplen 2004; Wright 2005). In addition I would add that so many cases of harassment come across my desk that I am currently organising a second national survey of women firefighters to identify the changes since my 1966 survey (Baigent 1996).

6. Resistance to diversity also operates at the highest levels.

In the same way as the fire and rescue service has resisted the employment of women (and to a large extent those men who do not conform to the image that the majority of current firefighters have of themselves), many in the fire and rescue service still appear to resist the employment of ethnic minorities. At the Local Government Association Annual Conference a paper on the likely outcomes of a "Secret Firefighter" documentary (in similar terms to the one the BBC screened on the police) received a muted reception (Baigent 2004b). Given the very difficult statistics for the employment of ethnic minorities in some areas of the country, it may be possible to argue that the rebuke of "institutional racism" that was levelled against the police (Macpherson 1999) may well apply in the fire and rescue service.

7. Cultural resistance to Modernisation

There are many changes planned for the fire and rescue service (ODPM 2003). The Government have taken a strategic view by setting the boundaries and left the fire and rescue service to achieve

them. The Chief Fire Officers Association's new core values (Hurran 2005) are designed to bring about the type of revolutionary change that management consultants would applaud (Burke 2002). However, without a firm understanding of the complicated array of cultural arrangements operating in the fire and rescue service (in particular their cell-like organisation and how this acts to protect its legacy for the next generation of firefighters), having a bureaucracy in place (including IPDS) may not lead to the cultural colonisation that modernisers would hope for.

8. The conundrum of cultural influence

Firefighters' informal culture hangs onto the past. Male firefighters in particular have much invested in ensuring that this remains so. Many of these male firefighters join the fire and rescue service to be seen in the heroic image that the public have of firefighters - and it is only at emergency incidents that they can prove to themselves equal to this image. It is important not to forget that when called upon, firefighters actually do live up to their heroic (masculine) identity. In so doing they set themselves apart from those 'others' that many in the fire and rescue service believe cannot fit-in. It is here that the conundrum lies, because the only reason that some groups cannot fit-in is because firefighters will not let them.

9. Anglia Ruskin University and Cambridgeshire Fire and Rescue Service seeking to break the cultural lock-in

To assist with breaking this cultural lock-in, with the help of the Cambridgeshire Fire and Rescue Service, the FSRTU was formed by Anglia Ruskin University in 2001. There have been several pieces of research but the most notable to date is their cultural audit of initial training. During the year long research, fifteen training establishments within the UK were audited. Three arguments became clear from this research:

- new entrants to the fire and rescue service came to serve
- it was up to the training centre how trainees' view of "service" was operationalised;
- that many training establishments were perpetuating negative informal cultural beliefs

The subsequent "Sunrise Report" provided ways of both unpicking the cultural lock-in of fitting-in and for increasing the profile of fire prevention (Baigent 2003). This report provided an industry standard for those fire and rescue services looking to resist the perpetuation of informal cultures during training (and received the support of Her Majesty's Chief Inspector of Fire and rescue service).

10. Public Service Degree

At the same time as FSRTU was established Anglia Ruskin University also supported me in writing the first foundation degree in public service (ARU 2001). The degree, now in its fourth year, was

planned with the help of the emergency services to take a critical view of public service delivery. Two degrees are now offered and they provide academic capital from a mix of sociology, politics, cultural studies, law, forensic science, as well as the newly developing subject of public service. The degrees also anticipated the need for increased multi agency working within the emergency services by delivering a generic programme for the police, fire, prison and revenue and customs service and all three wings of the military. These links and the flexibility that Anglia Ruskin provides in its efforts to serve the emergency services means that the Public Service Degree is well placed to support and teach resilience. This year the Public Service Degree completed a very successfully audit by the Quality Assurance Agency (QAA 2005) and in 2006 will also be delivered online.

11. A willingness to help

It is difficult to fully do justice to the considerable contribution that the FSRTU, the Public Service Degree and the growing body of expertise on public services at Anglia Ruskin University has and will make toward fire and rescue service modernisation, resilience and diversity. Our expertise, particularly about the resistance coming from the complicated cultural arrangements operating in the fire and rescue service is probably unparalleled in the UK. We offer academic integrity and rigor that has been developed from my 12 years in academia and an ability to ground this understanding through my previous career of over 30 years as a firefighter.

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Memorandum by the Association of Principal Fire Officers (APFO) (FRS 44)

1 Executive Summary

- 1.1.1 The Association of Principal Fire Officers (APFO) is a body formally constituted to represent approximately 200 of the most senior managers in the Fire & Rescue Service, specifically with regard to pay matters and conditions of service. In our response to the new Inquiry into the Fire & Rescue Service, APFO has confined its response to those matters most pertinent to our Association and its Members.
- 1.1.2 Whilst remaining supportive of the principle drive of the FiReControl Project to deliver a more efficient, cost effective and resilient service, we are concerned that the full business case and the evidence to support the financial consequences of the Project is not available for scrutiny. It is the members of our Association who are currently leading and managing the FiReControl Project, still with many questions unanswered.
- 1.1.3 The eventual outcome may be one that meets all the aims and aspirations of the project; conversely a less successful outcome will fall upon our members to rectify and make good. Future sustainability of the Fire and Rescue Service is in many ways dependent upon successful delivery of the FiReControl Project.
- 1.1.4 Our Association believes that FireLink will significantly improve operational and incident ground communications providing both the scope and opportunity to increase the effectiveness of the Service. We believe now is an opportune time to revisit the original specification for FireLink and examine the benefits of including both hand held communication for the incident ground and alerting systems for retained Fire Stations within the scope of the Project.
- 1.1.5 Institutional reform is a priority for the Service at all levels. We believe the current overly bureaucratic processes do not aid effective industrial relations. APFO are both keen and willing to engage in meaningful discussions with the NJC and others to promote and foster a more conducive climate for the future of industrial relations within the Fire & Rescue Service.
- 1.1.6 Promoting diversity within the Fire & Rescue Service is key to developing the Service both as an employer of first choice and one that is seen by the public as being at the heart of community safety. Notwithstanding all our efforts to reduce deaths and serious injuries through fire and other emergencies and promoting a community well-being

agenda embracing a diverse workforce, we must not lose sight of the fact that the Fire & Rescue Service is critical to the future resilience of this country.

- 1.1.7 Recent events including the terrorist bombing of London, the floods in Carlisle and the major fire at an oil refinery in Buncefield, Hertfordshire, provide unequivocal evidence that the nation must have readily available, a competent, well trained, appropriately equipped and effectively led Fire & Rescue Service to respond to such emergencies. Our members who are the senior leaders of the Fire & Rescue Service need to be competent in all aspects of incident command in order to effectively lead and manage a dynamic and complex operational environment.
- 1.1.8 Whilst we fully recognise the benefits of opening the Fire & Rescue Service to multi-tier entry, we believe that ensuring the competence of our incident commanders at all levels is crucial to maintaining our world class reputation as an emergency response agency. Our ability and expertise in all aspects of critical incident operations must be preserved.

2 Terms of Reference – Question 1a

2.1 Regional Control Centres

- 2.1.1 The Association of Principal Fire Officers (APFO) are not fully convinced that a robust business case has been made to support the creation of 9 Regional Control Centres. Our members have concerns as to the potential revenue costs of the FiReControl Project which may eventually fall upon local tax payers and the consequential responsibility for that will lie with the senior managers of the Service to drive through the project and manage the eventual outcomes.
- 2.1.2 We have previously stated that we would support a project that clearly delivers enhanced resilience, greater interoperability between Fire & Rescue Services, enhanced operational effectiveness including call handling, provides for better operational working with other partners in particular Police Forces and Ambulances Services, and delivers better value for money for local taxpayers. APFO continue to lend our support to a project that is designed to deliver improvements to a key aspect of the Critical National Infrastructure.
- 2.1.3 We are not opposed in principle to a reduction in the number of existing Fire Control Centres, rather we wish to articulate a professional view that prior to embarking upon a project of this magnitude, the full business case including details of the revenue and capital costs and apportionment would have been made available for all key stakeholders to consider alongside the clearly stated service effectiveness outcomes.

- 2.1.4 Our Association has raised what we believe to be quite legitimate questions regarding the potential additional costs, which we consider may fall upon local Fire Authorities as an outcome of the FiReControl Project, as well as seeking assurances with regard to governance arrangements for the new Fire Control Centres including legal accountabilities and responsibilities with regard to the Fire & Rescue Services Act 2004. Whilst we have received some general responses from the Office of the Deputy Prime Minister (ODPM), we await clarification on the matters we have raised in our earlier discussions with ODPM representatives.
- 2.1.5 APFO recognise and understand the need for Government to have in place effective arrangements to protect the security and infrastructure of the country, and can understand there is merit within the case put forward for larger Fire Control Centres. Indeed our members have already agreed to support cross-border working and have given a commitment to respond nationwide to maintain and ensure effective incident command arrangements.
- 2.1.6 However as a professional Association we believe it is our responsibility to ask for reassurances with regard to future costs and governance arrangements including legal liability, as these are matters which fall within the corporate accountability of our members.

3 Terms of Reference – Question 1b

3.1 FireLink

- 3.1.1 APFO fully support the introduction of FireLink to replace the existing main scheme radio, and recognise the ODPMs resource and funding support in moving this project forward. At the time of the initial specification for FireLink, the issue of hand-held communication on the incident ground fell outside the scope and remit of the project, as did the provision of alerting for retained fire stations.
- 3.1.2 We believe that in light of the evolving role of Fire Authorities in supporting the civil resilience agenda as well as the increasing role the Service now plays in responding to a wider range of civil emergencies, it would be prudent to re-visit the initial specification with a view to including hand-held incident ground communication facilities (Hand-held radios) and to re-consider extending the scope of FireLink to including alerting systems for retained fire stations.

4 Terms of Reference – Questions 2a

4.1 Fire Prevention

4.1.1 APFO would wish to lend their support to the proposed introduction of the Regulatory Reform (Fire Safety) Order, emphasising the need to ensure the considerable body of knowledge and professional expertise on fire safety and fire engineering matters currently residing in the Service, is not diluted. The Fire and Rescue Service has for many years played a significant role in fire safety in the built environment; our Association believes this role should continue.

4.1.2 One further matter we would want to comment on is that of automatic fire sprinkler systems. APFO members continue to witness the damage caused to school buildings and our young people's education, through malicious and deliberate fire setting in schools. This Association lends our full support to the installation of automatic sprinkler systems in all new school buildings and major refurbishment schemes in school premises. We also extend our support to the case for domestic sprinkler systems in all new house building programmes. The opportunity to leave a legacy for future generations, providing a home environment protected from fire, should not be missed.

5 Terms of Reference – Questions 2b

5.1 Institutional Arrangements and Reform, Including Transitional Arrangements and Finance

5.1.1 Almost every aspect of the Service is now in the process of change with that change either refocusing resources to better address risk in our communities, be that risk from the Service's traditional focus/adversary of fire, or deal with threats from transportation accidents, hazardous materials, infrastructure failure, terrorist activity or climate change.

5.1.2 Many of the current elements of modernisation assist Fire Authorities in using their resources more flexibly, including taking a more entrepreneurial approach to preventing emergencies and protecting people and property, as well as tailoring our operational response more closely to evidence based demand.

5.1.3 Ironically, the one area which has failed to respond to these changes, and yet in many ways was instrumental in precipitating the industrial disputes of 2002/3, is the national negotiating arrangements. Currently two NJCs exist. The first and largest of these

negotiating fora is euphemistically entitled 'NJC for firefighters', although it actually accommodates all roles from firefighter to Area Manager.

- 5.1.4 A smaller NJC for Principal Fire Officers operates for the most senior members of the Service, those who lead industry and manage the considerable changes, with the vast majority being members of APFO. The Association do not believe the current arrangements serve our industry well. They are overly bureaucratic, process driven and reinforce an industrial relations culture of conflict rather than co-operation. Reliance on constitutional arrangements rather than mediation and resolution has led to industrial relations characterised by long periods of stalemate and then dramatic change, often precipitated by damaging industrial action.
- 5.1.5 Whilst this has been the pattern for the NJC for firefighters, that for Principal Fire Officers, although somewhat less turbulent, is nonetheless equally moribund. Its operation, structures and methods of working hark back to an era long gone elsewhere in either the public or private sector, yet still remain the principle structure for driving change at a national level.
- 5.1.6 APFO members, both as employees and as managers of the Service, have grown frustrated and increasingly disillusioned with the present arrangements. In our view they need wholesale reform, both to widen representation of employee groups and more importantly, to introduce greater objectivity centered upon a partnership approach to problem solving.
- 5.1.7 The NJC has been tasked with transforming itself; this in our view has not come about. We do not believe it is able to change itself as it is an entity which reinforces the status quo, rather than facilitating transformation. It is therefore time to overhaul the mechanism for national negotiation and agreement and to promote more constructive labour relations that are focussed less on process and more on clear outcomes.

6 Terms of Reference – Questions 2c

6.1 Promoting Diversity Within the Fire and Rescue Service

- 6.1.1 The wholesale drive to modernise the Fire and Rescue Service has the Association believes, created a view amongst some key stakeholders that what went before had not delivered what was expected of a public funded service, and was therefore in need of complete reform and re-design. We believe that it is important we remind ourselves that

the Fire & Rescue Service is not, and has never been, a failing Service. Room for improvement yes, in need of some reform we agree, but far from sub standard.

- 6.1.2 Notwithstanding the undoubted successes of the Service, a belief appears to have emerged in some quarters that those officers who presently lead the Service are not able to take forward the progressive change agenda or are not suitably 'managerially' qualified and that 'managers' from outside must be brought in to inject expertise and bring a fresh perspective to the Service. In some ways this approach has been justified by suggesting that it brings diversity to the Service.
- 6.1.3 APFO refute entirely the assertion held by some influential parties that Principal Fire Officers are not best placed to lead the Service. The majority of our members hold academic qualifications at First and Masters Degree level and have led the Service through extremely challenging and difficult times, not only in the area of strategic organisational leadership, but crucially in the absolutely vital role of command at operational incidents.
- 6.1.4 As a reminder, the recently witnessed major floods in Carlisle, terrorist bombs in London and oil terminal fire in Hemel Hempstead demonstrate the fundamental importance of the command and leadership role of Fire and Rescue Service Officers, including Principal Fire Officers, at the scene of operational incidents.
- 6.1.5 APFO has been quite clear that opening up the Service to talent from outside is to be welcomed. We recognise that whilst principal managers are performing well, they have no monopoly on innovation and managerial expertise. However, those entrants who join the Service need to be developed to take on the significant operational command role the public quite rightly expect from a primary emergency service. Operational command at tactical and strategic level can be developed through training and experience, but takes time and resources to guarantee high performance.
- 6.1.6 Unfortunately the haste to repeal the existing Appointment and Promotion Regulations that had once ensured those placed in command roles had the requisite expertise, has resulted in a lack of accredited training programmes being made available for new talent. The development of accredited training programmes is fundamental if the Service is to support and enable those persons who enter the Service at a junior, middle or strategic management level, to acquire the competence necessary to safely and properly undertake the complete range of functions within the role of a Fire and Rescue Service Manager, particularly where it includes operational command.

- 6.1.7 Unfortunately there appears to be a belief in some quarters that as operational command occupies such a relatively small proportion of an officers' time, it is unimportant. The fundamental flaw in this thinking was dramatically exposed by the terrorist attacks of 7 July 2005. The simple fact is that the Commissioners of both the London Fire Brigade and the Metropolitan Police Service spend comparatively little time undertaking operational command in their present roles. However, when they do take command it is vital that they have the requisite knowledge as well as being both competent and experienced to enable them to effectively meet those enormous challenges.
- 6.1.8 There is now a real vulnerability, most obviously at strategic level, but also throughout the whole Service as new entrants are invited and encouraged to join, with as yet no proper programmes in place to ensure that this new pool of potential leaders are properly trained and developed to meet the operational challenges they are to face.
- 6.1.9 The public, and other emergency service colleagues, have a right to expect proper levels of experience and competence throughout all roles within the Service and need an assurance that those leading this key emergency service are indeed capable of effectively undertaking their full range of duties.

7 Terms of Reference – Questions 3

7.1 Joint Working Between the Fire and Rescue Service and Other Emergency Services

- 7.1.1 A major thrust of reform in the Fire and Rescue Service is close collaboration between Services and other partner agencies. The motivation for such partnerships can be varied, ranging from capitalising on individual strengths, sharing fixed costs, greater economies of scale and better use of resources.
- 7.1.2 Whilst central Government appears to have abandoned its desire for regional Fire and Rescue Services, it appears now to have moved to a more covert position whereby it seeks to encourage voluntary collaboration and merger. The Association recognises the potential benefits this may bring, both in terms of some aspects of service delivery and easing pressures on the public purse, but would argue that a 'one size' solution is not necessarily in the best interests of the Service and more importantly nor is it in the best interests of service delivery to the public.
- 7.1.3 We would also argue that whilst a cursory examination of the evidence may suggest that larger Fire Authorities appear to perform better, close scrutiny will reveal that many

smaller Fire Authorities are high performing, particularly in indicators such as cost per head of population.

- 7.1.4 Inevitably, examples of closer collaboration has led to a number of Services sharing officers to provide strategic operational cover across the partner authority areas. A sensible and pragmatic approach at a local level, this may be. Unfortunately were this trend to continue unabated, the lack of a regional or national perspective will create a considerable vulnerability in resilience.
- 7.1.5 Individual authorities not surprisingly are considering local needs when making their own arrangements, but are not assessing the wider implications for national and regional resourcing of major civil emergencies. With the response to terrorist attacks and major climatic events being predicated at least on a regional basis, the minimum number and availability of principal officers across the UK needs to be properly assessed and maintained. At present, this assessment is not being undertaken and the lack of overview and co-ordination is allowing a vulnerability to grow in terms of national resilience.

Memorandum by the South East Regional Management Board (SE RMB) (FRS 45)

1 Executive Summary

- 1.1.1 The South East Regional Management Board (SE RMB) are a joint committee established under sections 101 and 102 of the Local Government Act 1972 and comprise the following Fire Authorities: Buckinghamshire and Milton Keynes, East Sussex, Hampshire, Isle of Wight, Kent and Medway Towns, Oxfordshire, Royal Berkshire, Surrey and West Sussex. Collectively the Fire Authorities in the south east employ approximately 8,700 people and serve a population of over 8 million, making it the largest region in England in terms of employees and population.
- 1.1.2 In crafting our response to the Inquiry, the South East RMB would wish to reiterate their commitment to the modernisation of the Fire and Rescue Service which should lead to continuing improvements in community safety, further reductions in fire deaths and fire related injuries and a reduction in the damage caused to property and the environment through fire. We are pleased to see the statutory role of Fire Authorities extended within the Fire & Rescue Services Act 2004, and await further deliberations on the broader emergency response role currently being considered.
- 1.1.3 The SE RMB believe there is scope and potential for the Fire and Rescue Service to play an increasing role in the broader civil protection and community safety agenda and we believe Government should now give further consideration to the benefits of extending the role of the Fire and Rescue Service into one that encompasses a wider range of civil protection and emergency planning duties.
- 1.1.4 Whilst we are of a view that the potential for extending the role of the Service is worthy of further consideration, and indeed the recent consultation on an Emergencies Order for Fire and Rescue Services indicates the Government do indeed support such a move, further funding will be required to provide the capacity and resources that will enable Fire and Rescue Services to effectively discharge those additional responsibilities.
- 1.1.5 In looking at the specific matters described in the Inquiry and being considered by the Select Committee, the SE RMB would wish to emphasise the following points.
- **FiReControl Project.** The SE RMB whilst being cognisant of the case put forward for a rationalisation of the number of Fire Control Centres, is supportive in principle of a Project that delivers increased resilience, enhanced service effectiveness and inter-operability with other emergency services, better working

between Fire Control Centres and delivers greater value for money for local tax payers.

We remain however unconvinced, that the current Project will deliver the savings described by the ODPM and are fearful that additional costs will have to be borne by local council taxpayers. We seek assurances that the enhanced service delivery outcomes articulated by the ODPM will be achieved.

- **FireLink.** The SE RMB is supportive of the replacement project for main scheme radio and will work alongside ODPM to ensure FireLink is successfully implemented. We do however seek assurances that there will be no additional revenue costs falling upon South East Fire Authorities once FireLink replaces the existing main scheme radio. Further we believe that it would be appropriate to review the original specification to bring within the scope of the FireLink Project, hand held radios for the incident ground and alerting systems for retained Fire Stations.
- **Fire Prevention.** The introduction of the Regulatory Reform (Fire Safety) Order in the spring of 2006 should provide a clearer and more focused legislative framework for fire safety in the built environment. We remain however, cognisant of the concerns expressed by the business community that a reduction in bureaucracy whilst welcome in many quarters could lead to a potential reduction in fire safety in places of work and other occupied buildings.

The Fire and Rescue Service has significant professional expertise and experience in fire safety matters and we would want to continue supporting the business community in developing and maintaining safety in the built environment. The SE RMB would also wish to make the strongest possible representations that all new school buildings or any major refurbishments to school buildings are constructed with fire sprinkler systems. We believe the wanton damage to the fabric of our school buildings and the damaging cost to our children's education should not be allowed to continue.

In extending our support for fire sprinkler systems, we would also argue that any new residential premises constructed have installed at build stage, domestic sprinkler systems. We find it difficult to comprehend that with the announcement by the Deputy Prime Minister of a massive house building programme over the next twenty years, 500,000 alone in the south east, the protection of future occupants from the danger of fire, has not been at the fore

front of strategic thinking. This is a once in a lifetime opportunity to leave a legacy of safety for future generations, and is an opportunity that must not be allowed to pass by.

- NJC and financing arrangements. The SE RMB believe that a partnership approach with responsible trade unions is in the best interests of the Fire Authority, our employees and those communities we serve. The industrial tensions over the last few years have a number of causes. We believe that leaders and managers of change are crucial to improving the Fire and Rescue Service and achieving the efficiencies and effectiveness expected by local taxpayers.

In seeking to move the Service forward, we believe it is crucial that our middle and senior managers have a credible voice and that creating a specific NJC for those managers will be a significant step forward. In considering financing of Fire and Rescue Services, we remain unconvinced that the existing funding mechanism is properly reflective of the demands on the Service. We believe that the amount local council tax payers have to pay towards the Fire and Rescue Service is disproportionate and hold a firm view that central Government should contribute a greater proportion of the overall funding provision of the Fire and Rescue Service.

Across the South East region, our Fire Authorities are responsible for providing a range of preventative, protective and intervention services in densely populated urban areas and large rural tracts of the country, interspersed with many small towns and villages. In addition, the South East has a considerable coastal area that attracts many visitors, with the inherent increased risk seasonal rises in population bring. We believe we are disadvantaged in grant in comparison to many other Fire and Rescue Authorities including the Metropolitan Authorities. Redistribution of grant is key to ensuring that all Fire Authorities are treated fairly.

2 Terms of Reference – Question 1a

2.1 Regional Control Centres

- 2.1.1 The South East Regional Management Board (SE RMB), whilst remaining unconvinced of the business case for establishing one Regional Control Centre in the south east, and specifically having concerns regarding the potential revenue costs which may fall on local tax payers, have stated their support in principle for a project that delivers enhanced

resilience, greater interoperability between Fire & Rescue Services, enhanced operational effectiveness including call handling, provides for better operational working with other partners in particular Police Forces and Ambulances Services, and delivers better value for money for local taxpayers

- 2.1.2 We are disappointed that the full business case is not yet available to Fire Authorities and we are informed that this document will now not be available until the summer of 2006. Previously we have raised questions regarding additional costs, which we consider may fall upon local taxpayers, as well as seeking assurances with regard to governance arrangements for the new Regional Fire Control Centres including legal accountabilities and responsibilities stemming out of the Fire & Rescue Services Act 2004.
- 2.1.3 Whilst we have received some general responses from the Office of the Deputy Prime Minister (ODPM), we await clarification on the matters we have raised, and in particular with regard to the on-going pressures on revenue budgets, seek absolute assurances that our local tax payers will not have to bear the burden of any additional costs arising out of the FiReControl project.
- 2.1.4 The SE RMB, recognise and understand the need for Government to have in place effective arrangements to secure the Critical National Infrastructure of the country, and are mindful that there can be made an argument for larger Fire Control Centres. However we are concerned at the large geographical area and population to be served by one Fire Control Centre for the south east and believe there are sound reasons to consider whether one Fire Control Centre is sufficient to serve our region.
- 2.1.5 One further crucial matter is the work currently undertaken by the existing Fire Controls that will not be provided as part of the arrangements for Regional Control Centres. This is known as 'out of scope' work and will remain as a legacy and cost for individual Fire Authorities. We do not believe this has been fully taken into account by the ODPM when they first published their findings on the merits of moving to Regional Control Centres, leading to their conclusions on savings to be achieved within the context of the FiReControl Project.
- 2.1.6 The SE RMB believe the anticipated savings are questionable, and again reiterate their request to receive assurances that local tax payers will not have to meet the additional costs that will arise from implementing an ODPM instigated project.

3 Terms of Reference – Question 1b

3.1 FireLink

- 3.1.1 The SE RMB fully support the introduction of FireLink to replace the existing main scheme radio, and recognise the ODPMs resource and funding support in moving this project forward. At the time of specification for FireLink, the issue of hand-held communication on the incident ground fell outside the initial specification, as did the provision of alerting for retained fire stations.
- 3.1.2 We believe that in light of the evolving role of Fire Authorities in supporting the civil resilience agenda as well as the increasing role the Service now plays in responding to a wider range of civil emergencies, it would be prudent to re-visit the initial specification with a view to including hand-held incident ground communication facilities (Hand-held radios) and to re-consider extending the scope of FireLink to include alerting systems for retained fire stations.

4 Terms of Reference – Questions 2a

4.1 Fire Prevention

- 4.1.1 Since the enactment of the Fire Precautions Act in 1971, we have seen a significant improvement in fire safety and fire precautions in the built environment. Fire and Rescue Services over the past 34 years have built up considerable professional expertise in fire safety and fire engineering which we believe has served the business community extremely well.
- 4.1.2 Whilst we welcome the introduction of the Regulatory Reform (Fire Safety) Order, and support the drawing together of the myriad of legislation that relates to fire safety in places of work and public buildings, we are concerned that placing responsibility for such matters entirely on the premises occupier or owner, may see a reduction in the high standards now found in places of work and public buildings, with regard to fire safety.
- 4.1.3 We believe that the professional expertise of the Fire and Rescue Service in supporting the business community through an appropriate mixture of education, encouragement and enforcement, should be retained, and that it would be beneficial to carefully review the introduction of the Order to ensure its implementation meets its stated aims and objectives. Failure to maintain necessary standards in publicly accessed buildings will in our view, inevitably result over a period of time, in an increase in fires and fire casualties.

It is important that we maintain safety with regard to fire and means of escape in these building types, whilst seeking to improve fire safety and means of escape in those premises deemed to be high or higher risk.

5 Terms of Reference – Questions 2b

5.1 Institutional Arrangements and Reform, Including Transitional Arrangements and Finance

- 5.1.1 We have considered the matter of institutional reform and have been supportive of the intention to review the National Joint Council with a view to considering the establishment of effective representative arrangements between employees and their Fire Authorities.
- 5.1.2 The SE RMB are not convinced that the current constitutional arrangements which have led to the vast majority of the uniformed workforce being represented by the Fire Brigades Union (FBU), are necessarily the most effective way of progressing the modernisation of the Fire and Rescue Service. The current arrangements which result in many of the uniformed managers in the Service being represented by the FBU, is in our view not appropriate for a modern public sector organisation and is not necessarily the most effective mechanism for consulting and negotiating conditions of service matters with our middle and senior managers, and perhaps does not best serve the needs of those staff.
- 5.1.3 We would support meaningful dialogue with a view to establishing a middle/senior manager's representative forum, with the remit to negotiate terms and conditions of service on behalf of those staff.
- 5.1.4 In turning to matters of finance, we would direct the Select Committee to the 2003 report by Professor Sir George Bain, who considered the potential for Fire Authorities to make savings to support the modernisation agenda, concluding that the scope for savings was likely to be different across Fire Authorities.
- 5.1.5 We would argue that the scope for such savings, particularly with regard to the suggested reductions in staff numbers amongst the SE Fire Authorities is minimal, and that the re-distribution of grant mentioned in the Bain Report has not materialised. All the SE Fire Authorities have a substantial mix of wholtime and retained duty system fire fighters and cover large rural areas as well as heavily populated city areas including Brighton, Southampton and the rapidly expanding city of Milton Keynes. Collectively we are

responsible for providing an emergency response to the Channel Tunnel, Gatwick Airport and other smaller regional airports along with providing an operational response to one of the busiest shipping highways in the world.

- 5.1.6 The south east has a large coastal area with inherent associated costs. We would argue strongly that re-distribution of grant is a matter of considerable importance and that South East Fire Authorities should be primary beneficiaries from any grant re-distribution.

6 Terms of Reference – Questions 2c

6.1 Promoting Diversity Within the Fire and Rescue Service

- 6.1.1 For many years, the SE Fire Authorities have been at the forefront of supporting a diversity agenda in the Service, recognising the benefits that would accrue from having a workforce that was truly representative of the communities we serve. There are however a number of challenges to overcome, in particular positioning the Service as a career option rather than simply as a job. There needs in our view to be a concerted and joined up advertising campaign, not unlike that undertaken on behalf of the Armed Forces, to bring to the attention of prospective job applicants, the opportunities now available in a modern Fire and Rescue Service.
- 6.1.2 Such a campaign would need to be co-ordinated and funded through the ODPM to ensure it was of the quality and sophistication necessary to put across a strong message that raised the profile of the Fire and Rescue Service as being an employer of choice for those seeking dynamic, challenging and wide ranging career opportunities.
- 6.1.3 Co-terminus to any advertising campaign, there needs to be a joined up approach across all relevant Government Departments, in particular the DfES and the Department of Work and Pensions, to ensure young people are aware through schools career programmes, of the opportunities now available to them, and that those who may have left education and are now seeking other career opportunities are also aware of the career open to them in the Fire and Rescue Service.

7 Terms of Reference – Questions 3

7.1 Joint Working Between the Fire and Rescue Service and Other Emergency Services

7.1.1 The SE RMB value the partnership working between the Fire and Rescue Service and other emergency services, in particular in matters related to civil resilience. We believe such partnership working must continue if we are to provide an effective response to emergency incidents and support joint exercises between the emergency services. However we are mindful of the recent debates relating to reform of Police and Ambulance structures and would suggest that it would be prudent to await the outcome of any structural reform of those Services, before considering options for the Fire and Rescue Service.

7.1.2 We are clear in our view that we do not believe there is any benefit or merit in regionalisation of the Fire and Rescue Service and are pleased that the Fire Minister Jim Fitzpatrick has recently stated that it is not the Government's intention to regionalise Fire Authorities nor is it Government's intention to pursue amalgamations of Fire Authorities. We agree wholeheartedly with the Minister.

8 Civil Resilience

8.1.1 As the work of the Fire and Rescue Service has evolved in recent years to encompass a wider civil emergency response, we have been grateful for the Governments' support of the New Dimension agenda. We would hope that Government continue to support the on-going training of this additional work, which is crucial to the continuing effectiveness of the Critical National Infrastructure.

8.1.2 In addition, we believe that the issue of co-responding is one which the Fire and Rescue Service should engage in through partnerships with the Ambulance Services. We are aware of the FBUs opposition to co-responder schemes, but cannot agree with their view and will continue to explore all opportunities to enhance the delivery of life safety services to local communities, including co-responder schemes. The SE RMB would be pleased to engage further with Government to consider whether it is necessary to put into place additional arrangements to support Fire Authorities in implementing co-responder schemes where there is an identified community need.

Memorandum by East Sussex Fire and Rescue Service (FRS 46)

1 Executive Summary

1.1.1 East Sussex Fire Authority are responsible for providing, administering and managing the Fire & Rescue Service in the county of East Sussex and the city of Brighton & Hove. In crafting our response to the Inquiry, East Sussex Fire Authority would wish to reiterate their commitment to the modernisation of the Fire & Rescue Service which should lead to continuing improvements in community safety, further reductions in fire deaths and fire related injuries and a reduction in the damage caused to property and the environment through fire.

1.1.2 We are pleased to see the statutory role of Fire Authorities extended within the Fire & Rescue Services Act 2004, and await further deliberations on the broader emergency response role currently being considered. As an Authority committed to supporting the needs of our local citizens, we believe the Fire & Rescue Service can play an increasing role in the broader civil protection and community safety agenda and believe Government should now give further consideration to extending the role of the Fire & Rescue Service into one that encompasses a wider range of civil protection and emergency planning duties.

1.1.3 In looking at the specific matters described in the Inquiry and being considered by the Select Committee, East Sussex Fire Authority would wish to emphasise the following points.

- **FiReControl Project.** This Authority whilst being cognisant of the case put forward for a rationalisation of the number of Fire Control Centres, is supportive in principle of a Project that delivers increased resilience, enhanced service effectiveness and inter-operability with other emergency services, better working between Fire Control Centres and delivers greater value for money for local tax payers.

We remain however, unconvinced that the current Project will deliver the savings described by the ODPM and are fearful that additional costs will have to be borne by local council taxpayers. We seek assurances that the enhanced service delivery outcomes articulated by the ODPM will be achieved.

- **FireLink.** This Authority is supportive of the replacement project for main scheme radio and will work alongside ODPM to ensure FireLink is successfully

implemented. We do however seek assurances that there will be no additional revenue costs falling upon Fire Authorities once FireLink replaces the existing main scheme radio.

Further we believe that it would be appropriate to review the original specification to bring within the scope of the FireLink Project, hand held radios for the incident ground and alerting systems for retained Fire Stations.

- **Fire Prevention.** The introduction of the Regulatory Reform (Fire Safety) Order in the spring of 2006 should provide a clearer and more focused legislative framework for fire safety in the built environment. East Sussex Fire Authority are however cognisant of the concerns expressed by the business community that a reduction in bureaucracy whilst welcome in many quarters, could lead to a potential reduction in fire safety in places of work and other occupied buildings.

The Fire & Rescue Service has significant professional expertise and experience in fire safety matters and we would want to continue supporting the business community in developing and maintaining safety in the built environment. This Authority would also wish to make the strongest possible representations that all new school buildings or any major refurbishments to school buildings are constructed with fire sprinkler systems. We believe the wanton damage to the fabric of our school buildings and the damaging cost to our children's education should not be allowed to continue.

In extending our support for fire sprinkler systems, we would also argue that any new residential and domestic dwellings constructed have installed at build stage, domestic sprinkler systems. We find it difficult to comprehend that with the announcement by the Deputy Prime Minister of a massive house building programme over the next twenty years, 500,000 new homes alone in the south east, the protection of future occupants from the danger of fire, has not been at the fore front of strategic thinking. This is a once in a lifetime opportunity to leave a legacy of safety for future generations, and is an opportunity that must not be allowed to pass by.

- **NJC and financing arrangements.** East Sussex Fire Authority believe that a partnership approach with responsible trade unions is in the interest of the Fire Authority, our employees and those communities we serve. The industrial tensions over the last few years have a number of causes.

We believe that leaders and managers of change are crucial to improving the Fire & Rescue Service and achieving the efficiencies and effectiveness expected by local taxpayers. In seeking to move the Service forward, we believe it is crucial that our middle and senior managers have a credible voice and that creating a specific NJC for those managers will be a significant step forward.

In considering financing of Fire & Rescue Services, we remain unconvinced that the existing funding mechanism is properly reflective of the demands on the Service. We believe that the amount local council tax payers have to pay towards the Fire & Rescue Service is disproportionate and hold a firm view that central Government should contribute a greater amount of the overall funding provision of the Fire & Rescue Service.

As a combined Fire Authority responsible for densely populated urban areas, a large rural county with many small towns and villages, and a coastline in excess of 80 km, we believe we are disadvantaged in grant in comparison to many other Fire & Rescue Authorities including the Metropolitan Authorities. Redistribution of grant is key to ensuring that all Fire Authorities are treated fairly.

2 Introduction

- 2.1.1 East Sussex Fire Authority welcomes the opportunity to review the progress that has been made in modernising the Fire and Rescue Service since 2003. Whilst much has been achieved, there still remain many opportunities to reduce fire deaths and injuries and fire related property damage alongside the evolution of the role of the Fire and Rescue Service in areas of civil resilience and civil protection.
- 2.1.2 There is much evidence of progress particularly in the areas of reducing fire related deaths and injuries, with the Service now engaging more with key stakeholders to reduce the damaging impact to society of road traffic collisions.
- 2.1.3 There is one major safety development which needs Government commitment now. East Sussex Fire Authority has, for sometime, advocated the installation of sprinkler systems in public buildings, particularly schools, and actively supports the growing lobby arguing for the installation of domestic sprinkler systems in new homes. There is much evidence from other countries, particularly New Zealand and the USA, that shows clear benefit arising from the installation of domestic sprinkler systems and we urge the Government to grasp this initiative in line with their significant new house building programme that is scheduled to take place over the next fifteen to twenty years.

2.1.4 The modernisation and reform agenda for the Fire and Rescue Service has faced many hurdles including in a number of instances, resistance to change from the Fire Brigades' Union. Aspects of the role of the Fire and Rescue Service particularly in relation to civil resilience and co-responding have frequently been resisted by the Fire Brigades' Union, which has led to a slower realisation of the benefits expected from reform. In addition, necessary changes to the national negotiating machinery has seen little progress and until these matters are effectively resolved, the direction and speed of progress is likely to be limited.

3 Terms of Reference – Question 1a

3.1 Regional Control Centres

3.1.1 While East Sussex Fire Authority remains unconvinced of the rationale for the FiReControl Project to build nine fire control centres based on the existing Government regions, we continue to lend our support to a project that delivers successful outcomes that provide a better, more effective and resilient service leading to greater value for money gains.

3.1.2 To be successful the FiReControl Project must (a) deliver:- increased resilience, enhanced interoperability and support between Fire and Rescue Service Control Centres, more effective working with other emergency service partners, in particular the Police Service and Ambulance Service, greater operational effectiveness in terms of call handling and incident response and (b) provide greater value for money for local tax payers than the current system which works satisfactorily at the moment. We remain disappointed that the full business case is still not available to Fire Authorities.

3.1.3 East Sussex Fire Authority continue to seek confirmation from the Office of the Deputy Prime Minister that the benefits described above will be delivered through the FiReControl project and a reassurance that local taxpayers in East Sussex and the City of Brighton & Hove will not have to contribute more council tax to support the project outcomes.

3.1.4 In addition, an absolute clarification is sought on the Government's constitutional arrangements for the Regional Fire Control Centres alongside a clear and unequivocal statement on the legal issues surrounding statutory responsibilities and liability for responding to emergency calls. Finally, we seek clarity on the VAT arrangements for the new Regional Control Centres.

4 Terms of Reference – Question 1b

4.1 FireLink

4.1.1 East Sussex Fire Authority supports the introduction and implementation of the FireLink Project recognising that the existing main scheme radio system is now obsolete. We welcome the support of the ODPM in progressing the FireLink Project, but again raise the issue of future revenue costs. Whilst there has been some detail provided on the infrastructure and hardware revenue costs of the system with agreement that this is paid for by the ODPM, the continuing ongoing revenue maintenance and support costs for the system are still unclear.

4.1.2 In addition, we believe it would be appropriate now to review the original specification for FireLink, which at the time of its crafting omitted both the provision of handheld communication at the incident ground and an alerter system for retained fire stations with related mobilising arrangements.

4.1.3 East Sussex Fire Authority believes that with the increasing role the Fire and Rescue Service now plays in responding to other emergencies, particularly those relating to the civil resilience and civil protection agenda, it is crucial that handheld communication on the operational incident ground is provided and that this should be built into the FireLink Project. We would therefore, ask that the Select Committee consider this matter in some detail.

5 Terms of Reference – Questions 2a

5.1 Fire Prevention

5.1.1 East Sussex Fire Authority has supported the revision of fire precautions and fire safety legislation and welcomes the drawing together of a range of statutes within the Regulatory Reform (Fire Safety) Order. We understand the Order is to become effective from April 2006 and we believe there is now an opportunity to ensure that fire safety and fire precautions in the built environment continues the improvements we have seen in fire safety matters since the enactment of the Fire Precautions Act in 1971.

5.1.2 We understand fully, the need to remove unnecessary red tape and bureaucracy from the business sector and place on the responsible owner/operator of premises, proper accountabilities. We also believe, however, that the Fire Precautions Act 1971 has played,

and continues to play, an important part in securing fire safety measures in occupied buildings and places of work.

- 5.1.3 In discussions with our local business community, we conclude that a balance has to be struck between what we believe to be a necessary bureaucratic fire certification scheme and the move within a modern and dynamic business environment to place proper accountabilities and responsibilities on premises owners. The Regulatory Reform (Fire Safety) Order will see the role of the Fire and Rescue Service move from being an enabling and facilitative body to that of a primary enforcement agency.
- 5.1.4 There is in our view, a potential for fire safety measures in occupied buildings and places of work to decline, resulting in a greater risk to those persons who work in or visit such buildings. Any greater risk of fire in occupied buildings and places of work will result in an increased workload for the Fire and Rescue Service and potentially a greater risk for our firefighters.
- 5.1.5 It is not our intention to scaremonger or suggest that the built environment will immediately become a less safe place. Nevertheless, we believe that since 1971, the built environment has become much safer. This is due in some part to the role played by the Fire and Rescue Service and the professionalism of fire safety inspecting officers who have advised on fire safety and related measures in such buildings and have supported the maintenance of a fire certification regime through regular inspections.
- 5.1.6 We suggest therefore, that the impact of the Regulatory Reform (Fire Safety) Order is closely monitored and regularly reviewed to ensure that fire safety measures in the built environment do not decline following the move to a new legislative regime.

6 Terms of Reference – Questions 2b

6.1 Institutional Arrangements and Reform, Including Transitional Arrangements and Finance

- 6.1.1 Financial Provision for the Fire and Rescue Service both at a national and local level does give some cause for concern. The earlier review of the Fire and Rescue Service indicated that there were savings to be made through organisational efficiencies.
- 6.1.2 In East Sussex, we are changing the way we do things – most importantly resources have moved from the traditional areas of response and intervention towards prevention. We will continue to adjust our working practices and the deployment of resources, but there

is limited scope for further savings without the overall operational efficiency of the organisation being harmed.

- 6.1.3 Further, it is becoming increasingly clear that the evolving role of the Fire and Rescue Service, particularly in support of the civil resilience and civil protection agenda, has placed additional financial burdens on the Service, including the provision of ongoing training and the maintenance of equipment and plant.
- 6.1.4 Whilst we recognise and acknowledge the support of the ODPM in providing initial plant, equipment and accommodation to support the New Dimension programme, the additional responsibilities on the Service as Category One Responders through the Civil Contingencies Bill and the work associated with emergency planning is difficult to absorb within existing revenue budgets.
- 6.1.5 In the earlier White Paper, it was acknowledged that not all fire authorities would have the same capacity to make savings and that a redistribution mechanism would have to be found to ensure that those authorities that had little or no opportunity to find savings would be supported through a re-distribution of grant. To date, we have seen no evidence of any grant redistribution.
- 6.1.6 East Sussex Fire Authority would also raise its concern with regard to the impact of the modernisation agenda on those Services who have a high proportion of their staff working the retained duty system. Whilst the outcome of the 2003 industrial action was predicated on a self-funded pay award, it is important to remember that this was looking at the national position as a whole. The result has been that those Fire Authorities who have significant numbers of retained duty personnel proportional to their wholetime personnel have seen their revenue costs rise sharply. The issue of revenue grant redistribution is therefore, critical to the future sustainability of Fire and Rescue Authorities.

7 Terms of Reference – Questions 2c

7.1 Promoting Diversity Within the Fire and Rescue Service

- 7.1.1 East Sussex Fire Authority fully supports the agenda to promote diversity within the Fire and Rescue Service and is committed to the principle of its local service reflecting and representing the people it serves. We believe it is important however, for Government to strategically support this agenda and recognise that to promote the Fire and Rescue Service as an employer of the first choice and as a worthwhile career option, we must have

in place effective relationships with the Department of Education and Science to promote a career in the Fire and Rescue Service in all schools and colleges and through careers fairs. The Department of Work and Pensions must also recognise and promote the Fire and Rescue Service as a career choice.

- 7.1.2 We applaud the advertising campaigns of the Armed Forces in nationally promoting their Services through the medium of television in highly sophisticated and well-marketed advertising campaigns. The same approach should be considered as a matter of priority for the Fire and Rescue Service supported and marketed through the ODPM.
- 7.1.3 As an authority determined to secure the most able and competent staff to manage and lead our Service, we also welcome the opportunity to open the Service to a much wider field of applicants through removing artificial barriers to entry and a single tier entry system. However, we also believe it is fundamental to the success of the Service to ensure that the critical incident command skills of officers are not diluted and that entry into the Service at all levels is only available to those competent to undertake the requirements of the role.
- 7.1.4 We recognise the challenges this poses those persons who would wish to enter the Service at a higher level and do not have the necessary critical incident command skills. Therefore we believe it is important that the Service has in place robust and accredited training programmes to ensure that those who come into the Service at a multi-entry stage route, are able to gain the necessary skills and competencies to undertake their role.

8 Terms of Reference – Questions 3

8.1 Joint Working Between the Fire and Rescue Service and Other Emergency Services

- 8.1.1 We support fully, increasing partnership working between the Fire and Rescue Service and other emergency services particularly in the areas of community safety and working with young people. We have seen much success from the results of programmes such as the LIFE project and work with the Prince's Trust in supporting young people, particularly the socially excluded and those referred to the Fire and Rescue Service through Youth Offending Teams.
- 8.1.2 Such programmes, often supported through Crime and Disorder Reduction Partnerships (CDRPs), are seen as key components of improving social cohesion and community well being. As such, we would wish to continue supporting such initiatives. However, we are concerned at the continuing impact on existing resources of supporting such

programmes and would urge that consideration be given to providing specific grant funding to support and resource what we consider to be significantly beneficial community partnership programmes.

9 Civil Resilience

- 9.1.1 East Sussex Fire Authority fully supports the engagement of the Fire and Rescue Service in the civil resilience agenda. We have previously recommended that the Fire and Rescue Service take on a greater civil protection role particularly in light of our experiences of major flooding in 1998 and in 2000. We believe that not only can the Fire and Rescue Service provide a professional and supportive emergency response to such incidents, but also that our local communities both expect and demand such a provision from the public emergency services.
- 9.1.2 The Fire and Rescue Service in our view, is best placed to support, provide and undertake such a role and we would argue that along with this enhanced role and consequential responsibilities, there should be an increased level of funding.
- 9.1.3 We believe it would be opportune now to review the role of the Fire and Rescue Service alongside the Section 9 and 11 provisions within the Fire and Rescue Services Act 2004 to look specifically the other emergencies in which Fire and Rescue Services are likely to be required or indeed may wish to engage, in order to meet local circumstances and community needs. The outcome must be on the one hand, that local communities and central Government can be assured of a professional and effective response to civil emergencies and on the other, that local tax payers are not unnecessarily burdened.
- 9.1.4 In addition and in support of the broader public safety agenda, East Sussex Fire Authority see considerable benefit in the introduction of co-responder schemes between local Ambulance Services and the Fire and Rescue Service. We believe that where there is an identified need, the Fire and Rescue Service should use its resources to support life safety and life preservation in engaging in co-responder schemes. We are disappointed that at a national level, the Fire Brigades Union has stated its opposition to such schemes, which seems at odds with the aims and ideals of a publicly funded emergency service.

Memorandum by Hampshire Fire and Rescue Authority (FRS 47)

Introduction

Hampshire Fire and Rescue Authority is a Combined Fire Authority serving the administrative areas of: Hampshire County Council, Portsmouth City Council and Southampton City Council. The Fire and Rescue Service provided by the Authority protects over 1.6 million residents and covers an area of 3770 km².

1a The implications for citizens and the Fire and Rescue Service of the introduction of Regional Control Centres

- 1a.1 The national project to establish regional control centres, together with the Firelink Radio Scheme, represents one of the largest single projects undertaken by the fire and rescue service.
- 1a.2 This project encompasses a radical new way of delivering the logistical deployment of fire service resources. The considerable back office processes involved means that the project is much more extensive than might be envisaged. It will involve the convergence of the constituent authorities' individual working protocols and operational procedures. Therefore, the project represents considerable risks during the process of transition and early implementation.
- 1a.3 Hampshire, like many other authorities, is justifiably proud of the quality of the service its local control provides. It has committed to the project on the basis that it ultimately provides at least as good a service to its communities and many other fire authorities take a similar stance.
- 1a.4 As the project is ostensibly run centrally by the ODPM, with the regional working groups often confined to narrow technical consultation, there is a growing sense of detachment from the decision making. This situation is exacerbated by the continuing absence of a full business case and the previous restriction of financial information under the premise of commercial sensitivity.
- 1a.5 Hampshire's own corporate risk assessment illustrates the predicament for authorities of being unable to adequately assess the considerable financial, legal and business continuity risks. We are obliged to place faith in the central project team that matters will be resolved, but mindful that it is ultimately the individual fire authorities that will bear the liability from project failure, overspend and service discontinuity.

- 1a.6 The project needs greater transparency and ownership by fire authorities if it is to be robust and earn the confidence of the public.

1b The implications for citizens and the Fire and Rescue Service of the introduction of and implementation process for FireLink radio services

The Authority is extremely frustrated that it is unable to properly plan for the implementation of FireLink. This is due to uncertainties over timescales for its rollout and, specifically, about the lack of information available on the financial implications for the Authority - both during initial installation and more importantly for the ongoing maintenance of the system. If the financial impact is anything like that experienced by the Hampshire Police Authority, the Select Committee will appreciate our concerns. When the O2 Airwave system was implemented, we understand that maintained costs for Hampshire Police increased four-fold: from £0.75m to £3.0m per year. All local authorities are expected to produce medium-term financial plans and to anticipate future spending needs; but, the lack of timely information on a major project such as FireLink - compounded by the similar lack of information for the implementation the new Regional Control Centres - makes it very difficult indeed to operate sound and meaningful forward planning processes.

2a Fire Prevention

- 2a.1 Part of the existing framework document refers to the expectations placed on fire and rescue services to engage with the Crown Premises Inspection Group with the aim of enhancing the risk management of Crown premises. There is currently no mention however of the MOD Fire Service who are responsible for risk management activities at MOD establishments. Hampshire Fire and Rescue Service has a significant number of MOD establishments, many of which are of considerable strategic importance and should therefore feature in our Integrated Risk Management Plan process. We consider that the future National Framework should introduce an additional expectation that fire services, where necessary as part of the local IRMP, should engage with the MOD Fire Service. Our recommendation aims to empower all fire authorities with the ability to identify risks in all types of Crown premises and engage in positive risk management activities with the appropriate Crown authority.

2b Institutional arrangements and reform, including transitional arrangements and finance

- 2b.1 There are few institutions within the industry which remain untouched by the modernisation programme and most are currently in a process of transition to meet new requirements and roles. This is not true of the national negotiating machinery, whose failure was at least a contributory factor to the industrial unrest of 2002/3.
- 2b.2 The present arrangements are predicated on an adversarial approach, that remains driven by constitutional processes, rather than focussing on solutions and co-operation. It remains bi-polar rather than pluralist and would benefit greatly from the independence and objectivity that a neutral third party could bring to the proceedings.
- 2b.3 It would be of considerable disappointment and irony if the one institution that remained unaltered by the modernisation was the very body that should be driving improvement in industrial relations across the fire service generally.
- 2b.4 A fundamental element of providing a more tailored approach to communities is the local IRMP. Previously Fire and Rescue Authorities faced with central prescription are now at liberty to structure their prevention, protection and response resources to best meet the specific risks and demographics of that community.
- 2b.5 The IRMP is proving to be a vehicle for creativity and performance improvement as it focuses on the needs of local communities. This therefore creates considerable tensions when set against the government thrust towards collaboration at a regional level.
- 2b.6 On the grounds of gaining economies of scale, there is increasing emphasis on a regional model for Service provision, including procurement, training and human resourcing. This in many ways militates against the localist approach. This will represent a major challenge for fire authorities to reconcile both the local targeting of resources and wider area service delivery
- 2b.7 The regional control centres are probably the starkest example of this tension. Where on one hand government welcomes “the initiative taken by some authorities to re-examine their mobilising and resourcing policies in a regional context” (Draft National Framework 2006/8 p11) and yet exhort authorities to maintain IRMPs to reflect local needs.

2c Promoting diversity within the Fire and Rescue Service

No comment.

3 Joint working between the Fire and Rescue Service and other emergency services

3.1 In Hampshire, as elsewhere, the co-operation with our partner emergency services and the Maritime and Coastguard Agency is extensive and well developed. New responsibilities under the Civil Contingencies Act will, in many cases, only formalise the operational co-operation which has existed for some time. Services know that inter agency co-ordination is essential to deliver an effective response to complex and larger emergencies.

3.2 The Civil Contingencies Act has, however, created new burdens for the Service, something which has been recognised by Government for local authorities by way of a 113% increase in the emergency planning grant, but not for combined fire authorities who, by their nature, stand alone from local authorities. Despite lobbying, neither the ODPM or Civil Contingencies Secretariat have conceded what is sauce for the goose needs to be sauce for the gander.

3.3 Co-terminosity

There is no question that the government thrust for greater inter-service co-operation will be undermined by the current intention of separate government departments to reduce the number of police forces and the ambulance trusts.

3.4 Most worrying is not the difficulties created by mismatched boundaries and disproportion sizes, but the lack of clarity in government thinking. At a time when greater collaboration and interagency co-ordination is extolled, it is manifestly lacking between the Department of Health, the Home Office and Office of the Deputy Prime Minister.

3.5 Clearly the Government's thinking for the Ambulance and Police Services is larger than county entities, however, this is not mirrored by the ODPM. Here the thrust appears to be no longer 'regionalisation' but closer collaboration or voluntary merger. As such, we are likely to see a patchwork of emergency service organisation, none of which share geographic borders.

Memorandum by the World Fire Statistics Centre (FRS 48)

- 1 The Centre's main object is to persuade governments to adopt coherent national fire safety strategies aimed at reducing fire costs, and in support of this aim it collects and publishes, under United Nations auspices, statistics on national fire costs from over 20 leading countries worldwide, including the UK.
- 2 During the past three years the Government has been faced with two separate but inter-related challenges (i) the reform of the Fire Service, and (ii) the development of a comprehensive fire safety strategy. Rapid progress has been made on the first, but progress on the second has been more patchy and, because of this, some of the decisions made regarding Fire Service operations are open to question.
- 3 A contrasting example of how to proceed is available from Scotland, where the Scottish Executive undertook wide consultation on every major issue concerning fire safety policy and the role of the Scottish Fire Service, the outcome being published in Fire and Rescue Framework for Scotland 2005 (November 2005).
- 4 In its evidence to the Committee's previous enquiry, the Centre regretted that the opportunity had not been taken in the White Paper proposals for the reformed Fire Service in England to make a specific extension of the aims of the Service to include the protection of property as well as life. Scotland now provides an example. As in England, the Scottish Framework puts prevention, rather than emergency response, at the forefront, but makes it clear that the new approach is not just about saving lives but also "ensuring that commercial and industrial property will receive appropriate protection" (Paragraph 22). English fire safety policy would benefit from a similar clear statement. That this is not just an academic point is demonstrated by the recent disastrous explosion and fire at the Buncefield oil depot. This suggests that in preparing their integrated risk management plans, individual Fire & Rescue Services need to take account not merely of recent experience of fire deaths, injuries and property losses, but also of major industrial hazards within their areas of responsibility, which give rise to the potential for extremely serious (if only very occasional) fire incidents
- 5 In England, reform of the Fire Service followed rapidly on the publication of the report of the Independent Review of the Fire Service (Chairman, Professor Sir George Bain) in December 2002, and in several cases followed or adapted the report's recommendations with little or no prior consultation. Particular examples, in all of which a different outcome has been reached (or is still being considered) in Scotland, are:-

- (a) the adoption of Regional Control Rooms, which will force the abandonment of the alternative model of joint fire/police/ambulance control rooms, strongly advocated by those Forces which have already moved in that direction,
 - (b) the removal of inspection duties from the Fire Service Inspectorate, which may be the precursor to its complete abolition. and
 - (c) the abolition of the well-regarded Fire Safety Advisory Board, and its replacement by two separate fora, with no overlap between their membership.
- 6 Apart from the Bain Review, it is also relevant to look back at the Audit Commission report, *In the Line of Fire* (1995). Although its recommendations were largely ignored at the time, many of them were repeated in the Bain Review and are now being implemented. The main exception, in the context of the shift in emphasis from firefighting to fire prevention, is the proposal that the Government should “encourage multi-agency efforts to improve fire safety, involving the insurance industry and others”. Evidence that this has been happening in any meaningful way is sparse, and this is particularly worrying with the imminent arrival of a completely new approach to workplace fire safety based on risk assessment by the responsible building occupant. In this area the contribution of fire insurers could have been of great importance, particularly with regard to the tens of thousands of small businesses which have little or no awareness of their new responsibilities
- 7 Building regulation forms another important part of the overall fire prevention effort, and it was encouraging when this function was at long last brought within the same Ministry as fire safety policy. However, under the latest reshuffle of Departmental responsibilities, it has now emerged that there will be no direct contact whatever between ODPM staff concerned with fire safety and those with building regulation below the office of the Deputy Prime Minister himself. This is a matter of considerable concern, particularly as on issues such as compartmentation and the installation of sprinklers the introduction of stricter standards in England is already lagging behind those thought necessary in Scotland.

Memorandum by Jagtar Singh OBE ,MA, BA Hons, MiFireE. And Wayne McCollin BA Ed, DipHRD (FRS 49)

Personal Submission.

As officers, each of 28 years fire service experience, we wish to make a submission with regard to Diversity in the Fire and Rescue Service in England.

Brief profiles for your reference.

Jagtar Singh joined the fire service in 1977 and worked his way through the ranks to Deputy Chief Fire Officer in Bedfordshire and Luton Fire and Rescue Service. He was the national advisor to the service on diversity for 14 months; a post that was funded for a limited of time. The manner in which the post was disestablished is currently being review, however this is another indicator of the lack of commitment and focus of the service on diversity matters.

Wayne McCollin is currently the Assistant Chief Fire Officer with Lothian and Borders FRS having begun service in 1978 with West Midlands Fire Service. He has been active in diversity matters since 1984 and has a member of a number of related forums including the Equal Opportunities Working Group at the Fire Service College.

As Black officers who have worked at the highest levels of the service, we wish to offer ourselves either individually or together to the Select Committee to give provide oral evidence if required.

A number of attachments are provided for additional evidence.

For clarity and brevity we will keep this submission short and focused.

1. Research.

The Fire and Rescue Service is not short of research into matters of diversity as they relate or recommendations or action plans for development.

In 1994 Tom Burke issues a report under the Home Office. The Service whilst still under the Home Office was subject to a thematic review in 1999 and furthermore professor Bain also made comment on the state of diversity in 2001. All are referenced in the appendix of this submission. In addition we also recommend the committee look at Jagtar Singh's report "Making A Difference" and the FireWorks report recommendations and findings which along with other reports which provide additional and supporting information are also referenced in Appendix 1

All the research reports point to the Service's poor performance as being one of the poorest in the public sector. All provide excellent guidance and route maps for integrated diversity as a key issue. Few have made a significant impact.

We very much support the select committees review and hope this will provide a driver for changes.

2. Leadership.

This is a recurring theme in the submission. The Service has little understanding of how leadership within diversity should manifest itself. The Fire and Rescue Service has failed to offer up true champions of diversity at any level. A public body such as the fire service should be able to identify and demonstrated achievement by its champions. Many Chief Fire Officers will claim they have the role of leadership but more often than not this is mere rhetoric and not matched by performance or outcomes.

We hope that the select committee will support our view and place the role leadership and diversity champions high on its recommendations.

3. Policy & procedures.

The Service has responded to the recommendations made in early reports that are referenced in appendix 1. This has been done well in some Fire and Rescue Authorities, however many have just copied policies from other FRAs or public bodies and these have either been applied inappropriately or remained just policies, it is our view that these have had little impact if any on diversity within many fire services. Many unitary Authorities rely on the generic County policies for compliance and these also fail to address the key and specific issues.

The requirements of the Race Relations Amendment Act have proven to be particularly poorly addressed by FRAs and compliance we believe in all the duties cannot be found in many Services. Until recent times an embarrassingly high number of Fire and Rescue Authorities did not even have Race Equality Schemes. In 2005 up to 60% of FRAs were found to have no race impact assessment completed. One FRA, following an intervention the CRE, is now demonstrating what it is possible to achieve and what managers are capable of and prepared to do if challenged.

We believe a in-depth study/ audit should be carried out similar to that carried out by the CRE on the police service in 2004

4. Review and monitoring.

The FRS has been criticised by many including the Audit Commission for not applying best practice in performance management in general. For diversity this is particularly true. Little evidence exists that a systematic approach is adopted to managing diversity or for evaluating initiatives. The FireWorks research supports this view. The ODPM and the CPA have not placed diversity sufficiently high in its priorities for monitoring or audit. The recent Audit Commission CPA for the FRS even with a diversity diagnostic tool failed to make any significant comments in the reports of any individual FRA. A FRA reviewed and reported as excellent did not even have a strategy on diversity.

The ODPM should have carried out a follow up thematic in 2003, this still has not been done and in the 2004-5 Framework document a number of recommendations were made that would have supported this area but again to date none has been carried out. These were:

- Review of training
- Review of equality officer role
- Developed a peer assessment tool
- Develop a bespoke tool to support the local government agenda

In the 2005-6 Draft Framework document all have disappeared.

One can only conclude that the failure to carry out the reviews and not to carry them forward as was expected means that the Service no longer believes this issue to be important.

We believe that the framework document is a key driver in England and this should have clear guidance as to what ODPM, RMB and fire authorities are expected to deliver on diversity. We will be making a submission to the ODPM during the consultation period of the Framework document.

5. Culture.

The culture of the fire service in spite of all the work that has been carried out, is still one that is white male, macho and bullying that is not capable of sustaining or supporting diversity. In the current climate it is not surprising to find the FRS falling to meet the governments and its own agenda on diversity. Culture is often used as an excuse for poor achievement.

It is our view that the leadership does not understand the component parts of the cultural web that exists in the Service and does not know what impacts on it. They have failed to identify the critical success factors for changing the culture and more importantly what the role of Members of fire authorities and Chief Fire Officers is in changing the culture. ODPM needs to give clear indications on the what type of culture the service should be aiming for and how it should be training its staff to achieve the change. ODPM and fire authorities need to consider how this is to be monitored and audited. The time is right for a full cultural audit to be carried out and the development of clear short and medium term plans to bring about real cultural change.

We believe the cultural audit tool that has been developed by ODPM and CFOA has the potential to provide the springboard for the change, However this is not the whole answer as discussed above.

6. The Business Case (Service Case)

The FRS has no clear business case for diversity. Much of the research has highlighted this as an issue. The ODPM will be leading in the New Year to develop a Business Case for Diversity or Service Case. This should then provide one of the key building blocks for the Service to understand and tackle the many issues relating to diversity it currently faces.

7. Recruitment.

The FRS has probably the worst figures in the public sector on the representation of black and minority ethnic staff in uniformed post. Currently the Service has less than 2.4 % staffs that are black and ethnic minorities and similar figures for women. These figures are appalling and cannot be condoned by government or accepted by the public. Drastic action is needed if the Service is to match the changes seen in the police force, prison service and the ambulance service over the last 10 years.

We can only conclude that this is linked to the earlier heading of leadership. Where the Service sees a need, in our experience, it can and has made the change. The manner in which the culture of health and safety and community safety have changed in our service time are clear indicators where leadership is found on a theme, achievement is matched by the energy, commitment and resources.

We understand that the ODPM will be issuing a new target strategy on recruitment, retention and promotion. We support this however are cautious in our optimism as this is likely to water down the current targets and alone will have little impact unless supported by other initiatives and is also supported with robust monitoring and audit.

We are more optimistic that the development of the Service Case will have an impact on this. A better understanding of why the Service should reflect the community can only lead to more within the service committing to the agenda and making a contribution.

The Service has had a excellent beacon of best practice on this issue in the outreach team of London. London have in our view achieved some fantastic results in the numbers of women and black and minority ethnic staff despite the organisational and political environment they have to work in.

We strongly recommend that a national outreach team set up and is charged with supporting local and regional recruitment. The model of best practice in London and the manner in which the National Fire Safety Centre has integrated faith issues should be used to develop the approach.

8. Training

No clear training strategy exists in the service in spite of the reviews that have reported this to be an issue. The recent FireWorks project reported this to be a major issue and a barrier to achievement. The service has no clear needs analysis on diversity or vision as to what it is attempting to achieve via training. The training in FRS varies from a few hours to a comprehensive training programme. No measurement is made against objectives.

The service needs to adopt the principles that the FireWorks team have recommended and the ODPM should provide clearer guidance as to what is expected.

No training courses have been developed nationally to support specialist officers or the leadership of the service. In addition we are unaware of any training on diversity that is provided across the service for members of fire authorities who have a critical role on diversity. It is not surprising that in this vacuum we have such poor understanding at the very top of the service.

9. Support groups.

The service has many support groups and some like the Networking Women in the Fire Service are working at a strategic level and making a difference. Others such as the groups under the Fire Brigade Union are still tied very close to the trade union and are not making the impact at strategic level that similar groups such as the Black Police Association are in the police service.

Support groups in the fire service are not as well supported as their counterparts in both police and the prison service, where national officers have full time paid post. These officers are then

able to make a much better and consistent contribution to the diversity agenda. In the FRS this is left to willing volunteers or to paid union officials who are tasked with supporting national trade unions objectives which on occasions can be in direct conflict with the very people they represent.

We believe that government should determine what best practice in the public sector and disseminate this to all. We believe that by forming strong and visible support groups supported by government the diversity issues can be integrated in all services more quickly and support can be provided for those in need.

10. Good practice.

We have previously provided some examples of good practice. A fuller list is proposed below and more will be available when the ODPM commissioned report Diversity matters is published hopefully by the end of the year.

National Champion

The service clearly needs a focal point of contact and a national champion. The benefits of taking this approach have already been iterated. The Health Service and the Cabinet Office have national champions working at the strategic level and they are having an impact.

Nearly all the referenced reports in appendix 1 support this recommendation. In addition we believe that the secondment of Jagtar Singh in 2004-05 has provided sufficient auditable evidence to support this view.

Diversity Matters

ODPM have commissioned a report to highlight best practice. This has not yet been published but should be available to the Select Committee during the period of this work. We believe that this is an excellent example of what can be done if resources are allocated to this task. This should be a regular activity of the ODPM

Multi-faith

The Fire Service has carried out some pioneering work in this field and a section of the diversity matters report is attached in appendix 2. The recent national fire safety strategy we believe to be best practice in the public sector as are the CFOA conferences on this topic.

Outreach

Clearly outreach in London Fire Brigade is working and making a difference, this should be used as a model by Regional Management Boards for regional application where that is appropriate. The ODPM should show some leadership and use the national fire safety model and the Army recruitment model to support this work.

Integrated Personal Development System

Although we have some concern around quality assurance we believe that this is again is an important cog in the changing of the culture of the service. All the role maps have a diversity element and no person may move on to a new role until competence in diversity is demonstrated. This is a positive development.

National Point of Entry Test.

The new tests will support the agenda. Any divergence from the national standard will have an adverse impact. We support these role related test however have concerns that application may be diluted by stakeholders who do not apply them as they are intended.

Core Values & the Diversity Case

The ODPM and CFOA have demonstrated leadership in championing the need for theses and the model adopted for the recently issued core values will be a good platform for the development of the service case.

Summary

In spite of the comments above we believe the Fire and Rescue Service has come a long way since we joined the service in the late 70s when bullying and harassment were the norm and racist behaviour was openly tolerated. Women were particularly badly treated in the 70s and 80s. The changes in this area are to be supported. We have the opportunity to move the agenda forward but this will not happen if the service continues to wring it hands and dither over what to do.

We have much best practice that is not fully shared across the fire service and also we believe we can learn from the examples of best practice existing in the public sector. It takes a good champion of diversity and leaders to bring about change and sharing and communicating of best practice. We hope this submission will help this process.

If the service was to take a strategic approach under the 10 headings above and a action plan was to be developed with a clear audit and reporting line to ODPM and ministers, the momentum on diversity would increase placing it back on the Service radar screen and then the Fire and Rescue Service could become the beacon of best practice it aspires to.

Appendix 1

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Appendix 2

Case study: Increasing understanding of faith issues in the Fire and Rescue Service

Background to the work with faith communities

In 2002 work began on engaging with and increasing understanding of faith communities in the Fire and Rescue Service. The commenced under the aegis of the National Diversity Group run by the Chief Fire Officers Association but a dedicated working group was subsequently set up to oversee the initiative. It was made up of a number of people who had been working on faith issues in their individual fire and rescue services or related organisations and who had identified the need for a more co-ordinated action.

The stimulus for the national work was the extensive media coverage of the events that took place in America on September 11, 2001. Particularly in those fire and rescue services serving populations with a high proportion of people from black and minority ethnic groups there developed a concern that the this coverage and the negative attention it was drawing to Islamic issues could lead both to tensions within fire and rescue services and within the communities that they serve.

The aims of the initiative

The aim of the initiative was to enable a proactive approach to be taken to providing information on faith issues to increase understanding and respect between different ethnic groups and, as a result, avoid tensions escalating. Given that bullying and harassment have been an endemic part of the culture of some fire and rescue services, the possibility of workplace tensions was seen as being a real threat and there were also concerns that tensions in the community could detract from the good work that fire and rescues services had already started to do to engage with black and minority ethnic minority. The concern was that if fire officers were to go out into communities where tensions were running high without the requisite understanding, they might exacerbate already difficult community relations.

Once the working group was established and work commenced, the aims of the initiative were extended. Rather than taking a defensive approach of seeking to avoid an escalation of tensions, a view was reached that a more positive stance could be taken with extending understanding of faith issues being seen as a means for improving the effectiveness of fire and rescue services and enabling them to meet their community fire safety objectives, i.e. a “business case”. The focus of attention therefore became that of:

- Increasing understanding and respect for different faith groups to improve the recruitment and retention of employees of the service from a range of communities so that fire and rescue services were able to draw on a larger pool of talent and employ people with insights in different communities.
- Giving fire and rescue services the skills and understanding to engage more effectively with black and ethnic minority groups so that fire safety messages could be better communicated and to enable relevant and sensitive community fire safety initiatives.
- Improving the profile of the fire and rescue service in under-represented communities.

From its inception the initiative has been an ambitious one with an emphasis being placed on achieving long term and sustainable change rather than looking for short-term “quick wins”.

About the work

The work commenced with a drive to engage with different faith communities via their respective faith organisations. The thinking was that those involved in faith organisations have objectives that are similar to and compatible with those of public services, including the fire and rescue service, namely to serve the community. It was envisaged that by engaging with different faith groups, the fire and rescue service could equip those involved with the skills (e.g. on the installation of smoke detectors) and information to take messages to the communities they represented to reach those at particular risk, for example where language barriers may limit effective the communication of fire safety messages, or where cultural practices, such as cooking methods or the use of candles, can increase fire risk.

It was agreed that the work would focus on a different faith group and that the conferences would run every two years. In 2002 the main attention was on the issues relating to and engagement with Sikh and Islamic communities, in 2004 the focus would be on Hinduism and Buddhism and in 2006 the focus would be on Christianity, Judaism and other religions. During each year a national conference would be held to disseminate information and learning and to engage with community fire safety practitioners to encourage further action by fire and rescue services. The hope was that the showcasing of good practice would lead to the mainstreaming of demonstration projects across the Fire and Rescue Service so that faith issues would become an integral part of the work of the National Community Fire Safety Centre as well as local community fire safety strategies.

The work carried out nationally has also included:

- The production of materials on how fire and rescue services can engage with faith communities.
- Mounting national campaigns linked to religious festivals, such as the Minority Ethnic Faith Fire Safety Awareness Campaigns to raise awareness of key fire safety messages during the 2005 religious festivals of Diwali and Eid ul-Fitr which were led from the National Community Fire Safety Centre (NCFSC) within the Office of the Deputy Prime Minister.
- The appointment of specialist agency to raise awareness of fire safety amongst ethnic minority audiences (e.g. faith related greeting cards, advertising on ethnic radio stations).
- Regional workshops on community engagement.
- Ensuring that faith issues are covered in all national community fire safety initiatives.
- Organised visits to places of worship for different faith groups (e.g. mosques and temples).
- The production of a booklet on understanding different faith communities.
- Developing champions to take forward the work locally.

What has been achieved

Over the three years that the initiative has been underway there has been a gradual progression from small scale local initiatives to national initiatives and the gradual spread of work across the Fire and Rescue Service. At the outset just a few fire and rescue services were giving attention to faith issues whereas they are now on the agenda for most.

Although there has not yet been any systematic evaluation of the impact of the faith work, attendance at the national conferences that have taken place has been monitored and the conferences have been used to gather anecdotal information on how work on faith issues is being rolled out and on how well it is being mainstreamed. Other information of progress had also been gathered from discussions held with relevant stakeholder groups, such as the Chief Fire Officers Association

More locally, members of faith groups recruited to work in fire and rescue services are now reporting that they feel welcomed and that they have a contribution to make. Faith groups are starting to be organised and make their impact felt. For example, the newly formed Asian Fire Service Association in London has organised cultural awareness days that have been innovative and well supported by staff from in all roles. The increased visibility of fire service staff from different faith groups is giving a momentum to new recruitment drives.

Learning

The main learning that has accrued from the work on increasing understanding of faith issues in the Fire and Rescue Service is:

- The importance of commitment from the top. The work has been given a great deal of support by the Chief Fire Officers Association.
- The need for resources to be allocated to support initiatives. The work gained more momentum and a much higher profile when the senior fire officer who had been spearheading the activities on a part time basis on behalf of the Chief Fire Officers Association was seconded full time to ODPM to take the work forward.
- The importance of integrating diversity issues into mainstream activities has been clearly demonstrated by the NCFSC.
- Change is likely to be more sustainable if it comes from within rather than being imposed by external bodies. The initiative has been funded (the secondment of a senior fire officer), led (see above) from within the Fire and Rescue Service and rolled out locally by people from within the FRS (the local champions mentioned above).
- Those involved in diversity initiatives must have real passion for what they are doing rather than seeing it as a mere “tick box” exercise.

Good practice

As a result of the work carried out on faith communities, the FRS now has much good practice in this field to share with other public sector organisation and within the service including:

- The leadership shown by the NCFSC at the ODPM in disseminating a national strategy supported by external consultants and in sharing generic material for the service and the way in which it has made faith issues a part of mainstream strategies.
- The early work of Bedfordshire in developing this concept and supporting the national work which has been widely commended, particularly the work of the Brigade Chaplin in delivering faith related seminars.
- The pioneering work of Shropshire in producing a cultural awareness booklet that has now been widely adopted by many other brigades.
- The employment by a number of fire and rescue services of outreach workers who have an understanding of faith communities (e.g. the community advocates employed by Merseyside Fire and Rescue Service) and who are making a significant difference to safety in targeted communities.
- The Diva campaign in Leicestershire, which has won number of national awards

Next steps

To date information on the impact of the work has largely been anecdotal (see above). There is now a need for the initiative to be more systematically evaluated to inform future developments. However, pending that systematic evaluation, it is intended that the next big push will be on retention. Fire officers from different faith groups are entering the Fire and Rescue Service but little attention has yet to be given to relevant initiatives to aid their retention. For example issues of fasting and pray facilities are still not fully understood or taken account of. Much also still needs to be achieved in other areas, such as procurement and service delivery

The recent national multi faith community fire safety strategy should prove more detailed evaluation and help to drive forward this area of the work in the Fire and Rescue Service.

Unprinted papers:

The following background papers are available on request from the Committee Office:

FRS 49(i) - '*Making a difference*' – a study of under-representation in UK and USA Fire Services. Jagtar Singh, Feb 2003.

FRS 49(ii) - '*Changing the Balance*' – a study of under representation in UK and USA Fire Services, March 2003.

FRS 49(iii) - Executive Summary of Fireworks Project, 2003-05, Anglia Ruskin University.

Memorandum by the Retained Firefighters Union (RFU) (FRS 50)

REFORM - A MISSED OPPORTUNITY

Summary

- i) The RFU is grateful for the opportunity to make this second submission to the Committee. Since the publication of the previous report of the Committee in 2004, there has been a failure to implement its recommendations in respect of the Retained Duty System (RDS). There has also been a failure by fire and rescue authorities to progress the findings of several other high profile reports on the RDS.
- ii) **Annex A** provides an Audit of the commitments made to reform of the Retained Duty System during the past three years, and the progress actually made.
- iii) This shows there is a continuing inability on the part of several stakeholders to recognise that RDS personnel are an essential part of fire and rescue cover in the UK. There are just over 18,000 RDS personnel covering 60% of fire stations, but they provide fire and rescue cover for over 95% of the landmass of the UK.
- iv) Despite publication of these various reports, RDS personnel are still second class members of the F&RS, which tends to focus on personnel on wholetime duty systems.
- v) RDS personnel are restricted from providing the best service to their local communities due to continuation of widespread restrictive practices and the domination of the Service by vested interests.
- vi) There is clear evidence from recent strikes by the FBU that RDS personnel could be the keystone of the drive for more effective, efficient and economic response in many parts of the UK, but this is not happening.
- vii) There is also a failure to develop personnel on the RDS through the Integrated Personnel Development System (IPDS), and to make effective use of personnel through the Integrated Risk Management Planning (IRMP) process.
- viii) Part of the reason for these failings is due to lack of advocacy for RDS, and a failure to progress many commitments to reform, including a new National Joint Council. There is also a need to tackle the wider reform of industrial relations to provide a more stable environment for modernisation of the Service.
- ix) RDS personnel have demonstrated throughout two national FBU strikes, when up to two-thirds of RDS personnel continued to respond, that they have more to offer the fire and rescue service by way of efficiency and effectiveness.

- x) The same lesson emerges from a number of local strikes, the latest being Suffolk, when RFU members provided cover for the whole of this large county during 22 strikes by FBU members, without recourse to armed forces support.
- xi) The RFU understands the dilemma for the Government; voluntary change by all partners in the fire and rescue service has to be given sufficient time to work. But, in the meantime opportunities are being lost, money is being wasted and those who embrace change are having their patience stretched. At the same time, policing of voluntary change is inadequate when the fire and rescue service knows that the Government are reluctant to enforce change. The RFU advocates the need for a more focused independent process of checks and balances than can be provided by the Audit Commission CPA process, even though this is to be strengthened by the addition of operational assessment of service delivery.
- xii) Our experience of events, especially during the industrial disputes of the past three years, and the needs of our members who have been subjected to massive harassment and unfair treatment, is that some form of independent “Ombudsman” or “Whistleblower” arrangements needs to be introduced for the fire and rescue service.
- xiii) This would promote achievement of the Government’s determination for reform, without the need for their direct intervention, and would act as a control mechanism on other stakeholders who are not fully supporting reform.
- xiv) This should be coupled with urgent action to implement the recommendations in the official reports covered by **Annex A**. There are some excellent examples of good practice that could help to drive change, but these are relatively few and are uncoordinated.

1. The Implications for citizens and the Fire and Rescue Service of:

a. The introduction of Regional Control Centres

- 1.1 The RFU is limiting its comments on regional controls as the location of the control rooms that mobilise our members to incidents is unlikely to affect their efficiency.
- 1.5 The regrettable feature of this whole control centre restructuring is the failure of all partners to engage in the process. This has not been in the best interests of the personnel who serve in the present control structure.

b. The introduction of and implementation process for FireLink radio services

- 1.6 We believe the Government has made the case for improved resilience and interoperability through the development of the FireLink project. This will be beneficial for

large-scale incidents and new dimension operations, and allows for new technology that individual F&RS would have struggled to resource on their own.

1.7 We support the project if it promotes closer working with other agencies, many of which have already moved to a regional structure. However, there appears to be a flaw in the resilience strategy when FireLink will apply in Scotland and Wales, but the regional control centre change will not.

2. The Progress that has been made on Fire and Rescue Service reform since the publication of the Government's White Paper of June 2003, Our Fire and Rescue Service, and the Committee's own report on the topic, The Fire Service, of January 2004, with particular regard to:

a. Fire Prevention

2.1 The latest Government statistics show a significant reduction in fire deaths, a fact that ought to motivate the priorities of all partners in the fire and rescue service. There is clearly a strong link between the recent increased commitment to Community Fire Safety (CFS) and the reduction in injuries and deaths.

2.2 However, there has been only limited involvement of RDS personnel in CFS. Many F&RS's have yet to use RDS personnel to deliver the benefits of an integrated community focused approach to public safety. In some cases, the communities served by RDS personnel are missing out on the CFS message altogether; in other areas, the input is made by full-time personnel, which is not always an effective use of resources.

2.3 RDS personnel have always been community-based firefighters, living and working in their local community, and have for many years successfully delivered the fire prevention message through local schools and community groups.

2.4 The lack of funds is sometimes used to justify exclusion of RDS from CFS - yet in many F&RS the alternative is to send officers over relatively long distances - which is a waste of resources and opportunity.

Halstead, a rural fire station in North Essex, repeatedly asked for the opportunity to become involved in CFS, and after many months they were sent a box of fire prevention leaflets to distribute to local homes, in their own time - hardly innovative CFS.

Norfolk has advised RDS personnel there is no funding for their involvement in CFS, although they overspent £50k on senior officer selection tests, and instead of using local RDS personnel they send full time personnel long distances in a rural county to provide a service that could often be undertaken locally.

- 2.5 We believe the concept of a local community fire station in rural and semi-rural areas has a significant part to play in developing CFS. The fire station is often the only public building resource remaining in many rural communities, and this could become the centre for all sorts of community-based initiatives. This would not only ensure greater utilisation of a public asset, but in making the fire station the central resource of the local community, this would be the cornerstone of CFS initiatives. This would also help RDS recruitment and retention.

We understand there is possibly EU funding available to support the establishment of community fire stations in rural areas.

- 2.6 There are some good examples of where RDS personnel are being used effectively to deliver the CFS message, but there is failure to develop this good practice elsewhere.

b. Institutional arrangements and reform, including transitional arrangements and finance

- 2.7 There does seem to be a quiet optimism in many quarters that reform of the fire and rescue service is progressing and is on track. Clearly, there have been beneficial changes in respect of a number of issues, including:

- the reduction in fire deaths
- legislative changes that provide for a reformed fire and rescue service
- legislation that affects fire safety
- a start on risk management planning
- a commitment to diversity
- a renaissance of the Fire Service College
- reform of control rooms and radio communications
- resilience through new dimensions
- progress on regional management boards
- FiReBuy

- 2.8 However, these reforms have had a very limited effect, if any, on RDS personnel and the communities they serve. The attached **Annex A** is an audit of the commitments starting

with the Bain Review, that RDS second-class status will end and they will be integrated into the fire and rescue service as valued and full participants.

- 2.9 There have been three other significant reports since Bain that promised major reform of the RDS, starting with the White Paper, "Our Fire and Rescue Service" in June 2003, and including the report of your Committee's findings in January 2004, culminating in a major review of the RDS, and published by the Government in February 2005. All of these recognised that there were immense opportunities for developing the RDS and for this to provide for a more effective use of RDS personnel as part of a more efficient use of resources to meet the new emphasis on risk management and community safety.

A particular fire station that is crewed by full time personnel on 5 days a week, and by RDS personnel at all other times (as well as the second appliance) has for some time been short of full time personnel. When a call comes in during the day cover, the first appliance is often delayed waiting for the RDS personnel to be called in to supplement the crew. In November 2005, a member of the RDS was sent on a driving course for week, but the full time instructor went sick after one day. As the RDS member had taken a week off work he could not return to his primary employment, and the fire and rescue service had to employ him for the rest of the week.

He asked if he could make up the deficient crew at his home station, but was sent home on the second day, and then used for the rest of the week to chauffeur the station manager. He progressed his complaint up to Deputy Chief Officer level, but was told he would not be used to make up the deficient crew, because the DCFO "was more concerned about industrial relations with the FBU than running an efficient, effective fire service".

- 2.10 The Audit shows that despite the bigger reforms referred to earlier there has been a failure to deliver as far as RDS personnel is concerned. The RFU's view is this failure arises from:

- a lack of leadership at fire and rescue service level
- the continuing negative influence of the FBU
- the failure of local authority organisations to fully engage in the reform process
- the continuing focus on the full-time service - for example, all retained liaison officers are full time personnel
- a lack of advocacy for RDS personnel
- the Government's unwillingness to intervene directly until CFOA and the local authority organisations have been given the chance to make reforms happen

*A fundamental recommendation of the Retained Review is that RDS staff should be appointed to Retained Liaison Officer posts to provide advocacy and an input into brigade strategy.
So far, all Liaison officers have been appointed from full-time staff and their commitment to reform is sometimes questionable.*

- 2.11 The review of the NJC has not yet happened, despite the various commitments over the past three years - see **Annex B**. The RFU has now met with the national employers on a few occasions, and they have granted the RFU consultation rights, but this still excludes RDS personnel from the negotiating table. This will not happen until the RFU has full negotiating rights, and we do not see any signs of this occurring voluntarily, as predicted in the 2003 White Paper (Para 7.13).

In Devon the RFU has been supporting the development by the Service over the past year of a new flexible duty and contractual arrangement, only to have this undermined at the last minute by the FBU using their national bargaining and disputes procedure.

- 2.12 The RFU believes the Government wants local authorities to either negotiate or impose reform on the NJC, but the local authorities find it difficult to impose the change on even their own members, let alone the FBU. Local authorities would rather this difficult decision was removed from their hands, by the Government using their reserve powers under Section 32 of the Act.
- 2.13 RDS personnel are becoming increasingly frustrated at this lack of progress, not least because many see a shuffling of a few seats at the NJC as not resolving the bigger issue of the necessary reform of industrial relations in the F&RS. Continuing strikes, the pursuit of narrow self-interests and the failure of all partners to engage in the reform of the service, for the benefit of the public we serve, has to be tackled urgently.
- 2.14 RDS personnel had high hopes of an urgent commitment to reform when the previous Minister set up the Retained Review in December 2002. The RFU played a prominent part as a member of the Review Team, and the report, published in February 2005, contains many recommendations that would:
- provide measures to deal with the 20% recruitment shortfall
 - engage with the private sector in support of the release of employees for RDS duties
 - develop IRMP's that made more effective use of RDS personnel
 - provide a wider role for RDS personnel

- develop new flexible duty systems
- make better use of RDS personnel in CFS
- remove restrictive practices and introduce new flexible ways of working with appropriate reward arrangements
- use IPDS to promote wider opportunities for the employment of RDS personnel
 - take the opportunity for these changes to attract a more diverse workforce in to the RDS
- provide for a RDS input into strategy at local and national level

The Retained Review recommended that there should be greater flexibility to appoint RDS personnel to higher management posts. This has not happened, despite the appointment of non-fire service personnel to a CFO and a Deputy post. A number of non-uniformed staff have also been appointed to principal officer posts.

- 2.15 Committee members will see from the Government's response to their previous report that the Retained Review was expected to deliver many of the changes arising from the Committee's recommendations. So far, these have failed to materialise. The Practitioners' Forum accepted the final recommendation of the Review Report to implement its recommendations, but this has not happened. As far as we can ascertain, this seems to be because the issue of how the Review is progressed seems to have become bogged down in a dispute between CFOA and the ODPM, over funding of the former by the latter.

Nottinghamshire has pioneered the temporary deployment of RDS personnel to fill short-term vacancies on the wholetime duty system and Leicestershire is working on a protocol for the transfer of RDS personnel onto the wholetime duty system.

- 2.16 The continuing dissatisfaction of RDS personnel over the lack of reform centres on the following main issues:
- failure to reform the NJC and industrial relations
 - lack of progress on the recommendation of the Retained Review
 - IRMP's that fail to take advantage of the flexible working arrangements of the RDS
 - A concern that IRMP's have protected the (expensive) status quo, and reduced more efficient retained cover, and are inadequately policed
 - The expectation that the addition of operational assessment to the Audit Commission's CPA process will fail to provide for a RDS perspective
 - A failure to implement IPDS for RDS, and this is/will be used to downgrade RDS cover under IRMP's

- Downgrading of RDS, especially officers in charge under IPDS implementation of Rank to Role - see **Annex D**
- Lack of RDS input to local and national strategic development
- Continued bullying and harassment of RDS personnel, especially during industrial disputes - which is condoned by the employers in the end of dispute agreements
- Delayed introduction of flexible pension arrangements

Many RDS appliances are “off the run” especially during the day, due to the continuing 20% shortfall in recruits and the 10% annual turnover. Failure to implement the Retained Review recommendations for dealing with these issues continues to allow IRMP’s to preserve the status quo in respect of fire cover arrangements that could be made more efficient.

2.17 These failings should be seen against a background of a continuing expectation that RDS personnel will step into the breach whenever the FBU decides to go on strike. In fact, events in recent industrial disputes in Suffolk and elsewhere prove conclusively that RDS personnel could be used much more effectively under risk management plans. There is clear proof that:

- RDS personnel can provide fire and rescue cover during periods of high risk - and not just during strikes
- Flexible RDS crewing and duty arrangements can be an economic alternative to some more expensive cover
- RDS personnel can be a more effective resource for crewing some special and New Dimension appliances
- Restrictive practices continue to exist, for example, in mixed and minimum crewing arrangements
- More effective deployment of RDS personnel would overcome availability constraints for IPDS development
- More flexible crewing would promote opportunities for RDS involvement in CFS
- The development of new contractual and remuneration arrangements would attract under-represented groups
- RDS input to strategy would contribute to the more effective use of resources

RDS personnel on the Isle of Wight crew the turntable ladder, operate the sky lift hydraulic platform, the rescue tender and the instant response unit. In many other areas, these appliances continue to be crewed by full time personnel, often primary crewed by dedicated full time personnel. In Suffolk this prompted a strike by the FBU in defence of management proposals to end the arrangement. Although the dispute has been ended, with the turntable ladder no longer crewed permanently by full time personnel, the retained crew on the same station are not going to be trained on the appliance

2.18 RDS personnel have little faith that future IRMP's will develop these options. Clearly, the events in recent months mean that the report of the Retained Review is already out of date, even though it has not yet been implemented. We would suggest that the Review should be reconvened, with a remit to:

- build in the flexible options arising from the experiences in Suffolk and elsewhere
- to take advantage of good practice
- set up a process to ensure the revised Review is implemented as soon as possible

c. Promoting diversity within the Fire and Rescue Service

2.19 There has been some limited success in promoting diversity, largely on a planning level that has yet to see real progress. The fire and rescue service has still got a long way to go before it can claim to be an organisation that values every member of society, especially when it continues to treat one-third of its own staff as second class citizens, and fails to grasp the opportunities to remedy this situation.

2.20 At the same time, bullying and harassment in the fire and rescue service is still rife - see the many examples in the RFU's Legal Report - see Annex C.

2.21 The RFU believes the RDS could play a significant part in breaking down the barriers and promoting greater diversity as retained personnel operate in their own local communities. There are clearly opportunities for bringing in previously excluded groups to the RDS, by developing new duty and cover arrangements.

A few fire and rescue services, led by South Wales, have developed new contractual and remuneration systems for RDS personnel which remove the uncertainty over the commitment expected of personnel, and the rewards they may expect. This is expected to make it easier to attract recruits from groups who have not been seen by the Service, or by the individuals concerned, as potential recruits.

3. Joint Working between the Fire and Rescue Service and other emergency services

- 3.1 There has been some progress in joint working, for example in the wider development of co-responder arrangements. However, these have been largely confined to RDS areas because of the failure of all stakeholders to engage in the development of what has conclusively been shown to be of benefit to local communities. Failure to expand co-responder schemes is very frustrating to many RDS personnel.
- 3.2 At the time of submitting this memorandum it is unclear whether co-responder duties can be enforced under existing contractual arrangements, although many RDS personnel are happily undertaking these duties without worrying about such semantics.
- 3.3 We believe there are possibilities for joint working options with many other emergency services and other agencies, for example, through the development of community fire stations in rural areas. The concept of the “community fire station” as the central resource for use by everyone in the community is one that has been shown to work in a few areas. It deserves to be more fully developed.
- 3.4 On a more cautionary note, the RFU continues to be concerned about the extra resources that are required of every stakeholder in order to service the varying needs of the devolved administrations in Scotland, Wales and Northern Ireland. This frequently requires separate responses to four consultation documents on the same subject. At the same time, allowing Wales to revert to the old time-based standards of fire cover are not helpful to fire authorities in other parts of the UK. There is also a less than joined up approach to regional controls.

ANNEX A

AUDIT OF VARIOUS REPORTS AND THEIR RECOMMENDATIONS IN RELATION TO THE RETAINED DUTY SYSTEM

RFU response underlined

1. BAIN REVIEW - DECEMBER 2002

- i) retained firefighters should be included in IPDS: they should be trained to the same standard so that they provide a resource interchangeable with that of whole-time firefighters
 - very little integration of RDS into IPDS
 - being used in some F&RS's to downgrade role of RDS and defend over-provision of resources, largely through IRMP's
- ii) Retained firefighters need to be properly integrated into the full-time service, including direct input into brigade management
 - a) RDS personnel not integrated - see IPDS
 - b) Movement largely one way - wholetime undertaking RDS duties
 - c) No progress on direct input into brigade management
- iii) Retained firefighters should be remunerated at the same hourly rate
Completed
- iv) The medical standards applied to recruitment should be the same as for wholetime National F/F Selection Standards - approved by Practitioners' Forum 13th December 2005, but a number of F&RS's have said they will not comply as there are insufficient applicants to meet this standard
- v) They should have the opportunity to work on a more consistent part-time basis, with a fixed time commitment
Some limited trials ongoing - but good practice not being developed
- vi) Opportunities should be taken to create roles other than firefighting on a part-time basis
Very limited involvement of RDS in community safety, but good practice not being developed

- vii) Retained firefighters should be able to apply for positions above station officer
No progress
- viii) Wholetime firefighters should be able to undertake retained duties
Widely adopted - but RDS tend to see this as one-sided, as very few opportunities developed for RDS to become wholetime
- ix) There should be mixed crewing of appliances by wholetime and retained firefighters
More mixed crewing exists, but still many restrictive practices
- x) Some firefighters should be trained as first responders
Considerable development of RDS personnel in co-responding, but against a background of great opposition from the FBU - which means some FRS are not prepared to become involved
- xi) Shift patterns should fit with demand
Suffolk showed that more flexible use of RDS personnel to cover the risk could provide more efficient and economic response. This would also overcome problems of insufficient availability for IPDS training and development, flexibility to undertake CFS and the development of new conditions of service that would attract under-represented groups
- xii) There should be different crewing levels at different times of day
Primary crewing of appliances by RDS personnel during periods of high risk could provide optimum use of resources
- xiii) The Government should investigate forms which pension provision for retained staff should take
Unfortunately, the proposals for reform of fire service pensions provide for a 'bolt on' approach where pension provisions for wholetime personnel are minimally adapted for RDS personnel. This approach lacks flexibility and innovation, and does not necessarily meet the special circumstances that apply to many RDS personnel
- xiv) A new NJC should include the RFU
This has not happened

2. OUR FIRE AND RESCUE SERVICE - JUNE 2003

- i) A new negotiating body should involve representatives of the RFU.. .We see no prospect of such changes being made by agreement. That is why we intend to specify who should be involved
This has not happened yet
- ii) The parties have agreed that by 30th November 2003 a working party of representative of fire service stakeholders will propose revisions to the Constitution of the NJC
No working party was established
- iii) They have not been allowed to apply for senior management positions
There are no RDS personnel undertaking a senior manager role, and RDS personnel have been rejected when applying for more junior positions
- iv) There is a lack of a regular income from firefighting
This continues; the June 2003 pay agreement actually reduced the pay of many RDS personnel. The few experiments in new remuneration systems have not been widely developed as a “good Practice”
- v) A major problem is the recruitment of retained firefighters
The 20% shortfall continues; the implementation of the Report of the Retained Review has yet to happen
- vi) The system of flexible local fire cover needs to attract a new pool of applicants who would not have considered the opportunity previously
Apart from a handful of trials, this has not happened
- vii) The recruitment problems stem in part from the level of pay, the lack of a pension, the lack of development opportunities and the often inflexible availability system - in short a lack of recognition of their contribution
These problems continue unresolved
- viii) Commitment to considering the case for alternative pay arrangements linked to wholetime pay
Trials have not been developed widely under good practice
- ix) Introduction of an appropriate pension scheme
Not yet happened - proposals are inflexible

- x) Within IPDS, provide a harmonised training platform so that retained can be used more flexibly
There is widespread lack of development of IPDS for RDS personnel. This is leading to the propping up of the over-provision of resources
- xi) Encourage a variety of flexible working patterns using a flexible roster approach
This has not happened - despite Suffolk showing the potential

3. SELECT COMMITTEE REPORT - JANUARY 2004

Government's Response in italics

RFU response underlined

- i) "An undervalued Service" was the conclusion of the Committee's earlier report in 2004.
This is still largely the case
- ii) Immediate changes pending publication of the report on the Retained Review (see below), as follows:
- introduction of a more flexible retirement age
issue of guidance on existing provisions for 6 month extension of service lifting of compulsory retirement age, with effect from November 2005, as part of the modernisation of pension arrangements
Did not occur "immediately", but the flexible retirement age has now been introduced
 - a national recruitment campaign along the lines of that used for the TA
to be examined by Retained Review
no progress
 - faster processing of applications
consultants engaged to develop standardised point of entry tests
stakeholder group established to oversee progress
(RFU not invited to participate)
New point of entry tests adopted by Practitioners' Forum 13/12/05. Tests adopted likely to reduce number of successful RDS applicants, and several F&RS's expected not to adopt new standard
No evidence that new tests were designed to, or will, speed up the application process
 - Government and public sector to set positive example by encouraging staff to

- undertake RDS duties
Retained Review will examine
No progress
- iii) Review Job Seeker guidelines in relation to RDS personnel
Government committed to discuss with Dept. for Work and Pensions
No progress
- iv) Consider extending paid leave for magistrates, councillors and school governors to RDS personnel
Retained Review will examine
No progress
- v) Bonus payments for meeting CFS targets
Retained Review will examine
No progress
- vi) Use the B&CSF to investigate why few businesses support the release of employees to undertake RDS duties
Retained Review will examine
No progress
- vii) Target employers and explain the benefits of employing RDS personnel
Retained Review will examine
No progress
- viii) Review recognition and incentives for businesses to employ RDS personnel
Retained Review will examine
No progress
- ix) The Retained Review should investigate alternative pay arrangements that are not based on attendance and consider the lessons of recent trials
Retained Review will examine
Some small progress - but good practice not being progressed
- x) RDS personnel to be consulted on alternative pay arrangements
Retained Review will examine
Some little progress - but NJC arrangements allow FBU to undermine - e.g. Devon

- xi) All RDS personnel should be adequately trained
IPDS should provide opportunities for RDS personnel to develop
Retained Review will examine options for developing RDS personnel
Very little progress
- xii) Welcome the proposals in the White Paper for changes to the negotiating framework
See 2 above
No progress

4. REPORT OF THE RETAINED REVIEW TEAM - FEBRUARY 2005

- i) This report was:
 - commissioned by the Minister in December 2003
 - Presented to the Practitioners' Forum in September 2004
 - Published by the Minister in February 2005
- ii) There are 51 recommendations, of which the last was

The Practitioners' Forum should examine the most effective means of addressing the recommendations of the RRT report
- iii) There has been little progress. The Practitioners' Forum on 13th December 2005 was advised this matter would be the subject of a report to the January meeting
- iv) At a meeting on 14th December, the RFU was advised by the Chief Executive of CFOA that he was trying to arrange an urgent meeting between himself, CFO Fraser and the RFU to progress

5. OTHER STUDIES AND REPORTS - REFERRED TO BY THE RETAINED REVIEW TEAM REPORT

- i) Retaining the Retained (1997) - CFOA
Little progress on recommendations
- ii) Retained Recruitment and Retention (1997) - FBU
- iii) Recruitment and Retention of Retained Firefighters (1998) - CFBAC
Little progress on recommendations

- iv) Retained, Auxiliary and Volunteer Firefighters in the Scottish Fire Service (2002) Scottish Executive
- v) Retained Fire Service Issues (2002) HMFSI
- vi) Part-Time Firefighters (2003) George Street Research
- vii) A Survey of Retained firefighters in England and Wales (2003) APU

ANNEX B

STATEMENTS ON THE REVIEW OF THE NJC

We recommend that the NJC should be replaced by a smaller body... There should be an independent chair and secretariat...the union side should include the Retained Firefighters Union.
The Bain Review, December 2002

...We also agree with the Independent Review that a new negotiating body should involve representatives of the Retained Firefighters Union... We see no prospect of such changes being made by agreement. That is why we intend to specify who should be involved.

The parties have agreed that by '30 November 2003 a working group representative of fire service stakeholders will propose revisions to the Constitution of the NJC. The report of this working group will be presented to the appropriate fire service stakeholders for ratification during December 2003'. We expect that what we say about how the NJC might work better will be taken into account in this work.
The White Paper "Our Fire and Rescue Service", June 2003

By 30th November 2003 a working group representative of fire service stakeholders will propose revisions to the Constitution of the NJC. The report of this working group will be presented to the appropriate fire service stakeholders for ratification during December 2003.
NJC Circular 01/03 - Fire Service Pay and Conditions Agreement, 13th June 2003

The Government agreed with the Independent Review of the Fire Service that a new negotiating body should be formed, involving representatives of the Retained Firefighters Union... We welcome the changes to the negotiating Framework. The system proposed in the White Paper will enable all levels of the Fire Service to negotiate their own terms and conditions.
The Commons Select Committee Report, January 2004

The current negotiating machinery, which is under discussion by the parties, is crucial to the modernisation of the fire and rescue service.

Following consultation, regulations will be drawn up setting out how places on the negotiating body will be allocated. Although the general principle of proportionality is reasonable, there may well be exceptions. In the first place, a strict adoption of the principle of proportionality might result in pressure for a very large negotiating body Alternatively if it were kept to a more manageable size,

which was one of the strong recommendations of the Bain review, with which we concur, that might mean excluding some of the minority interests. Neither outcome, in our view, would be desirable. ...we have made it absolutely clear that we want representatives of retained firefighters to be involved. Some are represented by the Fire Brigades Union and some are represented by the Retained Firefighters Union, but we believe that both representative bodies should be able to play a full part in the negotiating machinery, and we have made that quite clear **Nick Raynsford, Minister of State for Local and Regional Government - Standing Committee on Fire and Rescue Services Bill, 26 February 2004**

The Secretary of State may by regulations make provision for the establishment of one or more bodies of persons (negotiating bodies) for the purpose of negotiating the conditions of service of employees of fire and rescue authorities.

Regulations under this section must provide for a negotiating body established by the regulation to be composed of persons representing the interests of some or all employees of fire and rescue authorities.

Clause 32 of the Fire and Rescue Services Bill

The recent pay dispute and subsequent industrial action highlighted the weaknesses of the existing fire service national joint council. Indeed the need for change was accepted by both the Fire Brigades Union and the employers in the June 2003 pay agreement. The White Paper made it clear that the review must deliver more effective negotiating machinery that recognises the changing roles and structure of the service and is more inclusive of the representatives of all fire and rescue staff. **Nick Raynsford - Hansard 26 January 2004**

Subsection (2)(b) will ensure that employee representatives will be included on the negotiating body. Although the general principle of proportionality is reasonable, there may well be exceptions. In the first place, a strict adoption of proportionality might result in pressure for a very large negotiating body. Alternatively, if it were kept to a more manageable size, which was one of the strong recommendations of the Bain review, with which we concur, that might mean excluding some of the minority interests. Neither outcome, in our view, would be desirable. I will quote from the Bain review and the White Paper to make our objectives absolutely clear. Paragraph 10.26 of the Bain review talks about the new NJC, which is envisaged as replacing current arrangements, and states that on the union side it should represent

“the Fire Brigades union, the Retained Firefighters Union, the Fire Officers Association and the Association of Principal Fire Officers and Unison”

In our White Paper, which responded to that, we said:

“We also agree with the Independent Review that a new negotiating body should involve representatives of the Retained firefighters Union...”

Nick Raynsford, Hansard, 26 February 2004

We spelt this out very clearly in the White Paper when we agreed that a new negotiating body should involve representatives of the Retained Firefighters Union... We meant what we said then,

and that remains the position; that is what will happen **Lord Rooker, Hansard, 12 July 2004**

Bain also made it clear that membership of the body (NJC) should include the Retained Firefighters Union, whose members, like those of other unions, have a keen interest in the new clause and a very strong interest in effective negotiating machinery. **Phil Hope, Parliamentary Under Secretary of State, during third reading of the Fire and Rescue Service Bill on 15 March 2004**

We note the Committee's support for the White Paper position on the negotiating framework. At present, Government is awaiting the outcome of the review of voluntary arrangements, which is being chaired by ACAS. We hope that this review will lead to improved arrangements - in which case there will be no need for Government to introduce further changes. If appropriate voluntary improvements are not made, however, we would seek to use the powers set out in The Fire and Rescue Service Bill. **Government Response to the Select Committee, March 2004**

The Secretary of State may by regulations make provision for the establishment of one or more bodies of persons (negotiating bodies) for the purpose of negotiating the conditions of service of employees of fire and rescue authorities. Extract Section 32 of the Fire and Rescue Services Act 2004

Another major element we must have in place to support progress is a more effective negotiating machinery for the Fire and Rescue Service. Naturally smaller organisations like the RFU and FOA have an important and distinctive part to play in the service. They are also entitled to be recognised and play their part in national negotiations, as well as continuing to make their valuable contribution to public safety on the ground. Our preference is for voluntary reform. We have given our commitment on that. But let me make it clear, I hope and want to see progress on this issue very soon. NJC reform remains an important strand of the modernisation programme. **Jim Fitzpatrick, Parliamentary Under Secretary of State, speech to Fire Conference, Manchester, 3/11/05**

ANNEX C

Extracts from – RFU Legal Report 2005 – While you are protecting your community, who is protecting you?

CASE HISTORY- 2

Our member was attacked by a full time firefighter whilst out socially. The attack was totally unprovoked but led to our member sustaining damage to his teeth.

An application was made to the Criminal Injuries Compensation Authority and an award made of £2,750.00.

The full time firefighter had been prosecuted by the police and had admitted to the assault and accordingly, it was thought that our member would have a very good chance of obtaining a judgment against the full time firefighter if civil proceedings were issued. However, it was decided not to pursue such an action in light of the full time firefighter's probable inability to meet any judgment outright. In addition, the £2,750.00 received from the CICA would have to be repaid from any damages.

CASE HISTORY- 3

This Sub Officer in charge of a RDS station found two letters that had been left by his supervisory officer in which he was admonished for administrative failings on his station. There had been no discussions between the two about these matters and no attempt to understand the reasons for the perceived failings or how the OIC might be helped to resolve them. The RDS Sub Officer became totally demoralised and demotivated by this high-handed treatment, until we pointed out that these letters were in breach of discipline procedures and the fundamentals of natural justice.

An RFU representative worked with a senior manager to facilitate better communications between the officer and the OIC, which resulted in the letters being withdrawn and a more supportive attitude to resolution of the original issues. Until that point the RDS sub officer had suffered a considerable loss of commitment, due to his treatment and had been on the point of resigning from the Service.

“Managers must realise that as well as being employees. RDS personnel are volunteers, and need to be managed accordingly”.

CASE HISTORY- 8

Two RFU members, one a JO with 15+ years' experience, the other a probationary fire-fighter served at this station which was a hotbed of militancy with a long history of trouble, often described as a "running sore".

The station had at one time been day crewed and then downgraded to nucleus crewing. Over a period of time the unwillingness of the W/T to attend the station on any other than when contractually obligated had provided the brigade with data to suggest that the station was meeting the standards of fire cover as a retained unit. A review showed that the station could meet the new standards and was therefore reduced to a 2 pump retained station.

The problems which then arose for our members were purely as a result of them wishing to make the most of the new status of the station. They were keen to carry out community education and visits to schools etc, they also embraced the need to carry out maintenance and administration duties which had previously been carried out by the nucleus W/T crew.

The station was a militant stronghold with many of the former personnel who still lived in the town pulling the strings and manipulating their retained members at the station to carry out a war of attrition with the brigade. Their ultimate goal was to prove that the station could never function as a stand alone retained station and anyone who contributed to its success as such was now considered the enemy.

Harassment and bullying reared its ugly head with our members raising this through the chain of command, which failed to support them.

The supervisory officer for the station did little to try to resolve the issues, this at a time when the situation was crying out for local managerial action. Evidence of appeasement of the protagonists for fear of upsetting the militants was there from the start. On our advice our members used the county council's bullying and harassment procedures to try and address the problems and get back to work as they were by now both on sick leave with stress related illness. The brigade also failed to provide counselling of any sort and they were left to seek help via their own GPs.

The council sought the services of a mediation consultant to try to find a way forward. Our members were fully prepared to use this route and co-operated fully with the plan of action, but the remaining personnel were advised not to co-operate. As a result the mediation exercise collapsed.

The next step was to use an external team of investigators to carry out an investigation with a view to determine who was at fault. Again, a lack of co-operation saw to it that the rest closed ranks and no evidence was forthcoming. The brigade then waited until the two had been on sick leave for a year and sought to dismiss them under frustration of contract because they had not returned to work.

It is interesting that throughout their period of sick leave, the Brigade Medical adviser had consistently stated that the pair were unfit to return. He described in a letter that this was a management problem and our members were unfit to do so until the brigade had taken action to deal with the problems at the station.

The issue was eventually concluded by lengthy legal intervention and correspondence and the inevitable expense when a package was negotiated, which at least recognised that the brigade had a case to answer by making a payment to them both upon leaving the service.

“There is little prospect of real change when the fire and rescue service can cover up their failings by buying their victims off to avoid these matters coming into the public domain”.

CASE HISTORY- 21

Our member, having completed more than 28 years’ service, was bullied and harassed by a number of his colleagues for a lengthy period. Despite making official complaints to the Fire Brigade, these incidents were not properly investigated. Consequently, our member was diagnosed as suffering from work-related stress, which resulted in his absence from work for some months. During this period, despite the fact that his illness was caused by his work, the Brigade refused to pay him any sick pay whatsoever.

Howes Percival wrote to the Brigade on the member’s behalf to highlight the problems that our member had experienced and their failure to deal with these issues. However, the Brigade neither addressed the shortcomings in their procedures and the way in which they had dealt with the member nor tried to reach agreement to compensate the member for the way in which he had been treated.

Our member was forced to resign from his position as a Retained Firefighter and Howes Percival advised him in relation to his claim for constructive dismissal which was submitted to the Employment Tribunal earlier this year. Howes Percival has represented the Applicant in the negotiations that have taken place since his Application was lodged with the Tribunal. The Brigade made an initial offer of £20,000 but Howes Percival negotiated with them to increase this figure and achieved a settlement of £25,000.

“if retained firefighter was a Religion, Gender, Disability or Ethnic Group, it would have been unlawful to treat me in this way”.

CASE HISTORY - 28

Due to changes in the Grey Book, the brigade had to implement payment of a full retaining fee for 120 hours cover. RDS personnel were asked to provide details of availability on a week by week basis. On receipt of our member’s availability sheet the brigade questioned as to why the total cover provided was less than that stated on his original application on joining the service, some 12 years ago.

When asked why a change of circumstance form had not been filled in our member stated that he was not made aware that he needed to complete one. It was also noted that nobody on station had completed a change of circumstance form prior to the implementation of the new policy.

Our member was then told that the reduction in hours was not of benefit to the station and not a satisfactory change from his original commitment and he was dismissed from the Fire Service.

On requesting the services of his union we made our own investigations into the matter and initially pursued an informal process with the brigade, unfortunately to no avail. This led to a more formal approach instigating the brigade’s own procedures. After review, the brigade confirmed that they did act correctly and in accordance with their own policy.

It was not until we made preparations to submit an appeal to the fire authority that the brigade reversed their original decision and reinstated our member with full back-pay.

Interestingly enough during the time our member had been dismissed from the fire service, the station had faced more time off the run than it was available. The brigade’s initial inflexible stance actually reduced fire cover in the area.

It’s perhaps amazing that anybody would want to resume their service after such treatment-in another case, where a member was re-instated after appeal, he decided he no longer wanted to work for an employer that treated him in this way

CASE HISTORY - 31

Our member was dismissed by the brigade for infringing the brigade’s policy of Fairness and Equality. At a hearing the union was able to prove that the Retained section of the brigade had

not received any training on Fairness and Equality, only wholetime personnel. Our member was reinstated and is now acting up as an LFF.

CASE HISTORY - 33

This member had been an employee of the brigade for 19 years, and the problems he has faced arose during the dispute of 2002. He and his colleagues at this particular station suffered threats and abusive behaviour for continuing to work.

At one particular incident his crew came under attack from striking firefighters including senior officers and as a result the police were called. Our member made a full statement of the facts backed up by witnesses and reported this to the CFO. To this date in spite of the police involvement at the incident, the events have never been investigated by the brigade.

He became aware of both overt and covert intimidation in the form of abusive telephone calls at all hours of the day and night. He was also subject to other forms of incitement to hatred, intimidation and blatant abuse against him.

He attempted to pursue the matter with the brigade and due to the fact that a number of those involved in the events were in his chain of command felt that any complaint would be suppressed within the system. "Coincidentally" he was then advised that complaints had been made against him as revenge for his actions in the dispute and for complaining about them to the CFO.

The previous months began to take their toll on both him and his family and he was advised by his GP that he was unfit for duty due to work related stress in the fire service. A lengthy period of absence followed. His wholetime senior officer gave an instruction that he should be paid for missed calls and fees during this period, but he has to date never received payment for his losses. Eventually the brigade organised and paid for a lengthy period of counselling and after a period of time he returned to work.

With all of these factors in mind, the brigade then refused to accept that his sickness absence constituted work related stress and continued to refuse to pay him for his loss of earnings even though they had organised the counselling he received.

The RFU's solicitors became involved and eventually our member was paid compensation for his lost income.

"I no longer expect fair treatment and support from my managers, as it is them who are bullying and harassing me".

CASE HISTORY- 34

Our member became subjected to unprecedented harassment and bullying for the sole reason that he did not go on strike. He was told by the local brigade official who served on the same station, that he had “better get himself some protection”. Days later he was arrested by police for alleged offences. A thorough police investigation found no case to answer. The complainant was related to the partner of a striking firefighter.

Our member was suspended pending the outcome of the investigation, suffered severe strain. He was self employed but because of the time he was off sick with depression he lost his main income as well as that from the fire service.

The RFU is now resolving his loss of earnings from the service. This case could have been resolved many months before, but indifference by the management has seen it continue. Only now after meetings and robust correspondence have matters proceeded toward a successful conclusion.

“How can we be expected to play our part in fighting discrimination on the grounds of gender, race, etc. when we have been subject to discrimination on the grounds of our duty system for the past 60 years?”

ANNEX D
Rank to Role assimilation in the FRS

RFU research has resulted in feedback from a number of brigades as to progress made:

	SubO (1 pump stn)	SubO (2 pump stn)	Retained Stn Officer	SubO (WDS)
Bucks	No Progress	No Progress	No Progress	No Progress
Cambridgeshire	No Progress	No Progress	No Progress	No Progress
Cornwall	No Progress	No Progress	No Progress	No Progress
Cumbria	Watch Manager A	Crew Manager	Watch Manager B	Watch Manager A
Derbyshire	No Progress	No Progress	No Progress	No Progress
Devon	No Progress	No Progress	No Progress	No Progress
Hampshire	Watch Manager A	Watch Manager A	Watch Manager B	Watch Manager B
Norfolk	No Progress	No Progress	No Progress	No Progress
Northern Ireland	No Progress	No Progress	No Progress	No Progress
Somerset	No Progress	No Progress	No Progress	No Progress
Staffordshire	Watch Manager B	Watch Manager B	Station Manager A or B	Watch Manager A
West Sussex	Watch Manager B	Watch Manager A	SM A (admin) WM B (ops)	unknown
Strathclyde	Watch Manager A	Crew Manager	Watch Manager B	Watch Manager B
Highlands & Islands	No Progress	No Progress	No Progress	No Progress

Memorandum by Lynne Harding (FRS 51)

My place of work is Essex County Fire & Rescue Service SHQ, where I am a Group Manager (Control)/Group Fire Control Officer, as a member of the Operational Control Management Team, responsible in the main for Operational Training, Control Database Management and Operational Flexi Cover for Control.

I am pleased to see that a new inquiry has been set up to examine the effects of the passing of the Fire and Rescue Services Act in 2004, in particular the reference to Regional Controls.

First let me say that I am proud to be a member of the British Fire & Rescue Service, and have had a very long career in ECFRS, and am certainly no stranger to being both proactive and reactive to the needs for change to make progress in the service according to circumstances at the time, however I fail to see where we as a service, have not managed to keep abreast of upgrades and trends in the mobilising and communication equipment, procedures and policies, as they have either been planned for or occurred year on year. The manner in which each authority has operated, has always been within the Local Authority, Central Government and Service, financial and operational constraints, which would be a guiding factor in any organisation. The facts of the business case usually have to be proven beyond any doubt, before they occur, and the assets of any organisation would or should include the expertise of those who have been running an efficient service.

In response to the:- 'The committee has agreed to undertake an inquiry to examine '

1.The implications for Citizens and the Fire and Rescue Service of a)the introduction of Regional Control Centres.'

1. The move forward is the high profiling of the 'Community Fire & Rescue Service, with the involvement of all, Operational Control has always been the central point, the first point of contact in an emergency when the call is handled. Although this may not change, it most certainly would not be Community based.

2. The teamwork between the Operational Firefighters at Station, the Flexi Officers, and Support Services will not be community based, which will undo all of the excellent working practices, rapport and expertise built up with regard to Fire Safety, Fire Investigation, Community based activities, Community based integrated Operational Training Exercises for Risk Based Premises, such as Oil Refineries, Airports, Docks and named risks, and scenario incidents such as a Nuclear transport incidents, major incidents will all be lost.

3. The Operational Control in each Service being a focal point, for familiarisation visits for members of organisations, such as Rotary Clubs, Scouts & Guides, Children and Juveniles who attend as part of a Probation Officers programme, or as part of a Duke Of Edinburgh's Award Scheme, or Education Programme, to name but a few, plus

Operational training visits from the Officers and Station Personnel in order for them to be up-to-date on the latest functionality of Operational Control will no longer be available.

4. The work that is currently carried out by Control Staff, such as compilation of data, updating and verifying of accurate information to be placed on the Operational Control Database, or in handover, hardcopy or updating of Service Information files in Operational Control will require some other department or personnel to centralise the information for operational use in the service. I am very aware that the level of this will vary from the size and structure of the service. In fact this is the very reason that the costing of the incident handling in each Fire Service is not worked out on a level playing field, as the present Operational Controls fall into three categories, with higher or lower levels of other work to be carried out besides the call taking.

5. The Operational Control in each Fire & Rescue Service will no longer have a central point of contact, or communication centre and will have to make other arrangements, for varying levels of service, from accepting out of hours defects to appliances, sending out messages from the CFO or Officers to the stations, or giving out fire safety advice over the telephone etc.

6. As your committee must well be aware, the morale in Operational Controls across the Country is very low, as Control Staff are still uncertain of their future, I have not yet met a member of Control who is enthusiastic about a Regionalised Control, and the majority are actively seeking other employment or working out how best to move on after Regionalisation. They feel very let down, and are not prepared to talk about the subject, although they are able to update themselves either by the website, or hard copy information in the Control. The situation is most certainly not as described in the Parliamentary debate on Emergency Services (Regionalisation), 12th October 2005, when the Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister, stated "We know that the majority of posts will be maintained, and we are confident that most control room staff will want to avail themselves of the new opportunities for better career paths in the new control rooms". This most certainly is not the case. How could there possibly be better career paths, when 46 Control Rooms are being reduced to 9, running on a third less staff. without the recognised rank/role structure that we operate with now.

7. With regard to the introduction of and implementation process for FireLink radio services no-one in Control would disagree with compatible systems working across the UK Fire Service provided the resilience of individual Fire Service Operations were not compromised by cross contamination of software or hardware failings.

8. With regard to promoting diversity within the Fire and Rescue Service the fact that approximately two thirds of the workforce in Operational Controls are women and the fact that their careers are now compromised and jeopardised has left them completely demoralised and only the fact that the vast majority came into the Fire

Service to perform a public service keeps them in their present positions. Notwithstanding this, as I have previously stated the vast majority have no intention of relocating. The question the enquiry should be looking at is how a second to none Service is being allowed to lose such professional expertise. There may even be a case to answer under sex discrimination with regard to constructive dismissal in an organisation.

There are so many issues and questions to be answered with regards to the Regional Control Centres being a viable business case and a better proposition to each Fire and Rescue Service having its own Operational Control which is integrated into the Incident Command System of the Service that I very much would welcome the opportunity to speak to the Select Committee direct.

Even as I submit this response I would remind you that like myself all Operational Control Officers in the UK already have extensive workloads and take the future of the Service to the Public very seriously. The standards that we have and are improving upon have only come about by dedication and hard work of those involved. We have responded to every dictate of the Government of the day in order to progress the service that we provide.

I would ask that the cost and on cost of the consultancy work carried out over the last decades with regard to Operational Fire Controls be taken into account, also that the recommendations of majority of individual Officers in the Service for status quo to be maintained and cross border collaboration between other Fire Services and Emergency Services be continued as much work involving resilience and best practice is being continually improved and should not be lost.

Memorandum by Ann Rosemarie Everton, Emeritus Professor, University of Central Lancashire (FRS 52)

1. Preliminaries

I would point out that the views I express are purely personal.

And further, I would acknowledge the particularity of the content of my submission. It relates to fire prevention and, in that context, solely to the forthcoming Regulatory Reform (Fire Safety) Order (2005), (hereinafter ‘the Order’¹⁴). I note, though, that Mr Jim Fitzpatrick M.P, Parliamentary Under Secretary, ODPM, regards the Order as “...underpinning the prevention agenda...”,¹⁵ and I am thereby encouraged to think that you might find my observations relevant to the Inquiry.

2. Observations

I would like to make observations regarding two matters, the first is enforcement of the Order, the second is the on-going debate over the relationship of the new Order’s régime and the Fire Precautions (Sub-surface Railway Stations) Regulations, 1989¹⁶ (hereinafter the ‘Underground Regulations’).

(i) *Enforcement of the Order*

The perspective of enforcement which I would like to raise is that of the level to which enforcement might be carried out, this being a subject which has attracted much attention.¹⁷ Despite the undoubted efforts of the Civil Service and the great commitment of the Fire Service, I regret that my fears for its adequacy in the context of higher risk premises are only partly allayed.

In consequence, I would draw to your attention a paper on the issue entitled “Fire Safety Enforcement – a hostage to fortune”,¹⁸ in which its author, Mr Glyn Evans¹⁹ addresses his long felt concern for the future of enforcement. He adverts to reasons given by Mr Phil Hope M.P. (the then Minister) for the latter’s contentment with the managerial pressures

¹⁴ S.I. 2005 No. 1541.

¹⁵ He refers to it in a Keynote speech to the FSDG, at the November Parliamentary Seminar.

¹⁶ S.I. 1989 No. 1401 (as amended).

¹⁷ I would refer to the airing of the subject by the House of Lords Delegated Powers and Regulatory Reform Committee, the House of Commons Regulatory Reform Committee and the Office of the Deputy Prime Minister (‘ODPM’). [See respectively, HL Paper 153, HC 684 and the Statement laid before Parliament in accordance with Section 6 of the Regulatory Reform Act, 2001. I would add that I am grateful for the chance afforded me to make a modest contribution to the debate.]

¹⁸ *Fire*, August 2005, Vol. 9, No. 1202, pp29-30.

¹⁹ Fire Safety Adviser to the FBU.

built in to the associated machinery, and responds thereto. I share Mr Evans' stance, and submit to you my espousal of the same.²⁰

In this connection, I would make a tentative suggestion. To the forefront of the facets of doubt as to the sufficiency of the machinery's robustness is the lack of recommendation in the relevant Guidance as to the frequency of inspections. It has occurred to me that it might be assistful if it were to become the case that, in the development of risk based inspection programmes, the Fire and Rescue Authorities ('FRAs') should not have so much discretion in the determination of the periodicity of inspections. Could there not be expressly included in Fire Service legislation a statutory presumption that a given minimum percentage of higher risk premises should be reviewed every given maximum number of years? In the light of financial constraints, it could be no more than a presumption (and, *as such*, rebuttable²¹), but at least it would mean this critical feature were left less 'at large'.

(ii) *The relationship of the new Order's régime and the 'Underground Regulations'*

In the course of the development of the Order, this relationship has yielded significant debate and understandably so in the light of the Regulations' tragic provenance. At the heart of the exchanges has been the question whether they should be retained or removed and replaced with Guidance.

A view has been held that their removal in favour of a risk based approach could lead to a compromising of safety standards. Against this, there has been set the view that they could be replaced with Guidance, and such Guidance, when linked with other legislation such as the Railways (Safety Case) Regulations, 2000,²² would result in the maintenance of the necessary protection.

From the statement laid by the ODPM in accordance with Section 6 of the Regulatory Reform Act, 2001, it appears that the latter stance is prevailing, and that the Regulations are to be retained until Guidance is produced.

²⁰ In short, Mr Evans' anxieties stem from the lack of recommendation in the relevant Guidance (Circular 29) as to the frequency of inspections, the lack of accountability targets specifically aimed at measuring the effectiveness of Fire and Rescue Authority fire safety enforcement programmes, and the paucity of attention paid to fire safety enforcement in the National Framework.

²¹ The grounds for rebuttal would have to be so established as to make the presumption meaningful but, at the same time, acknowledge the scarceness of funding.

²² S.I. 2000 No. 2688.

Thus it would seem that the latter view has both gained the ascendancy and is being furthered. I wonder whether this approach will fully accommodate the position for the long term, and if the following suggestion might aid a better resolution:- Rather than introduce what might be termed 'simple' Guidance, would it be worthwhile to introduce Guidance which possessed some statutory 'potency', such as is for example possessed by approved codes of practice under the Health and Safety at Work Act, 1974?²³ To take such a step might more effectively fill any gap perceived to be left by the loss of the Regulations, while at the same time acknowledge the trend of current thinking.

²³ I would enlarge upon this suggestion by quoting *The law of Health and Safety at Work*, by Frank B. Wright (Sweet & Maxwell, 1997) at p107:-

'Section 16 of the 1974 Act provides for the issue and approval of codes of practice "for the purposes of providing practical guidance" in relation to the requirements of sections 2-7, or health and safety regulations under the Act. By virtue of section 17, a failure on the part of any person to observe any provision of an approved code of practice does not itself render that person liable to civil or criminal proceedings. Whilst such a code does not have direct effect, any provision in such a code which appears to a court to be relevant to an alleged contravention of a requirement or prohibition is admissible in evidence. If it is proved that there was, at any material time, a failure to observe any provision of a code which the court considers to be relevant for the prosecution to prove in order to establish a contravention of a requirement or prohibition, that matter will be taken as proved unless the court is satisfied that the requirement or prohibition was, in respect of that matter, complied with otherwise than by way of observance of that provision of the code.'

Memorandum by North Yorkshire Fire and Rescue Authority (FRS 53)

1.0 Introduction

- 1.1 The Fire & Rescue Service has responded positively to the modernisation agenda set out in the Government's White Paper of 2003 and the subsequent Fire & Rescue Services Act 2004. However, it is recognised that such fundamental change to an operating environment will need to be supported and reviewed to ensure maximum public benefit is gained from the process. Clearly progress has been made and changes embedded that are delivering higher levels of public safety and service delivery. However, North Yorkshire Fire & Rescue Authority (NYFRA) supports the need for an Inquiry that will assess the level of progress made and assist in taking forward those measures that will enable the Service to build on the benefits gained to date and maximise service delivery opportunities.
- 1.2 In compiling this document NYFRA were keen not to duplicate evidence and unnecessarily complicate the Inquiry process. Therefore, it used the Chief Fire Officers Association (CFOA) draft Inquiry submission as the basis of a discussion document to stimulate debate on the issues contained within the Inquiry Team terms of reference. Although the CFOA submission highlights key issues that need to be considered, NYFRA considered the Inquiry would benefit from a separate submission that captures a more local perspective. Therefore, the information provided in this document builds on the CFOA evidence submission and outlines the viewpoint of NYFRA on the key issues considered pertinent to the Inquiry in relation to the Authority's perspective.
- 1.3 The perspective put forward relates to the organisation's specific operating environment, which is worth outlining to put the submission in context. The Service provides operational cover across the largest county in England which has within its boundaries a range of risks, including a number of densely populated urban areas, numerous rural communities, some high risk industrial sites, heritage buildings, national park land and a wide range of military facilities. To meet the unique challenges faced within such a large county the Service makes use of wholetime staff, retained personnel and volunteer units.
- 1.4 The service delivery needs of such a complex environment necessitates an innovative and flexible approach and the new freedoms coming from the changes to legislation and conditions of service have been welcomed. However, to make full use of those freedoms and to maximise public benefit the Government must support local FRSs through governance systems and mechanisms that positively encourage stakeholder participation. In addition, the systems that reward and encourage change need to be used effectively and managed in a way that supports diverse communities and local service delivery needs. This includes the use of specific funding arrangements, management

freedoms, and reward schemes linked to the achievement and not merely the acceptance of a change agenda. Without appropriate Government support the modernisation agenda may not be fully achieved as the risk to individual Authorities will outweigh the benefits.

- 1.5 The first substantive assessment of the Fire and Rescue Service in recent times is the CPA process which resulted in this Authority being awarded a 'Good' rating. This is encouraging despite the fact that this Authority, although serving the largest county in England, has the second lowest population density and a lower than average size population (0.75 million). This demonstrates that medium/smaller Authorities can and do perform as well as larger ones.

2.0 Regional Control Centres

- 2.1 NYFRA supports any initiative that will improve service delivery and maximise the use of resources. The Authority understands the potential benefits that a Regional Control Centre may provide but is concerned with the lack of detail in relation to the Full Business Case. This is seen as a fundamental weakness in terms of gaining local support for the initiative and undermines the ability of the Authority to outline the local benefits of the system. Specifically, NYFRA would welcome further detail at the earliest opportunity in respect of the Governance arrangements, statutory responsibilities, operating costs, local performance management improvements and benefits. In addition, information is sought on those residual activities which will not be transferred to the new Regional Control Centre but which are currently performed by our Control Staff (because it represents the most efficient use of our available resources) and which will remain necessary to be carried out elsewhere within this organisation.

- 2.2 Only once the above detailed information becomes available can a true comparison of the costs and benefits be made of the new arrangement as it impacts the communities of North Yorkshire and the City of York and thereby address concerns and assist in the medium term financial and operational planning of the local Service.

3.0 Firelink Project

- 3.1 Similar local concerns to those highlighted in regard to the Regional Control Centre Project exist with this project. NYFRA would welcome a business case that sets out the financial implications, ongoing resource needs and governance issues.

4.0 Fire Prevention

- 4.1 NYFRA believes that this item in the Inquiry's Terms of Reference may result in a failure to appreciate the full scope of FRS work being undertaken under the

protection and prevention banner. NYFRS, in addition to meeting its statutory fire safety education and protection responsibilities, is heavily involved in a range of prevention and education initiatives surrounding Road Traffic Collisions (RTCs) because our IRMP community risk profiling identified this as a significant area of risk. NYFRA would respectfully request that the Inquiry Team examines progress beyond that which falls within the strict Fire Prevention heading and considers the progress made by FRSs across the full spectrum of community safety in order to obtain a more accurate reflection of the wider and evolving role which this and other FRAs currently perform.

- 4.2 NYFRA believes the Service has responded positively to the change in emphasis and the need to channel resources into community safety. The Service has been very successful in delivering a wider range of services which have impacted positively on public safety. However, the opportunity should not be missed to build on those successes by ensuring the Service is recognised as a key partner that can support wider community initiatives and as such should be involved in the development, planning and delivery of Local Area Agreements (see also Para 5.4 below).
- 4.3 The successes gained through the delivery of a broader community safety remit has required a wider engagement of the public through various partnerships and necessitated changes to basic working practices. This extended remit has clearly impacted on service delivery and changed the workload balance in relation to the Service's overall capacity.
- 4.4 Although working practices are now more effective the Service must recognise and respond to new and competing priorities including the workload burdens associated with the introduction of the Regulatory Reform Order, New Dimensions, Civil Contingencies Act, Operational Assurance Standards and extended duties relating to Special Services, Water Rescue and Road Traffic Collisions. All of which have resource requirements that need accommodating if public safety standards are to be met. The difficulty NYFRA and other FRAs are facing is balancing the growth in workloads against challenging efficiency savings as set out in the Gershon targets and public sector funding constraints, which in reality necessitate reductions in staff numbers, given that at least 80% of FRA budgets are staff related.
- 4.5 The Fire Prevention legislative change to be introduced in April 2006 brings into force the Regulatory Reform Order and is of particular significance to the Service, as this shifts the responsibility for fire safety on to owners and occupiers and brings with it the risk of reduced standards that could adversely affect public safety. To accommodate this change the Service is having to re-train staff, invest in new software systems and expand its enforcement capabilities to cover all premises. This is a major workload and the danger of overloading the Service cannot be ignored when one sets that particular issue alongside the need to

deliver a more efficient Service, an expanded operational remit and the immediate need to develop a more resilient and operationally capable service that can deal with terrorism events, environmental disasters and major incidents.

- 4.6 The challenging operational environment in which we now operate necessitates higher operational safety standards and more training time to enable front line staff to prove and maintain competence across a wide skill range. It requires the development of contingency plans that provide the highest level of assurance and preparedness. This work is essential and not yet complete and also competes with the delivery of community safety initiatives and the new priorities relating to and partnership working.
- 4.7 It has to be recognised that Fire Prevention is a single strand of the overall working environment and cannot be viewed in isolation. The competing pressures, as outlined, have created a very fluid change management environment and the Service is adapting to manage each of the areas noted but it needs supporting through this period with transitional arrangements and funding that assist Fire Authorities to embed change and meet the expectations of the public.

5.0 Institutional Arrangements

- 5.1 NYFRA is fully supportive of the modernisation agenda and has developed a comprehensive change management programme which is currently being delivered. However, progress is being hampered by Governance systems that do not proactively support this process.
- 5.2 Although NYFRA recognises the Retained Firefighters Union (RFU) and UNISON for consultation purposes (there is currently limited membership of Fire Officers Association with this Authority), the National Joint Council (NJC) only recognises the Fire Brigades Union (FBU) for negotiation purposes. This is despite the Retained Fire-fighters Union and the Fire Officers Association having a legitimate interest in terms and conditions. This monopoly position afforded the FBU for negotiation purposes stifles debate, change and undermines the ability of the NJC to operate in a fair and inclusive manner.
- 5.3 Regional Management Boards (RMB) have been formed to provide strategic direction and a coordinated approach in six key areas. However, individual Fire Authorities are responsible for service delivery in their local area and must operate in a manner that ensures 'Best Value'. As evidenced by the Comprehensive Performance Assessment NYFRA is a strong performer, effectively collaborating with partner agencies and delivering 'Best Value' by fulfilling the needs of a diverse and complex community. The added benefit to be gained through the current performance management measures, powers and

Governance arrangements relating to RMBs is unclear and needs to be re-assessed.

5.4 NYFRA is gaining advantage from being an active partner in various local forums. The Service is well placed to support a wide range of community activities and safety measures and as a respected community service, has been able to actively engage with hard to reach groups. The ability to deliver results through its position of respect and trust needs to be recognised and the Service should be seen as a key figure within the Government's Partnership Strategy. It needs to be involved in the development, planning and delivery of Local Area Agreements and recognition given to its ability to deliver a broader range of services. NYFRA believes there is a potential that FRAs may not be recognised as a full partner at the strategic level in LAAs in much the same way as experienced following the inception of Crime and Disorder Reduction Partnerships; it was only as a consequence of the subsequent Police Reform Act 2002 that FRAs were formally recognised by some CDRPs as legitimate members. NYFRA, therefore, would welcome Government support towards securing FRA involvement at all levels within LAAs. The risk otherwise is that FRAs may expend time and effort arguing the case to become a full member of a Local Area Agreement rather than being able, as an accepted member of the LAA, to get on with actually delivering improvements to local services.

5.6 Although operational assurance and standards is a central concern of this Authority and the Government it has not been externally validated for some time and does not form part of the CPA review process. It is considered essential that some form of external validation process is provided which ensures annual action plans associated with Integrated Risk Management Planning process maintain and enhance the operational capability of individual FRSs and provide the necessary assurances to all stakeholders. Various options need to be considered, including the use of peer assessments, the potential for the development of a Centre of Excellence, or the provision of a suitable toolkit and external audit process.

6.0 Promoting Diversity

6.1 NYFRA is fully committed to providing a service that represents its community and developing a working environment that values diversity and encourages positive action. A vital element of the NYFRA modernisation programme is cultural change and this authority is forging ahead with transformational leadership and cultural diagnostics in support of continuous personal and organisational development. Those people in the community that may consider the FRS as a career need to be encouraged to come forward. This requires a positive image to be created, the development of flexible working conditions and a clear career path that shows prospective candidates the variety of opportunities

that are available within the Service, together with the positive societal impact that a career in the FRS is able to offer.

- 6.2 The creation of a positive image and culture requires a clear communication strategy that engages with a broad cross section of the community and provides a better understanding of the role of a fire-fighter beyond what might be considered the more traditional stereotype. The skills and professional standards required to be a fire-fighter need to be clearly articulated and the wider community role evidenced. In support of the work conducted by Fire Authorities in this area, central attraction, recruitment and information campaigns should be used to reinforce this message and provide support for local campaigns through the use of mainstream media facilities and arrangements.
- 6.3 NYFRA recognises the need to develop a variety of employment opportunities that enable part time working, job share, flexible working patterns and multi tier entry. This approach creates a more flexible, work-life balanced organisation and encourages diversity due to the choice of working patterns. However, not all stakeholders are supportive of the changes to terms and conditions that will create this environment and there needs to be a more robust negotiation framework to support Authorities that are faced with a resistance to change, as noted in paragraphs 1.4 and 5.2.
- 6.4 In support of the above measures a clear development system needs to be embedded in the Service that starts with the national firefighter selection (point of entry) standards and evidences the various management tiers within the Service and is aligned to externally recognised standards. This will have various benefits, it will ensure the skills base of the service is recognised throughout industry, it will support multi tier entry and provide recognisable professional standards that will enhance the image of the service and encourage a more diverse range of prospective applicants to the Service. In support of that approach there needs to be a development path to accredit each management tier with the core function of critical incident management. Multi tier entry will provide advantages to the diversity needs of the Service but will be undermined if such entrants cannot fulfil the full role.
- 6.5 An important driver in this regard is the Human Resources Strategy for the Fire and Rescue Service, the resolution of which should be expedited in order to support much of the excellent work being undertaken in terms of organisational development and continuous improvement.

7.0 Emergency Services Joint Working

- 7.1 NYFRA is working proactively with other emergency services and developing partnership arrangements that are proving to be a driving force for change and

improved community safety. However, some of the mechanisms that are in place to encourage such work rely on the individual Services choosing to go beyond the minimum level of engagement. This can prove difficult due to competing priorities, different governance models, funding arrangements and a lack of central / joint policies at Government level.

- 7.2 An example of this is the funding arrangements for the Civil Contingencies Act; the Fire and Rescue Service is a Category 1 responder and has clear duties under the Act. To fulfil its responsibilities, NYFRA is an active partner in the Local Resilience Forum and is putting significant resources into the development of appropriate systems and control measures. However, the funding stream supporting this process has not recognised the burden on individual Authorities such as NYFRA.
- 7.3 Another example is the benefits to be gained from co-responding schemes, which support communities, especially large rural Counties such as North Yorkshire. Although progress has been made at a local level it has been a slow process and would benefit from a clear central policy that prioritises the initiative and provides a joint approach.

8.0 Conclusion

- 8.1 This Authority has already made significant progress towards the modernisation agenda and achieved, in large part, the Gershon targets through changes in crewing arrangements. However, whilst there is some further scope for improvement, we should not underestimate the potential for industrial action which could, if protracted, cancel out those gains made to date. Further improvements therefore need to be achieved within a realistic timescale and in a manner which would secure further benefit without provoking industrial action.
- 8.2 In order to realise the full potential of partnership working for example Local Area Agreements greater clarity surrounding governance arrangements and accountabilities need to be set out. Failure to do this might result in partnership performance falling short of expectation.

Memorandum by the Association of Chief Police Officers (ACPO) (FRS 54)

ACPO

1. The Association of Chief Police Officers (ACPO) was set up over 50 years ago so that work in developing policing policies could be undertaken in one place, on behalf of the Service as a whole, rather than in 44 forces separately.
2. ACPO's members are police officers who hold the rank of Chief Constable, Deputy Chief Constable or Assistant Chief Constable, or their equivalents, in the forty-four forces of England, Wales and Northern Ireland, national police agencies and certain other forces in the UK, the Isle of Man and the Channel Islands, and certain senior non-police staff. There are presently 280 members of ACPO.

Introduction

3. The Police Service has a long history of working closely with the Fire and Rescue Service in responding to a wide range of emergencies and disasters. In addition the Police Service has performed a key role in supporting contingency arrangements that have been implemented during industrial disputes within the Fire and Rescue Service. Recent legislation, including the Control of Major Accident Hazards (COMAH) Regulations 1999 and the Civil Contingencies Act 2004, has reinforced the importance of a close working relationship between the two services; both at strategic and operational level.

ACPO Response

4. In response to the specific terms of reference agreed by this Inquiry; ACPO only makes comment on areas we consider have a direct impact on policing and are within our knowledge and experience.

Item 1 The implications for citizens for and the Fire and Rescue Service of

(a) The introduction of Regional Control Centres

5. This may have an impact on the effectiveness of the response by the police and others in the event of an industrial dispute within the Fire and Rescue Service (in recent disputes some police forces provided temporary joint control rooms). These issues can be resolved however by effective contingency planning arrangements, which recognise that any temporary arrangements must be capable of reflecting regional control structures.
6. It is also important to emphasise that, wherever possible, 'local knowledge' must be maintained within any migration to regional call centre systems. Failure to do so is likely to impact on the effectiveness of the Fire and Rescue Service to provide an informed and 'intelligence led' response to emergencies. In addition to the retention of personnel

with the requisite knowledge, the use of technological solutions such as sophisticated mapping software should be fully exploited.

(b) *The introduction of and implementation process for Firelink radio services*

7. ACPO continues to work closely with CFOA and other emergency responders in developing interoperable communication systems. The role of 02 Airwave is crucial to delivering success in this area, through their provision of secure digital communications to both the Police and Fire and Rescue Service. An effective, integrated system is essential to ensure a professional and ‘joined up’ response to any emergency.

Item 3. Joint working between the Fire and Rescue Service and other emergency services.

8. Legislation and actual events have forged an even closer working relationship between the police and fire service in recent years than ever before. Both COMAH and the Civil Contingencies Act provide a statutory framework for joint working at both strategic and operational level. In particular, the work of the Regional and Local Resilience Forums ensures close co-operation between the police and fire service (amongst others) in planning for a wide range of emergencies.
9. Other examples of joint working between the Police and Fire and Rescue Service include:
 - Home Office Model Response Plan for CBRN incidents.
 - The National CBRN Training Centre at Winterbourne Gunner, which is jointly staffed by representatives from the ‘blue light’ services.
 - CFOA representation on the ACPO Emergency Procedures Portfolio (strategic forum within ACPO to develop policy and guidance for the Police Service in relation to the response to emergencies and major disasters).
10. The above examples illustrate that the two services continue to work closely together, at the strategic and operational level, with a shared commitment to enhance community safety in their day to day work and to deliver professional services of the highest quality at times of crisis. This joint working is particularly evidenced in the area of civil contingency planning, where both services seek to ensure an inclusive, consultative approach to developing national guidance, local policy and operational resilience, through joint training and exercising.

DCC Alan Goodwin, ACPO Emergency Procedures Committee.

Memorandum by the Fire Officers' Association (FOA) (FRS 55)

CURRENT ISSUES AFFECTING THE FIRE AND RESCUE SERVICE

1. Introduction

The Fire Officers' Association is a registered independent trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The Association was formed in 1994 for the purpose of providing representation predominantly for middle ranking officers in the UK Fire & Rescue service. As such, the Association believes it is ideally placed to offer this Committee information relevant to its Inquiry from the perspective of those “middle managers” who bear the most critical role in the implementation of the modernisation agenda.

2. Regional Control Centres

Our position when this concept was first proposed was that we would not oppose it in principle but would need to be convinced that decisions were made based on sound evidence and that the outcomes were in the wider public interest with particular regard to resilience issues. Over the period of time that has elapsed we have not been convinced by any of the arguments made in opposition to the project. In recognising the advanced state of progress and considerable financial investment already committed, we see little prospect of any argument emerging that would be sufficiently convincing to support abandonment of the project. Indeed reported potential advances in technology in areas such as the European Satellite Navigation project improve our confidence for a successful outcome.

As a trade union we are however becoming increasingly concerned by the apparent lack of understanding for the group of employees who will be tremendously affected by the eventual implementation of the new arrangements i.e. Fire & Rescue Control Staff. It is totally unfair and unreasonable that anyone should be left in the position of not knowing what their employment prospects may, or may not be. The disruption to individual's lives through the stress of uncertainty is not acceptable in a modern caring society, and there needs to be urgent action to address the situation on an employee by employee basis. Bland generalised statements such as “redeployment opportunities may exist” are simply not acceptable. People are entitled to be able to plan their lives and be reasonably treated by their employers and those elected to represent their interests.

3. FireLink Radio Services

FireLink marks a major advance in resolving one particular national resilience issue. It appears to be a good example of “joined up” working across the UK administrations and we have no particular concerns regarding progress of the project.

4. Fire Prevention

We are supportive of proposals to rationalise Fire Safety Legislation in that they broaden the scope of the service to achieve and enforce a high standard of safety in premises to which people resort.

We also support the approach where occupiers of premises become more responsible for securing an environment safe from fire. However, we have some reservations in relation to the concept of “reducing burdens on business” in that greater emphasis on self regulation, could reduced standards through misinterpretation or deliberate disregard for relevant guidance, particularly in lower risk properties not scheduled for regular inspection. Guidance must emphasise the importance of fully complying with fire safety regulations and requirements. They should also accord with all other Health and Safety Statutory Guidance by having the status of an approved Code of Practice. It must also be made clear that any material failure to apply the Guidance or achieve an acceptable equivalent standard of fire safety will be taken into account during enforcement procedures by both enforcing Authorities and the Courts.

We also have concerns that the new approach could become a “consultant’s charter” by undermining and understating the statutory fire safety advisory role of the fire and rescue service clearly defined by the Holdroyd Royal Commission. Extending the range of advisory sources may blur existing lines of primacy by redefining not only established custom and practice, but also weakening the advisory and enforcement role of the fire and rescue service.

5. Institutional arrangements and reform

This is the one area of modernisation where we are particularly disappointed. Reform of industrial relations is just not happening and we are witnessing an increasing number of localised industrial disputes, some developing into strike action. Far from reforming industrial relations, the service was merely tasked with reforming the National Joint Council arrangements and, to date, it has failed to do even that. The involvement of ACAS failed to produce a satisfactory solution and over two years later we are still in the same position. We have discussed the situation in detail with the Employers who have, to their credit, improved the situation by affording us recognition for Consultation purposes, but managers need to see that their contribution is valued and respected. As things stand at present, that message is not there.

Consequently our assessment of morale amongst managers at present is “poor to low”. This is further compounded by the introduction of the move from “rank” to “role”. Our members have no problem with this in principal; it reflects modern society. What we do have a problem with is the way it is being implemented. A discredited and disowned leadership of another trade union poorly negotiated the method. It has led to variations in approach by different fire and rescue services and many managers feeling undervalued and have a perception that in their new role they have been demoted. In

some authorities it has all the hallmarks of a money saving exercise. As if all this were not enough, members are faced with all the uncertainties of the proposed changes to their pension scheme. We feel obliged to state publicly that unless there is some radical rethinking surrounding these proposals there is the potential for industrial action in the fire and rescue service on a scale that it has never before seen.

With regard to other institutional reforms it is fair to say that progress has been made. In particular the Practitioners' Forum made a promising start. However, many members are acutely aware that it must not be allowed to degenerate so as to replicate the discredited arrangement it replaced. We feel it would benefit from an injection of enthusiasm and confidence that work carried out under its auspices is actually going to be implemented. For example, a great deal of work was put into the Retained Review and there is still no apparent move to begin implementing it. Also, "Task and Finish" groups are taking too long to commence work and equally too long to report; exactly the fault which befell the CFBAC.

6. Promoting Diversity within the Fire & Rescue Service

Some progress is being made, but in relation to the passage of time it is disappointing. There is still a lack of inclusion of all stakeholders in developing new initiatives. Indeed there appears to be an exclusive approach towards development of diversity issues e.g. only a limited number of stakeholders were invited to participate in the development of Core Values for the service, and the Stonewall Diversity Champions initiative in October last year was restricted to CFOA, FBU and ODPM with no opportunity to contribute or even offer support by other organisations. With no flow of information from the Project Board – "Diversity Happens" - we are unsure as to how it is going to.

7. Joint Working

There has been a marked increase in joint working between Fire & Rescue Services particularly because of the advent of the Regional Management Boards, the benefits of which have yet to be largely seen. However, we are of the opinion that they will be benefits and support their development. We are also aware of the study being carried out by Devon and Somerset Fire & Rescue Services which may result in a recommendation to combine. We await the results with interest, not least because of the implications for other areas. What is of concern however, is whether Government policy with regard to the size of Police Authorities is to be mirrored to the Fire & Rescue Service in the foreseeable future. One way or the other it would be beneficial for the service to know.

Memorandum by the Ambulance Service Association (FRS 56)

1. About the Ambulance Service Association

1.1 The Ambulance Service Association is the representative body for the 33 NHS Ambulance Trusts in England, Wales and Northern Ireland. Its members also include the public ambulance services in the Channel Islands, the Isle of Man and Gibraltar which use the same training and clinical guidelines as, but are not part of, the NHS.

2. The NHS Ambulance Service in context

2.1 The ambulance service is the emergency arm of the NHS. Its partnerships are increasingly with colleagues from the health service complementing its relationships with the other blue light emergency services. The traditional role of the ambulance service is changing to one in which an increasing proportion of its work is in primary care as set out in the Department of Health report Taking Healthcare to the Patient published in June 2005.

2.2 The NHS ambulance services in the UK employ about 38,000 staff, of whom approximately 30,000 are ambulance clinicians holding posts as paramedics, emergency medical technicians or ambulance care assistants. Across the UK, the NHS Ambulance Service receives over 6 million 999 calls each year, of which 5 million result in an emergency response with about 4 million patients being transported to hospital. The service also responds to about 1 million urgent calls each year made by GPs who making home visits determine that their patient require urgent admission to hospital. The third element of the service provides about 16m non-emergency journeys for patients with transport or mobility difficulties to attend out-patient departments. Figures published by the Department of Health show that the service in England cost about £1.25bn to run in 2004/05.

2.3 The service has seen a sustained growth in demand over a period of more than ten years. The number of 999 calls received has more than doubled over the last decade, though more effective assessment and increased levels of clinical skill has meant that the growth in the numbers of emergency responses and patients transported, while still substantial, has grown at a slower rate.

Table 1

Ambulance Service 999 demand in England 1994/95 to 2004/05			
	1994/95 (million)	2004/05 (million)	%age increase
999 calls received	2.61	5.62	115
999 responses	2.61	4.53	74
Patients transported	2.27	3.47	53

Source: Ambulance Services, England: 2004-2005. DH 2005

2.4 The NHS Ambulance Service has made, and will continue, a journey of rapid modernisation in recent years. The traditional role of the service of transporting patients to treatment has been replaced by one in which increasingly skilled clinicians are able to administer treatment at the scene of an incident or on route, dramatically enhancing patient outcomes and experiences and increasingly removing the need to take patients with less serious conditions to hospital. Further changes, announced in the Department of Health Report Taking Healthcare to the Patient, are expected to reduce the number of patients transported to hospital by a further 1 million per annum. At the time the service will be making an increasing contribution to primary care assisting patients with long-term conditions to manage their health at home or within their local communities.

2.5 To increase the chances of survival from immediately life-threatening conditions such as cardiac arrest, the ambulance service prioritises calls aiming to respond to the most urgent within 8 minutes. The Department of Health has set a national standard for the 8 minute response to be achieved in 75% of cases. Such calls are currently running at about 34,000 each week, equivalent to about 1.75 million annually. In the year to date the 75% standard has been met across the country. One of the tools used to achieve this level of performance has been the recruitment and training of local first- and co-responders who may be able to get immediate life support to patients faster than the closest available ambulance. Individuals participating in responder schemes include members of the public as well as members of the other emergency services, particularly retained firefighters, or the armed services.

3. Working with the fire and rescue service

3.1 The level of joint working between the Ambulance and Fire services varies across the country but is generally very good. In some locations premises are shared for historic reasons and the Committee will be aware that Gloucestershire and Wiltshire recent initiatives have created joint headquarters (also shared with the police service) and other shared services.

3.2 Operationally contact is far less frequent. The vast majority of incidents attended by the ambulance services are purely clinical. Although there is a joint response to serious road traffic accidents, fires, chemical incidents, entrapments and major emergencies, these calls, although resource intensive and likely to result in more casualties, represent only about 2% of the incidents responded to by ambulance services.

4. Shared call and control centres

4.1 In recent years there have been proposals for shared call and control centres to handle all 999 calls received by the emergency services. The ASA believes there may be circumstances in which shared buildings bring benefits but it strongly believes that the volume and specialist nature of emergency medical calls make them inappropriate for dealing with by multi-service call takers, once the initial filter has been made by the BT operator, or dispatchers.

4.2 Ambulance call takers undertake patient assessments to determine the degree of urgency that should be given to each call, collect key medical information for passing to the responding ambulance clinician and often provide life-saving advice on resuscitation or management of injuries to the caller whilst the responder is travelling to scene.

4.3 The current proposals to create regional fire control centres, together with the likely rationalisation of ambulance controls once ambulance reconfiguration has been completed, make it less likely that shared controls would be an effective option in the future.

5. Communication systems

5.1 The NHS is in the process of implementing a new digital radio network for use by NHS ambulance services in England, Scotland and Wales. The system has been procured from O2 Airwave. The first ambulance services should be using the new network by late 2006 with coverage across the country by 2008. A requirement of the contract is interoperable communication between the fire, police and ambulance services. The ambulance service foresees limited use of this facility under normal working conditions but welcomes its availability for use at major incidents and special circumstances.

5.2 To ensure capability and resilience in the interim, the ambulance service is pleased that a satellite system, which will be managed by the police service, has been made available.

6. Fire-fighters as co-responders

6.1 As recorded under paragraph 2, the ambulance service relies on first- and co-responders for support in areas and at times when resources are poorly located to get a

responder able to offer resuscitation quickly to a patient with a life-threatening condition in which seconds may mean the difference between life and death.

6.2 The ambulance service is keen to work with the fire service to provide fire-fighters with the skills and equipment to fulfil these roles. At the time of the Bain Review into the future of the fire service there were proposals that fire-fighters should be trained as paramedics. The ASA argued at the time that this was misguided as it would involve lengthy and costly training to provide skills that would be rarely used. Furthermore firefighters qualified as paramedics would find it very difficult to undertake the volume of clinical activity necessary to retain the skill levels required by the Health Professions Council, which is a legal requirement to practice as paramedic in the UK.

6.3 However there is a strong case, that wherever practical and subject to the wishes of the local fire and ambulance services, firefighters should be trained to administer CPR, operate a defibrillator and administer other basic life support skills to sustain life until ambulance clinicians arrive at the scene. The use of these skills can either be used in situations where the fire service is first-on-scene, eg at a road traffic accident, or in a situation where the firefighter(s) is dispatched to a medical emergency by the ambulance service because their response time will be less than the closest available ambulance resource.

6.4 These arrangements are already in place in a number of areas, particularly using retained fire-fighters. There are a range of issues that need to be addressed if these arrangements are to become adopted more widely. These include:

- Funding for training, equipment and deployment

Provision of initial, and refresher, training and equipment can be costly. National protocols need to be agreed on how the funding is provided. Differing arrangements currently apply to meeting the costs of deployment. Ideally they should be standardised.

- Clinical governance and audit

The NHS operates to strict standards of clinical governance to ensure that the highest standards of service and safety are given to all patients at all times. All healthcare professionals have to abide by these standards and they should also be met by those who provide the service on a delegated basis.

- Criminal Records Bureau checks

Concerns about the dangers to vulnerable patients have led to the requirement for all ambulance clinicians to have up-to-date CRB checks. These are required by individuals from the community acting as lay first-responders and should also be made on fire-fighters acting as co-responders. ASA understands that most firefighters are not CRB-checked by their employers as matter of course.

7. Emergency preparedness

7.1 The ambulance service has an emerging role in providing leadership and co-ordination for the NHS in health emergency situations.

7.2 The NHS ambulance service and fire and rescue services have worked together over many years to ensure an effective response to civil emergencies. Under the Civil Contingencies Act 2004 they are both category one responders and are required to work together, and with other designated responders, to ensure that they are fully prepared to deal with incidents such as major accidents, natural disasters and terrorist attacks.

7.3 At senior level the services meet through the auspices of the Cabinet Office Civil Contingency Secretariat which holds regular meetings for the ASA, CFOA and ACPO. The three associations also hold bi- and tri-lateral meetings as the need arises.

7.4 Joint training at all levels of command is now undertaken regularly, for example Gold/Silver Command courses run by the Police National CBRN Centre at Winterbourne Gunner, to which both ambulance and fire service staff are seconded as specialist advisers and trainers.

7.5 At the local and regional level, joint training is organised in both table-top and mock incident exercises. The services also meet regularly through the local and regional resilience forums set up by the Government Offices for the Regions. Bi-lateral meetings are also held to discuss issues of mutual concern.

8. Decontamination

8.1 The NHS, through the ambulance service, has operational lead for the decontamination of people as a result of CBRN or hazmat incidents. NHS ambulance services each have the equipment and staff trained, to manage this process for a reasonable number of people. The maximum that can be dealt with by ambulance services will depend on the circumstances of each incident. Where the requirement for decontamination is beyond the capacity of the ambulance service, the mass decontamination units provided to the fire service under the New Dimensions Programme will be used under the direction of the ambulance service. Non-ambulant casualties would continue to be decontaminated by the ambulance service.

8.2 The ambulance service does not have responsibility for routine decontamination of other emergency workers, unless those workers are injured or fall sick, during the either the response or recovery phase of an incident. Generally the ambulance service would withdraw from the scene of an incident once all casualties have been attended to, but limited facilities would remain available in case of incidents to those involved in recovery.

8.3 The Department of Health and the ODPM are currently updating the Memorandum of Understanding which governs the arrangements for decontamination of casualties.

9. Working in the 'hot zone' at CBRN incidents

9.1 Until now NHS policy has been that clinical staff, including ambulance personnel, do not enter the hot zone to assist with either treatment or recovery of casualties. The fire and rescue service has had responsibility for recovery of casualties to a place of relative safety at which staff can offer medical aid. Experience from exercises and evidence from overseas has suggested that more casualties would survive at major incidents if ambulance staff are available within the hot zone to help identify those whose rescue is of the greatest clinical urgency, and where appropriate administer treatment to casualties. Procedures to enable this to policy to be introduced are being developed jointly by the Department of Health, the ASA and other stakeholders with a view to trialling the procedure in London later this year.

10. Reconfiguration of ambulance trusts

10.1 The Committee will be aware that there are currently more fire services than ambulance services, with co-terminosity in only a minority of services. The NHS ambulance service in England is currently being re-configured with the Government's preferred option of 11 services, one in each of the Government Office Regions except for south-east and south-west each of which has two, out to consultation at present. The new ambulance services are likely to become operational from mid-2006. If the proposals are implemented only the fire services in London and Northern Ireland will be co-terminus with ambulance trusts.

10.2 There will, therefore, be issues later this year involving the development of new relationships between the services at senior management level, though it is hoped that at the county and sub-regional level most of the staff from the ambulance service with whom fire service staff work would remain unchanged.

Memorandum by Networking Women in the Fire Service (NWFS) (FRS 57)

The NWFS was established, as a self help group in 1993 for women in the Fire Service. Initially aimed at supporting female firefighters the NWFS quickly realised that support was needed for all women irrespective of their role or function within the Service.

The purpose of the network is primarily to support women; however this naturally extends to working with other partners in the Service. The NWFS aims quite simply to contribute to making the Service a place where women and men can work together harmoniously and professionally. In order to support these aims the NWFS arranges conferences and events to bring women together for training, development and contact, offers confidential advice and guidance on a range of issues which affect women in the work place and produces frequent newsletters to inform and communicate.

The NWFS also manages the highly popular mentoring scheme²⁴ which has resulted thus far in over 40 mentors who are now actively working with mentees in the Fire Service. This programme assists people in understanding the relationship between the mentee and the line manager, its relationship to the Integrated Personal Development System (IPDS). It also supports our fundamental aim of providing support and encouragement for women as they progress (either through advancement in roles or through changes in function)

The NWFS submission concentrates only on point 2.c of the terms of reference; 'promoting diversity within the Fire and Rescue Service'. We have submitted as part of this memorandum 3 case studies to exemplify our points.

Executive Summary

The NWFS is pleased to note that promoting diversity is part of the terms of reference for this inquiry. We commented in our earlier submission²⁵ that mainstreaming the principles of equality and fairness into the heart of the system is the way forward. However, we also commented that this needed significant changes in attitude and behaviour from everyone in the Service, not least of which the major stakeholders. Sadly this still remains a relevant statement in 2005.

Whilst we are pleased to note that significant progress has been made in the policy development areas (see case study 1), we remain troubled and concerned about policy implementation and interpretation by some managers in the Service, (see case study 2) and the inability of the Service to make any progress on its targets for the recruitment of women into the Service.

²⁴ In conjunction with our strategic partner Anglia Ruskin University, Cambridge

²⁵ ODPM: Housing, Planning, Local Government and the Regions Committee. The Fire Service Inquiry. Evidence 36. 2002-03

We expressed our concerns to the Government²⁶ that the overall modernisation implementation programme should be given a more thoughtful and planned approach. A comprehensive and complex change management programme for a Service which cannot close down whilst it re-organises, places intolerable pressure for all involved. Whilst we do not condone managers who for whatever reason choose not to implement policies appropriately, we do recognise that managing the variety of initiatives is demanding at best.

Finally we are seriously troubled and concerned about inappropriate behaviour on fire stations. Our sense is that this sadly, rather than improving, over the past 2/3 years, it has worsened and is affecting women who work on fire stations (operational and support staff). Our case study 3 reflects these concerns. We sincerely hope that this is the last time we have to report on this unacceptable part of the Service culture; however we are not optimistic about this.

Memorandum

1 Policy Development

Overall our view is that equality and diversity is being taken seriously at strategic and policy development level. Greater consideration is being given in how a diverse organisation looks after its people and delivers an emergency service to a diverse and changing society. We welcome the legislative requirement and need to impact assess policies and would ask that Services are given a clear directive to impact assess for all areas of difference. Our view is that impact assessments will be a key driver in ensuring that equality and diversity become mainstreamed into the way the Service conducts its business,

The NWFS feels that the 'Diversity Happens' project board could be the driver for such future policy development and we look forward to it realising its potential in this arena.

2 Policy Implementation

Our earlier submission referred to our view that the traditional management style of many managers is remote, impersonal and conducted at arms-length. This transactional style of management still largely pervades the Service although whilst we recognise the value of the IPDS in bringing about a more modern style of management, this will take time before the new breed of managers find their way into appropriate roles. Our statement that change within the service will require deep personal change for some individuals still holds true at all levels within the Service and regrettably with some elected members in Fire Authorities. This in turn affects how managers implement and interpret policy and how our members are treated or seen to be treated in the workplace. We cannot overstate how important it is that this is recognised and an

²⁶ NWFS response to Rt. Hon. Nick Raynsford, M.P. Local Government Minister on the first draft national framework- March 2004

interim strategy be developed to assist Services in managing this change. Without such consideration and attention a legacy is already being developed which will pervade the culture for many years to come. This is particularly true for where reasonable adjustments (whether in the legal or moral sense) are made. Managers need to understand and be involved in the process so that they properly manage and deal with situations which occur on fire stations.

3 Recruitment and Progression

The FRS is struggling with recruiting more females or BME operational staff despite numerous positive action events. The main barrier to this success is the perception of the public themselves about who can be a fire fighter and this is certainly not helped by the media's constant portrayal of 'firemen'. Where Services are working with local media to challenge the perception of local communities, our view is that this will help better prepare for future positive action events. Also the issue of the targets themselves is seen by many to be 'quotas' or 'positive discrimination' and it is against this back drop that both equalities and HR officers have to recruit and into which environment any recruit arrives. Also this has provoked disquiet amongst non operational staff that may be female and or BME who feel as they are not counted then they are not important. We realise targets are very important but equally bring with them their own challenges.

The NWFS calls upon the ODPM to find resources to support a national advertisement campaign (similar to those for the Armed Forces and the Police). A single Fire & Rescue Service simply cannot afford to access high-impact media - even if the finances did allow, it would in effect be advertising on behalf of other Services, since most high-impact media are national and people usually apply to their local service. Simply it's nonsense and a waste of public money for us all to be promoting the Service Individually. Recruitment for firefighters on the retained duty system continues to be a major issue for Services and increasing the national profile would undoubtedly be beneficial. Given that most of the public don't even know of the existence of the Retained service, we absolutely need the ODPM to sponsor an advertising campaign for both Retained and under-represented groups.

4 Workplace Culture

Without active promotion and implementation of equality and diversity policies, dignity and fair treatment will remain an elusive part of the culture.

We are hopeful that new processes for implementing performance management, the new discipline and grievance procedure and assessment and development centres when fully in place and operating correcting will assist in making the much needed changes to the workplace culture.

In the meantime we re-state our strongly held views that additional resources are found to provide training to build the skills of managers and supervisors so that they can set

and maintain appropriate standards and be able to identify early warning signs and respond to them. Harassment and bullying affect people emotionally and more rigorous attention needs to be given by management to ensure injured staff are not only supported and protected but feel that they are.

Case Study 1

This region has pledged its commitment by recently appointing a regional diversity manager²⁷ to work with all four services to achieve governmental objectives, legislative requirements and high standards of good practice. Work streams are directed within and without the organisation in order to meet both the needs of staff and the local populations. Work is undertaken across the whole spectrum of diversity issues as all issues are seen to be of equal importance. Commitment is also demonstrated by the fact that the region is members of Opportunity Now, Equality Exchange, Employer's Forum on Age and individual members of Stonewall. Progress is being made towards achieving objectives and it is hoped that the soon to be finalised Regional Diversity 'Strategy into action' will help us achieve success. Many community safety teams have been awarded recognition for the excellent work they have done with the local BME community especially asylum seekers. The bottom line is this region is very committed and is doing all they can to support, promote and achieve equality and diversity.

Case Study 2

An increasing number of women are securing promotion in the Service and this is both long overdue and welcomed. However we remain concerned about how women are being treated in assessment and development centres particularly when they are pregnant or on maternity leave. In one case it has been reported that questions during an interview focused on operational procedures which had come into effect whilst the individual was away from the Service on maternity leave. We find it difficult to understand an approach which would appear to be assessing knowledge as opposed to potential and concerned that this indirect discrimination affected an individual's opportunity to be considered for advancement.

Another example of this is the Key Worker Housing scheme. We are aware of differences in policy implementation for Control staff. It would appear that in some Services members of control are not deemed to be operational staff, whilst in others they are. This distinction is significant in that this denies access to an important funding stream which assists people in gaining access to the housing market. This becomes a problem as services try and recruit younger people and given that Controls are predominantly staffed by women could indirectly and directly affect more women.

²⁷ HMIFS made an explicit recommendation that FRS should have a dedicated full time equality and diversity adviser (in part time in the case of smaller FRS). We consider that this recommendation still holds true and whilst regional coordination should make better use of resources, equality and diversity is not sufficiently mainstreamed for resources to be totally re-deployed.

Case Study 3

Some recent examples of behaviour of fire station include (and please don't discount them just because they may be outside of your own personal and professional experiences);

- A woman firefighter who reported that her dormitory was being slept in by male firefighters when she was not on duty and she regularly found pornographic magazines in there and used tissues that appeared to have been masturbated on. Management took no action and she resigned.
- Equally the amount of workplaces where it is still deemed to be acceptable for firefighters to watch or read pornographic material including Sky TV.
- Where there are women's dedicated facilities then they are regularly used by men and left in an unacceptable state for the women to deal with.
- It appears to us that elected members do not appreciate the message they send to women employees when they re-instate people who were sacked for harassment or bullying.

Memorandum by the Fire Protection Association (FRS 59)

1.0 Introduction & Background

Founded by the insurance industry in 1946 to act as the UK's national fire safety organisation, the Fire Protection Association (FPA) is a not for profit company whose members (owners) include the Association of British Insurers (ABI), the Chief Fire Officers Association (CFOA), the Institution of Fire Engineers (IFE) and the Fire Industry Confederation (FIC). FPA is a member of the Business & Community Fire Safety Forum and the Arson Control Forum and we have, provided the chairs of two of the joint working groups with the Practitioners Forum. The FPA does not usually comment on the operational processes of fire and rescue services except where these impact on fire prevention, we do not therefore wish to comment on diversity or joint working arrangements with other emergency services.

2.0 Regional Controls & Fire Link

FPA supports the proposals for the introduction of Regional Control Centres and the implementation process for Firelink radio services. In common with other stakeholders we have endorsed the need for robust project and budget management tools being in place for both initiatives to ensure that they are delivered on time and to budget. We fully expect that when complete the new systems will provide appropriate enhancements to the current arrangements. We are particularly looking forward to seeing the improvements in respect of the systems for data gathering which we believe to be so crucial to the process of developing the models for Integrated Risk Management Planning.

2.1 Regional Control & response to calls from automatic fire alarms

FPA shares the concerns expressed by other stakeholders that the new variable response arrangements in respect of calls emanating from automatic fire alarm systems may cause problems in regional control rooms. FPA fully accepts that false alarms have grown enormously in recent years and that they represent an unnecessary and unacceptable drain on fire brigade resources. However, the situation that has emerged since the withdrawal of the national standards of fire cover has presented a confused national and regional picture. We are concerned that in some circumstances this is beginning to have a detrimental effect on fire safety. It is our belief that the more extreme measures that have been adopted by some fire and rescue authorities appear to be driven more by cost saving rather than by robust risk analysis.

2.2 We are aware of one major commercial company that has decided not to install a fire alarm system, following the decision by the local fire and rescue service to only respond to confirmed alarms. The premises in question was one that was

extremely well protected in respect of its risk to property, however, the presence of a fire alarm would have undoubtedly improved life safety measures and we are concerned that this decision will be repeated by others, particularly where the need for such a system is considered marginal. We fail to see how such actions are likely to improve the risk profile in areas where such policies have been adopted. We are also concerned that following many years of advising occupiers of commercial premises to evacuate and then call the brigade, the advice in some brigade areas now appears to be that occupiers should return to a building to investigate whether there is actually a fire.

- 2.3 We understand that Ministers have no desire to re-introduce prescriptive standards for fire & rescue services. However, the Chief Fire Officers' Association recognised that there was a need for national guidance in respect of response to automatic fire alarms and has produced a policy that has broad stakeholder support which includes minimum recommended attendance levels. We were therefore disappointed that the advisory notes that were issued by the ODPM in respect of automatic fire alarm policy and integrated risk management planning did not go far enough in support of the CFOA policy for response arrangements for this type of call. We would like to have seen a system adopted that, where alternative arrangements were proposed, that they had been benchmarked against the CFOA policy and that any variations were fully justified by robust risk analysis. We remain concerned that neighbouring authorities now have differing policies in respect of their response to this type of call and that this may lead to confusion when mobilising through regional controls.

3.0 Fire Prevention

3.1 Community Safety

There can be little doubt that the introduction of a statutory duty and the availability of funding for community fire safety have greatly assisted in refocusing fire and rescue service activities to prevention work and the FPA has been heartened by the decrease in deaths and injuries that have been recorded in recent years. However, we remain concerned that this shift of focus should not be undertaken at the expense of the traditional fire prevention work that has been so successful in ensuring that the UK workplace has become one of the most fire-safe environments in the world in recent years.

3.2 Fire Safety

The period since the Bain review has been seen as transitional by many in the fire industry as we have awaited the change in fire safety legislation, recently confirmed by the Regulatory Reform Order. The transitional arrangements by fire and rescue authorities in moving from the existing prescriptive regime to a system based on risk assessment has in our experience been variable, with some continuing to issue fire certificates and others not. As the transitional period has

now taken so long we are concerned that a number of ‘poorly managed’ risks will not have received visits or inspections for some time.

- 3.3 The principles behind Integrated Risk Management Planning (IRMP) appear to require that overall community risk should be reduced over time and this should include commercial property – even during periods when the buildings maybe unoccupied – as a fire in these premises will have an impact on the local economy. The guidance produced by the OPDM for fire & rescue services in support of the initial IRMP’s has assumed a ‘massive investment’ in inbuilt fire protection systems for commercial buildings. Recent work undertaken by the passive fire protection industry tends to suggest that where such protection exists that it has frequently been breached, is often poorly maintained and may not perform as it was designed. It is therefore vital, in our view, that these assumptions have been properly validated prior to changes being planned in either operational response or in the frequency of inspection.

3.4 **Inspection & Monitoring**

We are concerned that in some fire and rescue services the move to community fire safety may have been at the expense of some of the traditional ‘statutory fire safety activity’ and this needs to be appropriately monitored in the future. We believe that advising and monitoring fire prevention activity was an important area of activity of the Inspectorate prior to the Bain review. Given the emphasis that now exists on prevention and risk-reduction; this work will now need to be performed by others to reassure both the public and ministers that the activity remains effectively undertaken by fire and rescue services. We understand that it is intended to broaden the role of the Audit Commission to include elements of operational assurance in its future work. Careful consideration will need to be given in defining the scope of such work and care will be needed to ensure that it has the relevant experience to undertake its tasks effectively. We very much welcome the creation of the IRMP steering group by the ODPM and assume that it will provide the point of stakeholder contact in finalising the terms of reference for the Audit Commission in respect of this aspect of its future scope.

3.5 **Charging**

The FPA, in common with other stakeholders have expressed our concerns regarding Fire & Rescue Services charging for services and in particular the affect this may have on fire prevention. FPA chaired a task and finish group of the Business & Community Safety Forum on charging and a copy of its final report is included as Appendix A to this submission. The following extract from Appendix A highlights our concerns regarding the charging for fire prevention advice:

‘To summarise our views on any proposals to allow fire authorities to charge for fire safety advice; it is generally felt that if this avenue were to be pursued:

- *It will act as a disincentive for businesses to seek any advice at a time when they will need it most;*
- *Setting the level at which to charge will be problematic and will lead to discrepancies between fire authorities;*
- *A full understanding of fire engineering is required by fire brigades in discharging their statutory duties in fire fighting and should be restricted to enforcement advice anyway;*
- *Any move to charge for fire safety activities would put the service in direct competition with private sector providers and that the Office of Fair Trading should be consulted before any such moves were undertaken.*
- *The creation of independent companies and the potential of actions for negligence or in appropriate advice given by fire authorities acting as consultancies appear to be over complicated and unworkable.'*

It is acknowledged that the charging powers under the Fire & Rescue Services Act are no wider than those that existed in previous legislation, however, it has been noted that the range and volume of services that are being charged for have been increasing in recent years. These issues have been raised with ODPM and a recommendation has been made by the Business & Community Safety Forum that Fire & Rescue Services should receive updated guidance in respect of charging. We have yet to see the content of such guidance, but believe that it is urgently needed.

4.0 Institutional Arrangements

- 4.1 As we have stated FPA is a member of the Business and Community Safety Forum and was an active member of the Fire Safety Advisory Board. We understood and fully supported the proposal to disband the Central Fire Brigades Advisory Council and we accepted and agreed with the criticism of its structure and mechanisms and record on delivery.
- 4.2 One of the major advantages of the Fire Safety Advisory Board was the mutual understanding that was being developed of the views and concerns of the represented stakeholders. This we felt was extremely important in the development of what has become the Regulatory Reform Order particularly in terms of the way the new regime will be enforced and how the guidance was developed for end users. To be effective FPA believes that the changes proposed by the White Paper and the Fire & Rescue Services Act would have benefited from a similar forum being established; particularly in relation to the changes and flexibility introduced by the withdrawal of the national standards of fire cover and the introduction of Integrated Risk Management Planning and the partnerships that need to be established.
- 4.3 The Business & Community Safety Forum has undoubtedly introduced many of the Community Groups who were not adequately represented on the Fire Safety Advisory Board and this must be welcomed. However, it has become clear that a

number of these groups have encountered problems with engaging with the agenda of the BCSF due to their lack of knowledge of the detailed work of the fire & rescue services and this may have contributed in some cases to their lack of attendance and in others to a relatively sterile debate on certain issues. We believe that the contribution that community groups could make to the BCSF would be greatly enhanced if this barrier could be overcome in the future. We would also wish to see a formal 'coming together' of the BCSF and the Practitioners Forums to enhance the understanding of the various stakeholders priorities and agendas.

Appendix A

Charging by Fire Authorities – A response to the ODPM Consultation Document by the Business & Community Safety Forum

1.0 Introduction

This paper has been produced by the Task & Finish Group, established by the Business & Community Safety Forum to produce a response to the ODPM consultation on Charging by Fire Authorities. All members of the Business & Community Safety Forum were invited to nominate representatives of the group and/or to submit comments and it was agreed that the Association of British Insurers, the Federation of Small Businesses and Professor Rosemarie Everton, Chair of Fire Law from the University of Central Lancashire should also be invited to attend and/or produce comments. Jonathan O'Neill of the Fire Protection Association acted as Chair of the Group, which because of the short timescale before the closing date for consultation met only twice to consider comments. This paper is the result of the submissions and the discussions within the Group and will be tabled at the fourth meeting of the BCSF as its formal response.

1.1 Membership of the Group

The Fire Protection Association (FPA)
Confederation of British Industry (CBI)
Fire Industry Confederation (FIC)
Federation of Small Businesses (FSB)
Association of British Insurers (ABI)
Chair of Fire Law (University of Central Lancashire)

2.0 General Comments

2.1 The Role of the Fire & Rescue Service

- 2.1.1. The Group welcomed the clear vision that the government had produced for the fire service in the White Paper and the recently published Framework document. However it was felt that the service's priority must be in the provision of a first class response to its core activities of fire prevention and fire fighting. It was felt that at a time of such enormous change in the fire service that any deviation from this activity would be an unnecessary distraction
- 2.1.2 Whilst it is understood that fire brigades have become involved in the provision a number of non-core emergency and rescue activities, it is questioned why they continue to be involved in the provision of a range of services that are perceived as being more appropriately provided by the private sector such as; loan and hiring of crews for special events; removal of dangerous structures such as trees and television aerials; lift rescues and dry riser testing. The group recognised that in emergency situations it maybe necessary for the fire service to become involved in these activities, but it was generally felt that there are already a number of private sector and non-governmental organisations that provided (or may be better placed to provide) such services and that fire service involvement should only be necessary as the 'provider of last resort'.
- 2.1.3 It is felt that in a number of areas, particularly fire safety (including training) that any expansion of chargeable services would lead to unfair competition from the fire service to private sector suppliers of similar services. There is concern that as the fire service was looking for 'cost recovery only' that this would undercut private sector providers This is not seen as a desirable outcome particularly as it is taxpayers and local ratepayers who have funded the capital investment in terms of facilities, infrastructure and training of fire brigade personnel. Concern has been expressed that it would therefore be extremely difficult to determine 'real costs' rather than marginal costs for the fire service and that a number of services would in effect be subsidized. It is questioned whether this is the most appropriate role for the fire service of the future and whether it is most appropriate use of public funding. The Group would like clarification as to whether the Office of Fair Trading had been consulted on these proposals and if so, what conclusions have been reached and what safeguards are proposed to ensure that fire authorities are not allowed to hold an unfair trading position in the market.
- 2.1.4 Before considering an expansion in chargeable services, brigades must consider the costs involved in setting up the mechanism to charge and to chase payment, which could be considerable. Thought also needs to be given to the problems of late/non-payers and the cost of recovery. As these costs would inevitably have to be recovered as part of any charging strategy, the charges themselves would have to rise and would be subject to quite wide regional variations and may not cover the charges themselves. The net benefits to brigades would therefore become negligible.

2.1.5 To summarise our views on the role of the fire service, the group felt that:

- The role and expectations of the fire service had been quite clearly expressed in the White Paper and the new framework document and that the service should now focus on its core activities; prevention and emergency intervention.
- Many of the non-core activities referred to in the consultation document could (and should) be provided by the private sector, with the fire service only being required to respond in emergency situations.
- Any move to charge for fire safety activities would put the service in direct (and possibly unfair) competition with private sector providers and that the Office of Fair Trading should be consulted before any such moves were undertaken.
- The costs of administrating chargeable services would make any net benefits to fire authorities negligible.

2.2 Funding of the fire service

2.2.1 All members of the task group expressed the view that they saw the fire service as a public service that should be funded from taxation and local rates. They recognised the comments made by Bain, that much of the service was only deployed on intervention activities for a relatively short period of any working day and fully supported the proposals that increasing preventative work to assist in further driving down the incidence of fire.

2.2.2 There was concern expressed however that in times of pressure on public funding expanding fee earning activities could become more important for some brigades than non-fee earning preventative activity such as Community Fire Safety. In fact if all restrictions were taken from fire authorities for fee-earning, some fire authorities could become so driven in pursuit of income generation that a perverse incentive could be created, where driving down non-emergency calls may be discouraged as they would have an adverse effect on fire authority finances.

2.2.3 Business Groups expressed concern that if the scope of fire authority funding were in anyway expanded, their members were effectively being asked to pay twice for brigade services, which was felt to be extremely difficult to justify.

2.2.4 To summarise our views on fire service funding the group felt that;

- As an emergency service the fire service should be funded from the public purse.
- Any moves to diversify income generation for the fire service could lead to resources being moved away from preventative activity such as Community Fire Safety.

- New perverse incentives could be created
- Business would in effect be asked to pay twice.

2.3 The Principle of Charging

2.3.1 It is understood that the consultation paper that has been produced by the OPDM is a result of the comments made in respect of fire brigade charging by the Independent Review of the Fire Service (Bain) and the Fire & Rescue Authorities Bill that is currently progressing through the parliamentary process.

2.3.2 Concern was expressed by members of the Task & Finish Group (the Group) that any increase in charging by fire authorities would be result in an increased burden on their members and their member's customers. It was felt that the Fire & Rescue Bill would outline the statutory duties and powers of the service, which as a public emergency service should be funded publicly by taxation and rates.

2.3.3 Whilst recognising that the 1947 Fire Services Act did allow for an element of cost recovery for special service calls, there was concern expressed that in practice the number of brigades who currently levied any payment and the amounts and range of services for which charges were raised lacked any consistency of approach. Any proposals to increase the range of discretionary chargeable services would further cause further confusion adding to what was described as a 'postcode lottery' in service provision. The Group did not have access to the aggregate amounts recovered by fire authorities for attendance at special service calls but it was felt that were probably relatively insignificant, which given the costs involved with administration would currently give little or no net benefit to brigades.

2.3.4 The Group recognised, although did not support, that charging was part of a general trend in the provision of local government services, but felt strongly that it was inappropriate for the fire service as an emergency service to become involved in income generation.

2.3.5 It was agreed that any increase in scope of the provision of chargeable services should be accompanying by a full and comprehensive Regulatory Impact Assessment (RIA). Several members of the group expressed concern that previous RIA's in respect of fire had tended to underestimate the full costs to industry and commerce and it was suggested that prior to commissioning any assessment in respect of charging; that the BCSF should be consulted to advice on its the scope and extent.

2.3.6 To summarise our comments on the principle of fire authorities charging, the group felt that:

- The role, duties and powers of this emergency service were defined by Statute and that the funding of the service should be from the public purse.
- Any proposal to increase in the power or scope to charge for services would inevitably lead to an increase in burden on industry, commerce and community groups and should be accompanied by a comprehensive RIA.

3.0 Specific Proposals & Comments

3.1 Fire Safety Advice

- 3.1.1 It is strongly felt that in moving the fire service from primarily to preventative activity, the provision of fire safety advice would be a key component of the role. It is recognised that the fire service will inevitably concentrate its activities into the targets of reduction of deaths and injuries in the home, but it is strongly felt that business forms an important part of the community and that the effect of an important local employer having its business destroyed by fire could have a devastating effect on the local economy.
- 3.1.2 Although the forthcoming Regulatory Reform Order is in many ways simply reinforcing the existing (Places of Work) Workplace Regulations, recent surveys have suggested that a large number of businesses have little knowledge of their current obligations in this respect. A move away from fire certification to employers undertaking their own risk assessments is a considerable change for a large number of businesses who will inevitably require a great deal of assistance in adopting the new approach.
- 3.1.3 It is felt that if fire authorities start to charge for fire safety advice, this will send out the wrong messages, particularly to small businesses, who may simply not bother to seek any assistance at all, which it is felt will have a detrimental effect on levels of commercial fire safety. This would appear to be contrary to the need to move the service into the prevention activity, which was at the heart of Bain, the White Paper and the current Fire & Rescue Services Bill.
- 3.1.4 Setting the level of advice to charge for, and what should be available 'free of charge' was also felt to be problematic and could lead to quite different interpretations by fire authorities. This would lead to regional variation in policy and price and would cause further problems, particularly for organisations with branches throughout the country.
- 3.1.5 Whilst there was some sympathy with the examples set out in the consultation document for the amount of brigade resource that was being allocated for landmark projects, such as the Channel Tunnel and Terminal 5 at Heathrow, and it was recognised that some consultants and contractors were using fire brigade resource in lieu of hiring their own fire engineering consultants. It was

strongly argued that advice on this type of project should be restricted to statutory compliance only. There was however, a view expressed that if the fire engineering on these projects was complex, it was in the brigade's interest to have a full understanding of how these buildings were likely to react and perform in real fire scenarios as part of their life safety and fire fighting roles.

- 3.1.7 The issue of appropriate skilling also arose, as there was general agreement that there was a difference in skills and service required for a charging consultancy service, than one that looked only at statutory compliance.
- 3.1.6 A question of liability also arises. If the fire brigade are to charge for the advice that they give on a consultancy basis, where would responsibility and liability lie? Presumably brigades that wish to go down this route would have to establish their own limited liability companies, with the necessary professional indemnity insurance as is required by similar organisations in the private sector. The group was concerned whether insurance cover was available for a company owned by a fire authority having an action against it by the fire authority itself.
- 3.1.7 As the new Regulatory Reform Order will allow actions to be taken by the fire authority against negligent contractors and consultants, extremely complex Chinese walls will need to be created by fire authorities in the separation of their consultancy and enforcement activities. Would actions by a fire authority against the consulting arm of a fire authority be acceptable or even possible?
- 3.1.8 To summarise our views on any proposals to allow fire authorities to charge for fire safety advice; it is generally felt that if this avenue were to be pursued:
- It will act as a disincentive for businesses to seek any advice at a time when they will need it most;
 - Setting the level at which to charge will be problematic and will lead to discrepancies between fire authorities;
 - A full understanding of fire engineering is required by fire brigades in discharging their statutory duties in fire fighting and should be restricted to enforcement advice anyway;
 - Any move to charge for fire safety activities would put the service in direct competition with private sector providers and that the Office of Fair Trading should be consulted before any such moves were undertaken.
 - The creation of independent companies and the potential of actions for negligence or in appropriate advice given by fire authorities acting as consultancies appear to be over complicated and unworkable.

3.2 Automatic Fire Alarms

- 3.2.1 There is a great deal of concern surrounding the comments made in the Bain review regarding the use of charging as a route to reducing the number of false activations of automatic fire alarms. It was felt that should this be allowed in the future, a perverse incentive would be created as brigades may become reluctant to actively pursue reductions in the attendance to AFA's if this meant a corresponding drop in income. It was argued that some of the worst offenders would be tempted to simply switch their alarms off rather than risk incurring a charge from the fire authority for attendance at a false activation and this would in turn have a detrimental effect of the levels of commercial fire safety.
- 3.2.2 It is estimated that only 10% of businesses have a persistent problem with automatic fire alarms and it is argued that a more effective strategy would be to educate this group on installation standards, maintenance and ensuring that they had the most appropriate system for their own risks. It was felt that the current ODPM initiative in supporting an education process by the production of leaflets was a good first step in this processes.
- 3.2.3 The proposed CACFOA policy for dealing with alarms linked to central stations was similarly acknowledged as being important in the process. The policy does allow for the charging of Unique Reference Numbers for alarms, it was however felt that a URN should only be required for the worst offenders, and not for organisations that never caused the brigade a problem, it was felt however, that sight of the final CACFOA policy would be required before formal endorsement could be reached.
- 3.2.4 There was general concern regarding the current confusion surrounding AFA strategies. It was recognised that as part of the process in developing IRMP's differing response options were probably inevitable over time. However, it was felt that the IRMP guidance that was issued by the ODPM made it clear to fire authorities that any changes to response were required to be evidence-led. It was felt that the variety of different options now emerging for AFA response, were not sufficiently evidenced by increases in preventative measures or improvements in AFA performance and so and were difficult to justify. It was agreed that until full local evidence emerged a national policy on AFA response should be established and agreed upon by all affected stakeholder groups.
- 3.2.5 To summarise our views on proposals to charge for attendance at AFA's the group felt that;
- A new perverse incentive would be created with brigades being rewarded for false activations.
 - Some of the worst offenders would be tempted to simply switch off or disconnect their alarms.

- A national policy such as amended CACFOA policy is required, until there is firm evidence that local initiatives are seeing significant enough improvements in AFA performance to allow for any deviation.

3.3 Attendance at Road Traffic Accidents

- 3.3.1 Bain also considered the possibility of brigades charging for attendance at RTA's, which is acknowledged as being an important (currently non statutory) role for brigades. It was felt that should this be pursued there would be significant implications, which would need to be considered in any corresponding Regulatory Impact Assessment.
- 3.3.2 There was no enthusiasm or support from the group for any moves in the direction of charging for general attendance at Road Traffic Accidents as it was felt that it would be difficult and costly to administer, that the insured market would inevitably end up paying for non-insured drivers and that the move would do nothing to reduce the level of road accidents.

3.4 Other Special Service Calls

It was suggested that one area where charging maybe justified was in dealing with spillages where costs had been incurred for remediation or minimising the environmental consequences of the spillage. This would seem to follow the general principle of 'the polluter pays', however as a number of other agencies could also be involved in clean-up operation there would need to be clear demarcation between fire brigade and other relevant agency costs.

4.0 Concluding Comments

We have tried as requested to produce a balanced response to the consultation document, however for the reasons stated above there was little enthusiasm to the proposals in Bain or the recommendations from the ODPM Select Committee. The overriding feeling of the Task & Finish Group was that the fire service had a new role outlined in the White Paper and the framework document and that the service should concentrate on preventative activity and emergency response. We have considered the questions posed in the consultation document and this paper reflects our considered opinion to the issues that have been raised. We ask the Business & Community Fire Safety Forum to endorse this paper as its response.

Memorandum by the Commission for Racial Equality (CRE) (FRS 60)

1. Background

The Fire and Rescue Service (FRS) is not short of research findings on equality and diversity issues or consequential recommendations or action plans.

In 1994 the Home Office published a report by Tom Burke. The FRS whilst still under the Home Office was subject to a thematic review in 1999. Following that, Professor Bain in his independent review published in 2001 also made adverse comments on the state of equality and diversity. All are referenced in the appendix of this submission. In addition the appendix includes other reports that are drawn to the Committee's attention containing additional and supporting information.

All the research reports point to the Service's performance as being one of the poorest in the public sector in respect of equality and diversity. All provide excellent guidance and route maps for integrating equality and diversity as a key issue. Few have had any far-reaching impact. As often as not the FRS appears to resent the exposure their findings have generated.

The CRE strongly supports the Committee's decision to review and focus on diversity. This memorandum relates to paragraph 2c of the inquiry's terms of reference. The CRE would be pleased to work with the Committee and provide additional evidence if needed.

The memorandum sets out some of the key respects in which the FRS shows persistent poor performance on equality and diversity, and race equality in particular. It indicates some measures that we consider important and notes some of the good practice initiatives that have been developed recently but argues that these must be integrated into a coherent overall strategic approach.

2. Leadership.

This is a recurring theme in many investigations and research reports on diversity in the FRS. We are concerned that the fire service has little understanding of how leadership within diversity should manifest itself. The FRS has largely failed to recognise true champions of diversity at any level. A public body such as the fire service should be able to identify and demonstrated achievement by its champions. Many Chief Fire Officers will claim they have the role of leadership but all too often this is more rhetoric than reality and not matched by performance or outcomes.

The CRE expects public organisations such as the FRS to at least be able to demonstrate positive leadership and commitment. The basis for this is in the statutory duty, in place since 2001, requiring public bodies to take pro-active steps to promote racial equality. Committed leadership is crucial in demonstrating the legitimacy and credibility of

equality and diversity both externally to private and community and voluntary sector bodies in the locality and internally to the organisation's own people.

Leadership at central government level has also been muted. The ODPM has not sent out a clear and unequivocal signal that poor performance in the area of equality and diversity is not acceptable.

3. Policy and procedures.

Parts of the Service have responded to the recommendations made in reports that are referenced in the appendix. This has been done well in some Fire and Rescue Authorities, but many have just copied policies from other FRAs or public bodies and these have either been applied inappropriately or remained mere paper policies, and appear to have had little impact if any on equality and diversity within many fire services. Many county authorities have simply relied on their county councils' overarching policies for compliance but these often fail to address the key and specific issues for the FRS.

The requirements of the general statutory duty to promote race equality introduced through the Race Relations (Amendment) Act 2000 have proven to be particularly poorly addressed by FRAs and we believe that compliance with the general duty and with the specific duties cannot be found in many FRAs, and certainly not a thorough embrace of the recommendations of the statutory code of practice. Until quite recently a substantial number of FRAs did not even have Race Equality Schemes. In 2005 up to 60% of FRAs had not completed any race impact assessments. One FRA, following an intervention by the CRE based on alleged breach of duty, is now demonstrating what it is possible to achieve and what managers are capable of if challenged.

The CRE is shortly to embark on a monitoring study looking at the compliance of FRAs (among a range of other public sector bodies) with the statutory duties. We shall be putting particular emphasis on evidence that FRAs have robust arrangements for undertaking race equality impact assessments which they have effectively implemented.

4. Review and monitoring.

The FRS has been criticised by many including the Audit Commission for not applying best practice in performance management in general. For equality and diversity this is particularly true. Little evidence exists that a systematic approach is adopted to managing diversity or for evaluating initiatives. The FireWorks research supports this view. The ODPM and the CPA have not placed diversity sufficiently high in its priorities for monitoring or audit. In the first quarter of 2005 the Audit Commission carried out CPA inspections of the FRS using a methodology supported by a diagnostic tool on equality and diversity. However the references in the Commission's reports on individual FRAs in this area are patchy, often minimal, and inconsistent. One FRA reviewed and reported as excellent did not even have a strategy on diversity.

The ODPM/ Fire Service Inspectorate should have carried out a follow up thematic in 2003. This still has not been done and in the 2004-5 Framework document a number of commitments were made that would have supported this area but again to date none has been carried out. These were:

- a. Review of training
- b. Review of equality officer role
- c. Developed a peer assessment tool
- d. Develop a bespoke tool to support the local government agenda

In the 2005-6 draft National Framework document all have disappeared, seemingly signifying that the failure to carry out the reviews and to drop rather than carry them forward means that the ODPM no longer believes these issues to be important.

We believe that the National Framework document is a key driver in England and this should have clear and reliable commitments as to what ODPM will do and what Regional Management Boards and FRAs are expected to deliver on equality and diversity. This is particularly important in the case of the boards as these bodies are not themselves listed as subject to the duty to promote race equality and unless one of more constituent FRAs provide leadership on the issue it can easily fall from the agenda. We also believe that the framework, which is effectively a statement of policy, should be subject to a race equality impact assessment.²⁸ The CRE will be making a submission to the ODPM during formal consultation on the Framework document.

5. Culture.

The culture of the fire service in spite of all the work that has been carried out, is still in places xenophobic, male, macho and bullying and to the extent that this is true it is not capable of sustaining or supporting equality and diversity. In the current climate it is not surprising to find the FRS failing to meet the government's and its own agenda on diversity. At the same time, culture is often used as an excuse for poor achievement.

It is our view that the leadership does not understand the component parts of the cultural web that exists in the Service and does not know what impacts on it. They have failed to identify the critical success factors for changing the culture and more importantly what the role of Members of fire authorities and Chief Fire Officers is in changing the culture. ODPM needs to give clear indications on the type of culture the service should be aiming for and how it should be training staff and elected members to achieve the change. ODPM and fire authorities need to consider how this is to be monitored and audited. The time is right for a full cultural audit to be carried out and the development of clear, short and medium term plans to bring about real cultural change.

²⁸ See the CRE website www.cre.gov.uk for a guidance tool.

We believe the cultural audit tool that has been developed by ODPM and CFOA has the potential to provide the springboard for change. However this is not the whole answer as discussed above.

6. The business or service case

The FRS has no clear business/service case for equality and diversity. Much of the research has highlighted this issue. It is welcome that the ODPM will be leading work in 2006 to develop a business/service case. This should then provide one of the key building blocks for the FRS to understand and tackle the many issues relating to diversity that it currently faces.

7. Recruitment and targets

The FRS has probably the worst figures in the public sector on the representation of black and minority ethnic staff in uniformed posts. Currently the Service has a workforce that is less than 2.4 percent ethnic minority, with a very similar proportion for women. Statistics for 2003/04 show that (excluding the 'other' category) non-white, ethnic minority applicants for whole-time posts made up 11.3 percent of all applicants. However, only 2.7 percent of the ethnic minority applicants were successful compared with 6.2 percent of white applicants. These figures are unacceptable. They cannot be and are not condoned by government or accepted by the public. But determined action is needed if the FRS is to match the changes seen in the police force, prison service and the ambulance service over the last 10 years.

We can only conclude that this is linked to the issue of leadership referred to earlier. Where the FRS sees a need, in our experience, it can and has made the change. The manner in which the culture of health and safety and community safety have changed in the FRS in recent years are clear indicators where leadership is found on a theme, achievement is matched by energy, commitment and resources.

The targets first set in 1999 under the Home Office regime – 7 percent of ethnic minorities in the workforce by 2009 – are no longer fully owned by the FRS, though they still appear, for example, in the ODPM's public service agreement. We understand that the ODPM has undertaken a long-delayed review of targets and will issue a new strategy dealing with recruitment, retention and promotion in 2006. We support the review but are cautious in our optimism in case this should lead to a watering down of the current targets and the strategy have little impact on its own if not supported by other initiatives and also by robust monitoring, audit and inspection. The CRE will be participating in consultation on the strategy.

We are more optimistic that the development of the service case will have an impact on this. A better understanding of why the Service should reflect the community can only lead to more within the service committing to the agenda and making a contribution.

The FRS has had an excellent beacon of best practice on this issue in the outreach team of London Fire and Emergency Planning Authority. London has in our view achieved some very notable results in the numbers of women and ethnic minority staff despite the organisational and political environment they have to work in.

We strongly recommend that a national outreach team be established and charged with supporting local and regional recruitment. The model of best practice in London and the manner in which the National Fire Safety Centre has integrated faith issues (see para 10 below) should be used to develop the approach.

8. Training

No clear training strategy exists in the FRS in spite of the reviews that have reported this to be an issue. The recently concluded FireWorks project reported this to be a major issue and a barrier to achievement. The service has no clear needs analysis on diversity or vision as to what it is attempting to achieve through training. The training in FRS varies from a few hours to a comprehensive training programme. No measurement is made against objectives.

The service needs to adopt the principles that the FireWorks team have recommended and the ODPM should provide clearer guidance as to what is expected.

No training courses have been developed nationally to support specialist officers or the leadership of the service. In addition we are unaware of any training on diversity that is provided across the service for members of fire authorities who have a critical role on diversity. It is not surprising that in this vacuum we have such poor understanding at the very top of the service.

9. Support groups.

The FRS has many support groups and some like the Networking Women in the Fire Service are working at a strategic level and making a difference. Others such as the groups under the Fire Brigade Union are still tied very closely to the trade union and are not making the impact at strategic level that similar groups such as the Black Police Association are in the police service.

Support groups in the FRS are not as well supported as their counterparts in either the police or the prison service, where national officers have full time paid posts. These officers are then able to make a much better and more consistent contribution to the diversity agenda. In the FRS this is left to willing volunteers or to paid union officials who are tasked with supporting national trade unions objectives which on occasion can be in direct conflict with the very people they represent.

We believe that government should determine what good practice there is in the public sector and disseminate this to all. We believe that by forming strong and visible support groups with government backing the diversity issues can be integrated in all services more quickly and support can be provided for those whose treatment is unfair treatment or falls short of good practice expectations.

10. Good practice.

We have previously provided some examples of good practice. A fuller list is proposed below and more will be available when the ODPM commissioned report Diversity Matters is published late 2005 or early 2006.

(i) National Champion

The service clearly needs a focal point of contact and a national champion. The benefits of taking this approach have already been spelled out. The National Health Service and the Cabinet Office have appointed national champions working at the strategic level and they are having an impact. Nearly all the referenced reports in the appendix support this recommendation. In addition we believe that the secondment of a senior officer to ODPM 2004-05 has shown the potential there is for a role of this kind.

(ii) Diversity Matters

ODPM have commissioned a report to highlight best practice. This has not yet been published but should be available to the Select Committee during the period of this inquiry. We believe that this is an excellent example of what can be done if resources are allocated to this task. This should be a regular activity of the ODPM

(iii) Multi-faith

The Fire Service has carried out pioneering work in this field which will be covered in some detail in the forthcoming 'diversity matters' report. There are significant outcomes not only in respect of engagement with the communities locally but also in terms of enhanced recruitment and retention. The recent National Fire Safety Centre strategy we believe to be best practice in the public sector as are the CFOA conferences on this topic.

(iv) Outreach

Clearly outreach in London Fire Brigade is working and making a difference, this should be used as a model by regional management boards for regional application where that is appropriate. The ODPM should show some leadership

and use the national fire safety model and the Army recruitment model to support this work.

(v) Integrated Personal Development System

Although we have some concern around quality assurance we believe that this is again is an important cog in the changing of the culture of the service. All the role maps have a diversity element and no person may move on to a new role until competence in diversity is demonstrated. This is a positive development.

(vi) National Point of Entry Test.

The new tests will support the agenda. Any divergence from the national standard will have an adverse impact. We support these role related test however have concerns that application may be diluted by stakeholders who do not apply them as they are intended.

(vii) Core Values and the Diversity Case

The ODPM and CFOA have demonstrated leadership in championing the need for theses and the model adopted for the recently issued core values will be a good platform for the development of the service case.

11. Summary

Although there are many points of criticism in the above - and justifiably so we believe - nonetheless it is right to recognise that the FRS has made some significant progress over recent years. For example, bullying and harassment are now the exception rather than the norm and racist behaviour is no longer openly tolerated. The changes of this kind are to be welcomed and supported. There is now a clear opportunity to move the agenda forward and the Committee's inquiry has the potential to accelerate change. This will not happen, however, unless the service moves to a 'can do' approach to the equality and diversity agenda backed up by a national strategy that commands a consensus and integrates the contributions of all stakeholders and contains a clear commitment to organisational change rather than dithering over what to do.

There is much notable and good practice that is not yet fully shared across the fire service and the FRS can also learn from the examples of good practice existing in other parts of the public sector. The appointment of an effective champion of equality and diversity and the development of leaders capable of bringing about root and branch change as well as sharing and communicating of best practice are we think necessary conditions of real change.

If the service was to take a strategic approach under the areas set out above and an action plan was to be developed with a clear audit and reporting line to ODPM and

ministers, the momentum on equality and diversity would increase and take the issues from the periphery to the heart of the modernisation agenda, and then the Fire and Rescue Service could become the beacon of best practice that it aspires to but to which it cannot presently lay claim.

Appendix

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Memorandum by the Fire Industry Confederation (FIC) (FRS 61)

By way of introduction, the Fire Industry Confederation represents around 90% by turnover of a £2.5 bn fire protection industry and was the catalyst for the establishment of the Fire Safety Advisory Board [FSAB] in England in 1999. Since that time, the FIC devoted considerable resource to supporting the FSAB and is one of the relatively few organisations sitting on Business and Community Safety Forum [BCSF].

The FIC comprises a number of fire trade associations including FIRESA [providers to the fire and rescue services], the BFPSA [fixed fire protection systems], FETA [portable extinguishers], BASA [sprinklers] and ICEL [emergency lighting].

We would wish to comment please on several issues, the first being **Item 1 a** in the letter of invitation, **implications of the introduction of regional control centres**.

We have serious concerns in relation to the impact on the fire and rescue supply industry [as represented by FIRESA] of the FireControl project proposals as we understand them. These comments derive from those FIRESA members who would supply as sub-contractors as opposed to acting as primary contractor. FIRESA's understanding is that there is presently a short list of three primary contractors for the FireControl project and that the successful bidder will be free to select their own equipment and other providers as sub-contractors.

This circumvents any contact between the ODPM and the full range of suppliers for the FireControl project, leaving the main contractor alone as the decision maker in the selection of equipment for this key activity.

We would suggest that those responsible for the project overall are, with all respect, unlikely to be in a position which would enable them to select products on detailed technical considerations of quality, reliability, performance and functionality and with a view to providing state-of-the-art equipment which would benefit the fire and rescue services and, ultimately, the public now and in the future.

In not enabling consultation between end users and suppliers, the process as currently envisaged offers no opportunity to develop specifications and common standards which can benefit both parties and assist in achieving best value. It also carries the inherent and very real risk in the medium to longer term of stifling innovation and severely reducing competition for supply of equipment in the future.

It is striking that the FireControl methodology is in strict contrast to the principles expected to be adopted by Firebuy Ltd for other national procurement matters where on-going industry consultation is rightly regarded as a prerequisite in achieving workable solutions to fire appliances, protective clothing and other procurement issues.

Having highlighted these concerns to the Committee, we would welcome their consideration of the issues raised.

I move, if I may, generally to **Item 2 a, Fire Prevention**.

We take this opportunity to highlight the **benefits of third party certification** of services provided by the fire protection industry. The fire industry generally has for some time, and with the full support of its various association members, actively sought the increased adoption and recognition of relevant third party certification schemes pertaining to fire protection services. In doing so, it seeks to create a safer environment for all through the selection of only third party certificated products and services. Attainment of this goal will eliminate substandard workmanship and provide full confidence that the products and services specified or purchased meet the relevant criteria.

Changes in fire legislation, including the Regulatory Reform [Fire Safety] Order in England, place emphasis on the risk assessment of premises and place the onus of responsibility firmly on the employer, owner, occupier, contractor and fire safety consultant. Selecting third party certificated services undertaken by ‘competent persons’ assists the responsible person in meeting their ‘duty of care’ obligations and can also enable those such as building control officers and the fire and rescue services to carry out effectively their enforcement roles. These legislative changes have accelerated the very real need to secure third party certification as an accepted norm in the fire protection industry.

Competency is also clearly referenced, for example, in BS 5839 Part 1 which describes the ‘competent person’ as having ‘the necessary training and experience...and capable of carrying out a defined task’. Again, third party certification can contribute substantially to determining competency as it applies directly to fire protection systems and, in doing so, meeting the requirements of the Standard.

There is already growing evidence of increasing recognition for third party certificated products and services in the fire protection industry of the United Kingdom e.g.

Chief Fire Officers Association

‘CFOA positively promotes third party certification schemes as a means of demonstrating competence’

Model Agreement between Fire and Rescue Authorities and Users of Remotely Monitored Fire Alarm Systems, Chief Fire Officers Association [CFOA]

Fire Protection Association

‘All fire protection products/systems shall be installed by adequately trained specialist installers. Installers shall be third party certified to install the specific product/system when an appropriate scheme is available’

Design Guide for the Fire Protection of Buildings; Essential Principles,
Fire Protection Association [FPA]

Taking the BFPSA as an example, member companies engaged in systems design, installation, commissioning, handover and/or maintenance of fire detection, alarm and/or extinguishing systems from 31st November 2006 must have obtained the relevant modules of the BAFE-adopted SP 203 or LPS 1014 or LPS 1204 or equivalent. Beyond this date, all prospective new members to the association must hold this certification at the time of application. The commitment shown by BFPSA members to third party certification delivers the strongest possible message to its many current and prospective clients, as well as offering a positive response to the changing legislation which surrounds us.

The benefits which would result are:

- Assisting users in making an informed choice when selecting products and services
- Assisting owner/occupiers in meeting their legal obligations [i.e. duty of care responsibilities]
- Assisting mitigation in cases of alleged negligence
- Assisting building control officers and fire and rescue service officers in meeting their statutory responsibilities
- Improving the reliability of systems
- Minimising the lifetime costs of systems
- Assisting the fire and rescue services in their Integrated Risk Management Plans and associated approaches to fire safety and fire protection
- Raising levels of public safety through the elimination of sub-standard products and services
- Raising levels of competence in the fire industry and the wider fire safety community

- Assisting businesses in generating better and more efficient processes through offering products which comply with harmonised standards, and having personnel with recognised qualifications for design, installation, commissioning and maintenance.

Through its commitment to appropriate third party certification, the fire protection industry as represented by its trade associations is fully supportive of third party certification schemes. This addresses in a substantive way the legislative changes and applicable standards which demand competency and relevant third party certification. With the support of key bodies including CFOA, the FPA and insurers, we continue to seek the acceptance of third party certification as the recognised industry benchmark. This, we believe, offers enormous benefits to customers of our products and services and indeed to the spectrum of organisations which collectively hold the responsibility for fire safety in the UK. We would welcome the views of the Select Committee in considering government support for third party certification.

Also under **Item 2 a**, we wish to draw to your attention the ODPM document ‘A Guide to Reducing the Number of False Alarms from Fire Detection and Fire Alarm Systems’, produced jointly with the Chief Fire Officers Association and the British Fire Protection Systems Association. This was compiled in response to the need to reduce the number of unwanted alarms from fire detection systems. Connected with this initiative is the **CFOA Policy document on Fire and Rescue Services Response to Remotely Monitored Fire Alarm Systems** which sets out a policy involving the issue of Unique Reference Numbers [URNs] to facilitate the monitoring of such systems and requiring registered systems to be subject to recognised standards. The methodology has already been accepted by a large number of brigades and encompasses the monitoring of the number of false alarms arising from remotely monitored systems and the measures to be applied to owners of systems which give rise to an unacceptable level of false alarms.

The Policy will play a vital role in monitoring the problem of false alarms and, very importantly, is a key means by which these incidents may be reduced. Our request to the Select Committee is that the transition to a much smaller number of regional control centres retains this initiative as it is much too important to become lost when the new regime becomes active.

Under **Item 2 b**, we comment on financial arrangements, specifically **the proposal for the fire authorities to charge for what we would term non-core activities**.

We indicate very serious concerns in relation to the proposals which we are aware are echoed by the Business and Community Safety Forum and other consultees to the original consultation as it existed. Our view is that charging for a number of non-core activities places in jeopardy the high esteem and confidence of the general public in the impartiality and integrity of the brigades. Also, to encourage them to enter the arena of the commercial supply and maintenance of equipment or the provision of consultancy, for example, is a clear conflict of interest. In addition, we believe the proposals to be

fatally flawed in respect of competency and unfair competition. The path envisaged would not be in the best interests of the fire services, the fire protection industry and indeed the community and commercial beneficiaries of the fire services. The brigades should, in our view, focus on core activities while leaving other responsibilities to the private sector which continues to bring proven experience and competence in its own products and services.

Despite strong opposition from many quarters, it appears that the fire and rescue services will be able to trade in fire training, consultancy, fire extinguisher maintenance and fire systems design, installation and maintenance during a transition period if there were already doing so. Others are now allowed to trade when the transition period ends provided that they are graded as fair, good or excellent according to the Fire CPA.

This offers virtually limitless powers to the services to compete against existing fire protection, consultancy and training businesses, including SMEs. We remain unconvinced that this would result in fair competition despite the assurance that trade must be conducted through a commercial arm and that pricing must be at the market rate. There appear to be no mechanisms in place to ensure that services are offered at market rate, which is difficult to define in any case.

The FIC also contends that the services may be ill-equipped to carry out some aspects of their newly-chargeable roles, including some aspects of consultancy and offering maintenance of fire protection products and systems. Expertise in these areas is not universal across all brigades' personnel and there is a real danger that improper advice and incorrect maintenance of potentially life-saving systems may result. Such is the esteem by which the service is held that brigade personnel will be perceived as the leading authority on certain issues when, in reality, they are not.

We understand further that the brigades have an obligation to inform customers that alternative suppliers exist. Again, there is no process which can monitor adherence to this obligation and it is difficult to imagine any such process which possibly could. With due respect to the fire services, it is hard to envisage any commercial arm trading for profit which is likely to inform customers fully of the alternative suppliers available.

In cases where legal action may ensue owing to any errors or negligence, the enforcing authority would be suing its own trading operation. This clearly represents a conflict of interest which is entirely inappropriate.

We understand that the argument in favour of allowing the services to charge for non-core activities is that they have long had the power to charge under the terms of the 1947 Act and, thus, that those opposing the proposals are urging removal of existing powers. The case stated by the FIC and others, however, is sufficiently rigorous in respect of unfair competition, conflict of interest and competency that a reconsideration is, in our view, warranted and indeed necessary.

Finally on this point, we have the most serious concerns relating to the conduct of the consultation process. Since the initial consultation, there has been a clear failure to observe any on-going follow-up procedure: no published collation of comments, no ODPM responses and no further review enabled for the respondents. We understand there were time constraints but for issues of this criticality, there can be no substitute for a proper and inclusive consultation process. Again, we would welcome consideration by the Select Committee of charging by brigades for non-core activities.

Also under **Item 2 b**, we wish to comment please on the **National Procurement Strategy and FireBuy Ltd**.

News in September 2005 that FiReBuy Ltd was to be officially inaugurated and a Board sought for full activity from April 2006 ended a prolonged period of uncertainty regarding whether any such body would be formed to enact the principles of national procurement. This was followed, of course, by the publication of the National Procurement Strategy which sets out proposals in detail and recognises the key role to be played by industry through FIRESA in delivering a national function which is sustainable and which is tenable for both the vendors and their customers. Notwithstanding these positive indicators, government funding for FiReBuy is finite and there remains no clear path to providing the necessary financial support to the venture after the first two full years of operation. What is more, the longer term success of FiReBuy and the NPS itself depend also on strict adherence to national procurement of designated products and services as opposed to any opt-outs which may be signalled at local authority level. There are doubts whether this is fully achievable, in which case the strategy surely is subject to collapse.

The challenge ahead is a highly significant one if FiReBuy and its partners are to achieve effective national procurement mechanisms and we believe that the strategy holds very serious potential for failure of the plans to deliver the intended outcomes.

Now absorbed into FiReBuy, the Integrated Clothing Project [ICP] has been in development for some time and has been fraught with missed deadlines and changing contract criteria. One interpretation of the proposals which may emerge is that they indicate a primary vendor to supply a large proportion of the contract with others to provide to the exact specification of the lead supplier. Additionally, such contractual arrangements may be of exceptionally lengthy duration, seven or even fifteen years being reported. We have a mechanism here which seems unworkable in practice and it would be difficult to imagine how competitors of the primary supplier would be able, both technically and commercially, to manufacture to the lead design. This would create an impasse which might only be solved by awarding the entire contract to the primary vendor and creating a monopoly which is surely to be avoided. The duration of the contract is also immensely worrying as it benefits a limited number of successful bidders over a long period and discounts the remaining unsuccessful ones over that same period. By the end of the first contract period, the sector will run the risk of having

shrunk to the extent that there would be no competitive market when eventually a new tender is issued.

If the ICP is indicative of how other national procurement processes will be conducted, which include vehicles, protective equipment and respiratory apparatus, the issues apparent for the ICP will be multiplied across the fire and rescue procurement landscape and adversely affect all sectors of the fire and rescue supply industry.

It is essential that FiReBuy retains full management control over all national procurement projects such that correct and consistent principles are applied across the board. What is rather worrying is the level of fragmentation which is already apparent and which may worsen as more aspects of the national procurement strategy become active. Having one set of criteria governing the ICP, another for the RPE project and yet more for vehicles and other key goods and services appears to be a recipe for a disjointed approach as opposed to a concerted strategy where joined-up thinking creates a genuine national position. This may be made more complex still when existing longer term contracts and management service-based agreements are taken into consideration.

While cost savings are expected to be achieved as part of the new approach to procurement, we maintain that FiReBuy should not necessarily seek the option which is the least expensive initially when procuring products and services. There is not a de facto cost saving to the manufacturers inherent in the national proposals.

In essence, therefore, we see a number of potentially fatal issues within the national procurement process which we must all seek to avoid, steering a path instead to long-term solutions which enhance rather than decimate the market. Through the design of the FiReBuy processes and accelerated by market forces which result, the potential for a monopoly to arise within each supply sub-sector is one which we suggest has to be taken very seriously. Any reliance on primary suppliers and lengthy contracts would both contribute to this eventuality, creating an imbalance between initially successful bidders and those who were unsuccessful and resulting in fewer suppliers bidding for future contracts. We are also concerned that FiReBuy has the potential to develop as a set of distinct projects having different procurement criteria applied as opposed to providing consistent governance across all sectors captured by the National Procurement Strategy. We welcome Select Committee debate on these issues.

Under **Item 2** generally, we wish to refer please to **Integrated Risk Management Plans [IRMPs] and the forthcoming Fire Safety Order**. On the former, there is concern that the various IRMPs differ markedly in their format and hence we would welcome greater consistency across all IRMPs. On the latter, the fire authorities will continue to offer advice to building control bodies on whether their proposed fire safety measures are adequate. Since the Fire Safety Order will remove the requirement for fire certificates, requirements for risk assessment and implementation of necessary measures will be enforced principally by the authorities, this including monitoring and checking that requirements are being met. There is an apparent lack of formality and control on these

processes, with no structure proposed to ensure appropriate policing of the risk assessment and resulting remedial actions by suitably competent and qualified persons. There clearly needs to be a link between building control who are responsible for new build and substantial structural changes to existing buildings and the fire authorities who assume ultimate responsibility for the built environment.

In final conclusion, we welcome generally the substantial and wide-ranging changes which the fire and rescue services are undergoing but have serious concerns on a number of key issues as noted above. Also, we thank you for the opportunity to raise our concerns in this response to the Select Committee which we trust will be duly considered by that Committee.

Memorandum by the FireWorks Project (FRS 62)

The FireWorks project wishes to submit the following findings and recommendations relating to equality and diversity within the Fire & Rescue Service.

- (i) *FireWorks for Equality in the Fire Service* - Executive Summary, published for the FireWorks Final Conference, 12-13 December 2005, Homerton College Cambridge.
- (ii) *Synopsis: Equality and Diversity - The Practitioners Role*, by Judy Foster UNISON and guest researcher, Anglia Ruskin University, FireWorks

These documents are available on request from the Committee Office.

We believe our report will be a milestone in reporting and identifying issues that face the service in meeting its' and the communities aspirations for a Fire & Rescue Service that reflects the diversity of the communities it serves.

Our report not only builds on previous reports on diversity but also provides practical tools that will support all stakeholders in making a contribution. What is needed now is ownership of the recommendations. We hope the select committee can support FireWorks in embedding the recommendations of this project.

As for many public sector bodies the McPherson inquiry was a watershed and a catalyst for change. The Fire & Rescue Service carried out its' own investigation commissioning three thematic reviews in 1998 and in 1999 and a further review in 2001 Bridging the gap. These reports have been reviewed as an integral part of the literature review of the FireWorks report.

Memorandum by the Fire Brigades Union (FBU) (FRS 63)

The Fire Brigades Union (FBU) represents approximately 48,000 members covering all ranks and duty systems in the fire & rescue service including approximately 4,000 officers, 11,500 firefighters working the retained duty system and 1,500 firefighters (control). This represents over 85% of all uniformed operational personnel currently serving in the fire & rescue services. The FBU welcomes the opportunity to submit evidence both written and verbal to the Select Committee and this submission deals with some of the key issues. We would also welcome the opportunity to appear before the Members of the Select Committee to support our submission and to attempt to answer any questions they may have upon it.

1.a OVERVIEW

- 1.(a)1 The FBU supports measures which genuinely improve the capacity of the fire service to deal with all types of incident and maintains or builds upon the high levels of resilience currently in place. Our members have a clear vested interest in measures which add to public protection and their own health and safety.
- 1.(a)2 The fire & rescue service has undergone major change and is still under-going further far reaching change. The FBU has played a direct and active role in the New Dimension Project and the FireLink Project. In our view, however, FiReControl is a belated attempt to re-hash and bolt-on an old idea without it being properly thought out.
- 1.(a)3 FiReControl has no grounding in the New Dimension Project, the Bain Review, (December 2002), the Government's 2003 White Paper or the HM Fire Service Inspectorate's desk-based Analysis of the Best Value Reviews of Control and Communications (November 2003). We do not believe FiReControl improves the resilience of the fire service, and that its potential risks – both operationally and financially – greatly outweigh any potential rewards. We deal in Annexe 1 with what these various reports did say.
- 1.(a)4 Two Government commissioned reports from consultants Mott MacDonald the first of which (The Future of Fire Service Control Rooms and Communications in England and Wales, April 2000) recommended a reduction from 49 controls to 21, the second (The Future of Fire & Rescue Service Control Rooms in England and Wales 2003) which recommended 9 new regional controls in England, one new control to serve London. The union produced a detailed response to both reports, the most relevant now being "Out of Control", published by the FBU in May 2004.
- 1.(a)5 We believe FiReControl is also the blueprint - without any public debate – for the beginnings of regional fire services that are far closer to national Government than to local authorities. We have our own proposals for the

creation of a UK-wide network of ‘Resilience Controls’ which we supply as Annexe 2 prior its official public launch on 25th January.

- 1.(a)6 The threat of terrorism is not new although its nature and the type of attack and the level of response needed may be. The fire service has dealt with the aftermath of major terrorist attacks for many, many years including the biggest ever loss of life – Lockerbie – and the biggest bomb ever used on mainland Britain – Manchester - and assisting in rescues from bomb damaged structures – Brighton. We have also dealt with a range of major environmental challenges caused by extreme weather conditions for many, many years.
- 1.(a)7 A project described in the Fire Control Project Outline Business Case Volume 1 (Abridged Main Text) November 2004 (OBC p 52 paragraph 141) as having a “high risk” of “total project failure” with a “high impact” if it does fail could, in our view, only be given the go ahead if there were severe problems with the current arrangements alongside very high confidence any new system would be substantially and measurably better. No such problems have ever been identified and the question has to be if it ain’t broke why is it being fixed so strenuously?. The Government track record on technology/change projects does not suggest that it can do better than “excellent” (OBC page 11, paragraph 30). We provide at Annexe 3 FBU published in January 2004 into the Government’s track record on technology/change projects.
- 1.(a)8 There has also been recent and significant criticism of the operation of national Government helplines – and Mott MacDonald used a call centre model as the basis for both reports- where there were considerable problems even answering the telephone. Emergency fire controls are far more complex than the simple helplines which national Government continue to struggle to put right.
- 1.(a)9 The FiReControl Project is one of the most technically demanding ever attempted by Government. The well publicised outcomes of far less complex IT/change Government projects is for them to be delivered late, over-budget or not functioning as originally planned. Sometimes all three.
- 1.(a)10 The destruction of the existing “excellent” system would be a huge gamble with large amounts of public money, with FiReControl adding little additional measurable benefit in terms of lives saved even if it did work, with any failure resulting in a severe risk to public and firefighter safety. There is a real danger that runaway costs – possible with both FiReControl and FireLink - will mean that public money which is available to the fire & rescue service (from ODPM or from fire authorities) is siphoned off to pay for a very expensive communications system. With finite financial resources – either from the general taxpayer and business or council taxpayers – this could only result in a diminished frontline operational capability.

- 1.(a)11 Neither Project adequately tackles the desperate need for more up-to-date Fireground communications to replace the current antiquated radio systems used by individual firefighters. Next to nothing has been done to address what is a genuine and pressing issue of how to instantly communicate with personnel at small and large incidents, a central lesson of 9/11. Even if billions are spent on FiReControl and FireLink, firefighters at incidents will still be left with a whistle to signal the need to carry out an emergency evacuation rather than all being simultaneously sent a radio message.
- 1.(a)12 This Project has already demoralised those working in Emergency Fire Controls and has already resulted in the loss of skilled and experienced personnel. A broad view is that ODPM is neither listening nor wants to address concerns of many ‘stakeholders’, even those whom are nominally supportive or are resigned to having to support the Project. We attach at Annexe 4 sets of notes of meetings which highlight some of these issues.
- 1.(a)13 We are not convinced that the location of many of the proposed controls are as resilient as claimed. Controls which are based in a mixture of retail and business parks, in some cases close to childcare nurseries or major retail outlets, some on known flood plains (while asserting they will deal with major flooding) and some very close to airports (post 9/11) do not, in our view, constitute an improvement in resilience. The proposed locations have the hallmarks of being chosen for cheapness and ease of gaining planning consent rather than the truly resilient locations they are claimed to be. “Finally, in the post-September 11 world our emergency control centres need to be resilient against attack or natural disaster” (Jim Fitzpatrick, 8th June Hansard Col 1234).
- 1.(a)14 The situation and timing of the new London control is also unclear. London appeared at one stage to have negotiated its own ‘opt out’ because it had all of the major concerns expressed by other fire & rescue authorities (see comments contained in Annexe 4). Its position is also being mis-represented. London is a single brigade control working to a single IRMP in a brigade with a relatively homogenous fire risk in a geographical area about a third of the size of Devon. It should not be mis-represented as a model for a regional control covering up to 9 brigades each with their own individual IRMPs, with more diverse risk patterns and more diverse duty systems covering areas perhaps fifteen times the geographical size of London. If London needs its own brigade control how can every other major conurbation in the UK (some of which have been terrorist targets in the past) do without theirs?

Project Management And Scope

- 1.(a)15 Both the Mott MacDonald reports were flawed. The acceptance of the second report on which FiReControl was built meant the entire project process – and the costing and savings estimates which were at the heart of it- was

fundamentally flawed from the beginning. Those who “signed up” did so, on the basis of the deeply flawed prospectus which defined the FiReControl Project from the very beginning.

- 1.(a)16 Neither Mott MacDonald reports started with a proper understanding of the wide-ranging scope of the work of fire controls. Using a call-centre model typically used by roadside emergency organisations, both Mott MacDonald reports stripped down the work of future fire controls to call-taking, dispatch and incident monitoring roles.
- 1.(a)17 In turn, this was used to justify cutting staffing numbers to levels which could manufacture the “savings” needed to underpin claims that the introduction of regional fire controls would produce savings. Cuts to staffing numbers are central to the national business case promoted by ODPM and we find it disingenuous of them to maintain that actual staffing numbers would be a matter for each control. If this were truly the case there could be no guarantee that regional controls would have sufficient staff to automatically back-up other controls and no grounds for their stated confidence that savings will be made.
- 1.(a)18 Claims of “savings” based on staff cuts are at best precarious. Work arbitrarily missed from the list of the work considered “in scope” was – perversely – counted as a saving to the project. Everyone agrees this work still needs to be done. It is still unclear what mixture of incident-related work and core fire & rescue service related work is included beyond the basics outlined by Mott MacDonald.
- 1.(a)19 The problem of what is in scope and out of scope was accepted by Fire Minister Jim Fitzpatrick in a written answer to a Parliamentary Question: as late as the 2nd December 2005 in which he said: “Some of the functions currently carried out by control room staff will remain elsewhere in Fire & Rescue Services.” (Official Report, 2nd December 2005, Col 797W). This lack of forethought and understanding has resulted in the recent circulation by ODPM officials – after they have announced the sites of the proposed new regional controls- of a questionnaire to find out what work their current fire controls actually do (Official Report, Written Answer 14 October Col 609W). South East RMB pointed out some of the problems in a letter to ODPM of 9th May 2005: “Many of these key activities must be maintained to ensure operational viability and yet have not been considered as part of any reliable cost comparison...What is not yet clear is the scope of work to be undertaken by the RCC, and what will be residual i.e. what will remain for Fire & Rescue Authorities to continue to undertake.” We include this letter as part of Annexe 4.
- 1.(a)20 A number of Fire & Rescue Authorities also have Service Level Agreements or contractual arrangements in place for work such as handling out of hours calls for other local authority providers such as Social Services Departments. These

have been made on a best value procurement basis and are enthusiastically supported by all political parties as demonstrating flexibility while producing significant revenue streams for fire & rescue authorities. As a result of the ODPM's FiReControl proposal fire & rescue authorities will have to either negotiate themselves out of these contracts and lose revenue streams, or they will have to employ other staff to undertake the work. Both options are likely cost the business and council tax payer.

- 1.(a)21 The amount of all "Out of Scope" work is difficult to quantify and cost but it is significant and substantial. Oral reports from ODPM representatives to Regional Management Board meetings suggests this work amounts to between 30% and 70% of the work currently undertaken in controls. Claims of cost savings – central to the Project – appear to be little more than cost- shifting by moving work and costs "out of scope" and hence off the Project's books.
- 1.(a)22 The lack of understanding of the work of existing fire controls – which remained long after critical decisions had been made - has a significant effect even on the "Project Costs" estimates which are "in scope". The significant difference between the estimates contained in the Outline Business Case and the Strategic Outline Business Case which preceded it by a matter of months illustrates the link between poor project definition and rising project costs estimates. The result is that Mott MacDonald's original project cost estimate of £100 million had to be multiplied TENFOLD to £988 million and estimated savings have had to be HALVED from £155 million to around £80 million (written answer Official Report 27th October 2005 Column486W).
- 1.(a)23 To put these figures into some kind of context, the cost of the new Fortek mobilising system in Merseyside Fire & Rescue Authority, one of the larger brigades which covers a population of 1.5 million, cost £690,000. This project came in under budget. The ODPM uses Merseyside as an example of best practice. The costs of the Merseyside Fortek mobilising system provide an idea as to potential costs of rolling out this system to those brigades which do not yet have access to the very latest technology. It is an option certainly worth considering with some open-minded vigour in line with our own proposals for a UK-wide network of 'Resilience Controls'.

Not Tried and Tested

- 1.(a)24 Technology which can work at brigade level cannot be assumed to be "tried and tested" at a regional level, never mind as part of a national network of control centres, and there are no obvious 'models' to follow. In any event, national Government's known track record using genuinely tried and tested technology in a range of far less complex yet major IT/change projects does not fill us with confidence. As the OBC pointed out: "There is no precedent for a regional structure to deliver an operational function such as this." (page 79, paragraph

110). The risks outlined in the OBC are project specific and significant while “existing arrangements for delivering core services (including call-taking and dispatch functions) is perceived to be excellent.” (OBC Page 11, paragraph 30). The OBC assesses the risk of “delay or even total project failure” as “**high**” with a “**very high**” impact if it does fail. The risk is so high, not simply because the project is unique, but because “the recent history of delivering IT/change projects in the public sector has demonstrated a less than 50% success rate.” (OBC page 52 paragraph 141).

- 1.(a)25 There is a high risk/high impact “that the current provisional timescales may not be achieved” which would “increase project cost”. (OBC page 52, paragraph 142). There is a high risk/high impact that Council Tax may be pushed up as a result of cost overruns. The report says: “Failure to deliver economies would reduce the resources available to further service aims and objectives, and might impact on Council Tax” (page 52 paragraph 142). ODPM claims that there can be no financial impact on fire & rescue authorities or implications for council tax because “new burdens” funding will cover the payments are doubtful. In a letter to ODPM on 9th May 2005 the South East RMB (mentioned previously as Annexe 4) pointed out the weakness of this claim highlighting the fact there are currently additional costs which are already costs not being covered by “new burdens” funding. The costs of the Project are already beginning to bite into the funds of cash-strapped fire & rescue authorities and may have already contributed to some of the cuts in frontline services which have already taken place.

Service Delivery

- 1.(a)26 Existing fire & rescue service controls have to comply with guidelines set out in GD92 (outlined in 1992 and evaluated a success in Specifications of a Communications Infrastructure for Fire Service Mobilising Systems GD-92/1003A/2.2, Home Office Fire Research and Development Group1/96 and Evaluation of GD92 Framework Summary Report, CFBAC Research Report Number 73, 1997) which sets down standards of, for example, resilience and fall-back. GD92 does not specify that all control systems are identical, but rather that they all must comply with key requirements. We are not aware – in the immediate wake of 9/11 or since - of any attempt by ODPM to change or amend those guidelines to set different criteria. We are not aware of any blanket failures identified by HMFIs inspections. Challenged in a Parliamentary Question, ODPM was unable to produce details of any incidents where there were any failures involving emergency fire controls at any time in the last 30 years (Official Report, 12th December 2005, Col 1722W).
- 1.(a)27 Many of the benefits claimed for the FiReControl project are supplied solely or largely by FireLink. This includes the re-establishment of interoperability with police and ambulance radio systems, Mobile Data Terminals in vehicles (for

those brigades which do not already have them) and Automatic Vehicle Location (for those brigades which do not already have it). Taken on its own, there is little that FiReControl substantially adds of tangible or measurable benefit over and above that which already exists or will be provided by FireLink.

- 1.(a)28 Claims about quicker response times as a result of FiReControl are unsustainable as the current system is already so fast any possible reduction could only be a matter of seconds. The basis for these claims appears to be Automatic Caller Location, which has been available for some time. It currently only works with BT lines; with mobiles it only gives a generalised radius of location and in any event the caller's location in most cases is not the actual location of the incident. ACL is only used for validation purposes, and in almost no circumstances as the primary source of information, and good call handling – the skill to elicit information from people who may be in panic - will still be essential.
- 1.(a)29 In a Parliamentary Answer the Fire Minister claimed the RCCs would reduce the time from call-taking to arrival of an appliance or appliances at an incident.(Official Report 21st July Col 2089W). We welcome the acknowledgment that there is a link between savings lives and speed of response. But ODPM is fully aware that many fire & rescue authorities have actually significantly extended or are considering significantly extending the time between call-taking and arriving at incidents. We must challenge ODPM to detail the faster response times of the future, what response time targets they intend to set fire & rescue authorities, and how they intend to measure how these will be met. It seems unusual that ODPM are prepared to spend huge sums of money to possibly cut response times by a few seconds while fire & rescue authorities are extending those response times by several minutes with the net result being considerably slower response times than currently exist.
- 1.(a)30 Regional and national co-operation at significant incidents has been a feature of the fire service for many, many years. The ODPM claim that FiReControl will improve firefighter safety because better information will be available to fire crews on the way to incidents is also unsustainable. Again, this is not new, and in any event this functionality will be either exclusively or largely provided by FireLink Mobile Data Terminals and not by the FiReControl Project.
- 1.(a)31 We understand the need to develop new practices to improve national resilience. But we believe a more cohesive approach which could command widespread support is contained in Annexe 2.

1.b FIRELINK

- 1.(b)1 FireLink has always been a stand alone project and pre-dates FiReControl by many years. It is not dependent upon FiReControl although FiReControl is dependent upon FireLink. ODPM paints a picture of what regional controls will

do without distinguishing between what is provided by FireLink and what will be added by FiReControl. FireLink will re-establish interoperability with police and ambulance radio systems although this appears to be restricted to “Gold” and “Silver” Command level (Written Answer, Official Report 13th October Col 553). It is unclear whether FireLink is intended to provide the facility for personnel in a fire appliance to “speak” to officers in a police car or paramedics in an ambulance. FireLink will provide Mobile Data Terminals in vehicles (for those brigades which do not already have them) as well as Automatic Vehicle Location (for those brigades which do not already have it).

- 1.(b)2 In respect of FireLink there are two rival radio network systems; one a TETRA-based (O2) while the other is TETRAPOL-based (EADS). There are well-documented health & safety questions about TETRA based systems with the Home Office carrying out a 15-year £5 million pound research programme with the police service. We can find no documented concerns about TETRAPOL-based systems and it is of considerable concern that this issue appears to have played no part in the deliberations of the ODPM in relation to the fire & rescue service. It also needs to be established whether either or both bidders will need additional telecom masts to be added to secure sufficient radio coverage for the fire & rescue service. This is clearly an area of some public concern and may create a potential conflict of interest for ODPM in its planning role.
- 1.(b)3 Unlike FiReControl, very little is known about the estimated costs of FireLink. The estimated cost – O2 is the ODPM’s preferred bidder – has not been made public but FireLink was referred to in an ODPM press release as a “multi million” pound project. (ODPM press release 2005/0231, 11th November 2005). The charging structure is unclear; particularly what costs are “core” project costs carried by Government and what may be additional costs for airtime, data transfer, maintenance or other additional costs which may be carried by fire & rescue authorities. Any such additional costs, if borne by fire & rescue authorities, could amount to considerable revenue streams for either of the successful bidders and amount to a significant drain of fire & rescue authority funds.
- 1.(b)4 In any event the costs of FireLink are likely to be significant as the police system in England – under a PFI contract - has been costed at £2.9 billion (O2 Airwave Press Release 1st April 2005) and the ambulance service in England have signed up to a project costing £390 million. (O2 Airwave Press Release 19th July 2005). If O2 subsequently secures the contract it would lead to the creation of a monopoly provider of radio networks to the three central 999 services in England. There is also an issue of resilience. O2 has recently announced the creation of a National Fallback System for the police although, interestingly, the cost of this additional contract is not mentioned (O2 Press Release 31st October 2005). It is unclear whether this is being offered to the fire & rescue service and if so at what, if any, additional cost and whether the Government or fire & rescue

authorities would foot the bill. It is also unclear what will happen if, for example, the police seek changes to the system to suit their operational or other requirements which have a knock on effect for the fire & rescue service in terms of functionality and cost.

1.(b)5 The lack of transparency over the cost, charging structure in the bidding and assessment process for FireLink only adds to our general concerns that the overall costs of this and FiReControl will lead to increased pressure for cuts in frontline services.

2. The FBU is currently engaged in surveying its membership seeking their views on a number of issues of interest to the Select Committee. This survey will be made available to the Select Committee as soon as it is available.

2 i) CIVIL RESILIENCE

2 i).1 The FBU has played an active and positive role in the change and modernisation of fire & rescue service for many years, before and since the publication of the White Paper in 2003. The Committee does have particular regard to civil resilience and we have prepared a separate Annexe 5 outlining some issues which are also touched upon in Annexe 2.

2 i).2 We have broader concerns about preparedness and planning for civil resilience and in particular whether lessons have been learned from the exercises carried out so far and from major incidents such as the 7th July London bombings and the major fire at Buncefield (where the available equipment was highly praised).

2 i).3 The fact that the London Fire & Emergency Planning Authority Commissioner has asked for significantly more mass-decontamination units supports our long-standing concerns about the amount of equipment available and the numbers of personnel trained to use it; both of these are very significant issues at all incidents and more so at protracted ones. If London needs a total of 16 Incident Response Units (plus the associated support crews of 40 firefighters per Unit) how many may the rest of the UK now need?

2 i).4 We face worse scenarios involving quite possibly several major incidents hundreds of miles apart. If we do not learn the lessons about the numbers of personnel and equipment needed for both the 7th July and the Buncefield incidents we risk being very thinly spread in dealing with the far worse scenarios which are all too foreseeable.

2 i).5 The public are repeatedly told of the risks now faced in the new and changed world; risks which have been transformed into reality and which have now arrived with a vengeance. We see no signs that ODPM has moved away from the cuts-based agenda which has driven it since the dispute and we strongly believe

it has to re-assess its commitments to the cuts which have already started in a service which provides the frontline response to any major incident.

- 2 i).6 A central fault line in current national resilience planning is that IRMPs allow fire & rescue authorities to “manage” their local risks and in some instances contemplate and carry out significant cuts in personnel. We see little evidence that they are assessing risk and planning their levels of personnel with any view to the national need to be capable of responding to a series of protracted major incidents. And we see little evidence that ODPM is giving sufficient, if any, guidance on this matter; guidance that is urgently needed before the collective national response capability of the service is degraded any further.

2 ii) INTEGRATED RISK MANAGEMENT PLANNING (IRMP)

- 2 ii).1 The Office of the Deputy Prime Minister introduced the system of local Integrated Risk Management Planning (IRMP) in England, Wales and Northern Ireland effective April 2004. The Scottish Executive introduced a similar system of IRMP for Scotland effective April 2005.

- 2 ii).2 Section 62 of the Fire & Rescue Services Act 2004 devolved responsibility for the fire & rescue service in Wales to the Welsh Assembly Government, which is currently consulting on proposals to introduce a system of fire & rescue authority Risk Reduction Plans (RRPs) in place of Integrated Risk Management Plans (IRMPs). The final Welsh model is likely to focus on reducing risk rather than simply ‘managing’ it.

- 2 ii).3 The ODPM’s 2003 White Paper set two ‘prevention-based’ targets to drive IRMP. These targets now only apply to English brigades. Pages 26 – 31 of Annexe 9 (the FBU’s 2004 National IRMP Document) gives further background to these targets, which are:

- 2 ii).4 *“To reduce the number of accidental fire related deaths in the home by 20% averaged over the 11 year period to 31st March 2010 compared with the average recorded in the five year period to 31st March 1999 – with no local authority fire brigade having a fatality rate of more than 1.25 times the national average by 31st March 2010.”*

“To reduce by 10% the number of deliberate fires by 31st March 2010 from the 2001/02 baseline.”

- 2 ii).5 The FBU supports the general principles of prevention, protection and intervention which underpin IRMP; however we are concerned that the primary focus for IRMP in England appears to have become a reduction in accidental fire-related deaths in the home through preventative initiatives alone.

- 2 ii).6 This preventative focus on direct life risk in the home effectively sidelines the intervention and rescue role of the service at dwelling fires, the wider emergency response and rescue role of the service at other fires and emergency incidents, and the positive effect of the protection afforded by legislative fire safety to UK businesses, their employees, the general public and the national building stock.
- 2 ii).7 Additionally the FBU is concerned at a growing trend by senior managers within fire & rescue services to re-categorise fire deaths as either being 'preventable' or 'not preventable'. Categorising fire deaths in this way essentially introduces a local 'value judgement' into the IRMP process which is not found in any ODPM guidance on IRMP. The danger of this type of local 're-classification' is that these value judgements may then be relied upon by service managers to justify the use of resources in a particular way in a brigade.
- 2 ii).8 Currently the ODPM classifies fire deaths as being either accidental (i.e. the fire which led to the fire death started accidentally) or not accidental (i.e. the fire which led to the fire death was started deliberately). The FBU recognises that this is the only valid classification which can be made of fire deaths and believes that the ODPM should issue clear guidance to fire & rescue authorities in this respect. Pages 29 & 30 of Annexe 9 refer.
- 2 ii).9 To be robust and reliable, the Integrated Risk Management Planning process must consider all applicable risks and risk reduction measures available, i.e. prevention, protection and emergency response.
- 2 ii).10 Whilst any reduction in fire deaths in the home which may be attributed to successful local preventative initiatives is welcomed by the FBU, the contribution of fire & rescue service emergency response to saving lives in England has been consistently demonstrated over the last 10 years.
- 2 ii).11 Successful rescues by firefighters from fires in dwellings have risen from 2,716 in 1994 to 3,868 in 2003. Successful rescues by firefighters from all fires have risen from 3,222 in 1994 to 4,341 in 2003. These figures do not include persons who escape before the arrival of the service, or those who are evacuated as a result of a fire. The full 10 year rescue statistics were revealed in a written answer to Parliamentary Question on the 16th June 2005 (House of Commons Fire [1632] 16th June 2005)
- 2 ii).13 **Jim Fitzpatrick:** The number of people rescued alive from fires by fire & rescue service personnel in England are shown for each year 1994 to 2003 in the following table.

	Rescued casualties ⁽⁹⁾		Rescued unharmed ⁽¹⁰⁾		All people rescued alive	
	All fires	Dwelling fires	All fires	Dwelling fires	All fires	Dwelling fires
1994	2,072	1,815	1,150	901	3,222	2,716
1995	2,317	2,034	1,155	918	3,472	2,952
1996	2,442	2,138	1,022	864	3,464	3,002
1997	2,684	2,347	889	701	3,573	3,048
1998	2,545	2,300	959	811	3,504	3,111
1999	2,511	2,252	1,413	1,043	3,924	3,295
2000	2,728	2,641	2,155	1,627	4,883	4,268
2001	2,671	2,412	1,409	1,176	4,080	3,588
2002 ⁽¹¹⁾	2,829	2,580	1,763	1,589	4,592	4,169
2003 ⁽¹¹⁾	2,735	2,441	1,606	1,427	4,341	3,868

(9) Based on all primary fires attended. Casualties include people who were injured or required a precautionary check-up.

(10) Based on a grossed up 20 per cent. sample of primary fires attended.

(11) Data include estimates for incidents not recorded during periods of national industrial action in 2002 and 2003.

Source: Fire & Rescue Service FDR1 returns to ODPM.

2 ii).14 Similarly, the protection based fire safety enforcement activities of fire & rescue authorities since 1961 have led to a reduction in deaths and injuries from fires beyond the home. So much so that the significant majority of workplace injuries due to fire relate to process risks - the handling of flammable liquids or dangerous substances - which are not the responsibility of fire & rescue authorities. This success however is no reason for fire & rescue authorities to reduce their fire safety enforcement activities. The recent major incident at the Total Oil terminal in Hemel Hempstead has vividly demonstrated this.

2 ii).15 Clearer ODPM guidance on risk-based response planning is needed to ensure that brigades are adopting a common emergency response methodology under IRMP. The FBU advocates the Critical Attendance Standard (CAST) methodology (pages 32 – 43 of Annexe 9) in this respect; a methodology which is based on risk & task analysis. However to date the ODPM has not issued an IRMP Guidance Note on the risk-based response planning process, despite this being an integral part of IRMP as demonstrated by the ODPM's rescue statistics.

2 ii).16 The process of risk-based response planning is independent of, yet complimentary to, the use of computer risk modelling (such as the ODPM's Fire Service Emergency Cover [FSEC] model) which seeks to map areas of similar risk in brigades. The very brief reference to risk-based response planning (page 10 of ODPM document "Preparation for the FSEC Toolkit" – February 2004) must now form part of bespoke ODPM IRMP Guidance if it is Government's intention to demonstrate a real commitment to a truly integrated approach to IRMP.

2 ii).17 Risk-based response planning methodology, and the system of measurement which underpins it, should be the same throughout England to allow valid comparisons between brigades on a like-for-like basis, and to satisfy communities that like-risk will receive a like-response irrespective of location in England.

2 ii).18 Effective Integrated Risk Management Planning is potentially a detailed and complex process. A large number of apparently conflicting factors have to be taken into account. However as the IRMP process should essentially be about reducing risk, there is a simple formula that can be applied to each and every proposal in a local IRMP which will measure whether the proposed strategy increases risk or decreases risk. The FBU terms this the “Intervention Window” test. Pages 44 – 51 of Annexe 9 refer. The FBU commends this formula to the ODPM for a future IRMP Guidance Note to fire & rescue authorities.

2 iii) RETAINED

2 iii).1 There is a UK-wide shortage of 3,000 firefighters working the retained duty system leaving many areas with a depleted service. It is a duty system misunderstood even within the fire & rescue service which has been historically undervalued.

2 iii).2 The recruitment and retention problem must be addressed and we are disappointed that the ODPM has done little to address the problem which will get worse without long-term investment. Making do with inadequate resources and trading on the goodwill of an already over-stretched workforce and their main employers can only be short-term. This approach creates problems with retention and recruitment to a genuinely community-based service.

2 iii).3 The union was disappointed that the ODPM’s negative approach to the recruitment and retention problem was to see it as an opportunity to introduce slower response times and reduced levels of response. A more positive approach would include providing incentives to employers to release staff and building better links with business and the self employed; persuading public sector employers to encourage their workforce to work the retained duty system; recruitment underpinned by equal treatment, equal pay and equal rights; ending the current practice of using surplus money from retained budgets (because of lack of recruitment) for other purposes. The provision of proper pension rights, sick leave and training would also enhance recruitment.

2. a FIRE PREVENTION

2.(a)1 We attach as Annexe 6 a fuller view on fire prevention. In summary we believe there needs to be a Best Value Performance Indicator (BVPI) underpinning a new PSA target relating to the fire protection role of the fire & rescue services

based upon their statutory involvement with fire safety in non domestic buildings, the enforcement of fire safety legislation and in advising upon the fire safety elements of the design and construction of new or altered buildings.

- 2.(a)2 There needs to be clear and strong guidance on the enforcement of the Regulatory Reform (Fire Safety) Order 2005 (FSO) which is due to come into force on the 1st April 2006 to ensure the enforcement activities of fire & rescue authorities are properly carried out. We see little or no evidence that this will in fact be the case or that any targets are being set for them to do so. We have significant concerns over the near-ending in some brigades of the fire certification regime. The running down of this regime pre-dates even the introduction of the Order to the House.
- 2.(a)3 There needs to be a meaningful review of the stakeholder consultation process. In its haste to rid itself of the national committee structure offered by the Central Fire Brigades Advisory Council, the ODPM had little or no idea of what it would do to replace the functions that the CFBAC offered, including the creation of policy documents that all organisations were signed up to. The national structure no longer exists leading to disputes which are breaking out across the fire & rescue services in England.

2.b NJC

- 2.(b)1 On the 14th October 1999 the then Secretary of State to the Home Department, Jack Straw instituted, at the request of the Local Government Association, an independent inquiry into the future arrangements for determining firefighters' conditions of service. Frank Burchill, Professor of Industrial Relations, Keele University, was appointed by Mr Mike O'Brien MP on 25th November 1999 to undertake the Inquiry. His report was submitted in March 2000.
- 2.(b)2 The National Joint Council agreed to work together to act upon the recommendations contained within the report. The Fire Brigades Union played an active and constructive role in the implementation of the recommendations.
- 2.(b)3 Although there remained areas of disagreement between the Local Government Employers and the FBU, it was felt that the new machinery would assist in resolving these. The Union then tabled a claim for an increase in pay in May 2002. What resulted has been referred to as the Fire Service Pay Dispute.
- 2.(b)4 Prolonged negotiations followed, which led directly to government intervention and the Fire & Rescue Services Act 2004. This act came into force after the resolution to the dispute which was in accordance with an agreement in June 2003 between the Employers and the Employees side of the National Joint Council. This agreement included in Paragraph 7.1 "By 30th November 2003 a working group representative of fire service stakeholders will propose revision to

the constitution of the NJC. The report of this working group will be presented to the appropriate fire service stakeholders for ratification during December 2003.” Rita Donaghy, Chair of ACAS, was appointed to convene and chair the working party. By agreement the deadline for the completion of the report was extended to 31st January 2004.

- 2.(b)5 Rita Donaghy submitted her report in January 2004 (attached as Annexe 7). It was ratified by the Fire Brigades Union national executive at a meeting in January 2004. The Employers side of the NJC however asked to continue working with ACAS to clarify some points surrounding the proposed Middle Managers’ negotiating body.
- 2.(b)6 The Employers side of the NJC agreed to consider the proposals at a meeting on 17th February 2004 at which they could not come to an agreement. Brendan Barber, General Secretary of the TUC, wrote to the Chair of the Local Government Association on 21st February in the hope that Sir Sandy Bruce Lockhart might bring some influence to bear on the Employers side to resolve the situation. Sir Sandy Bruce Lockhart replied on 4th March stating “Employers were now making proposals which they believe will help to establish permanently the more settled relations in the service”. He concluded that it was his view that “these discussions should be pursued further within the joint machinery.”
- 2.(b)7 The FBU remains committed to the recommendations made by Rita Donaghy and have recently agreed to have further discussions with the Employers on the Constitution of the NJC. It should however be pointed out that it has taken almost 9 months for the Employers to make any formal approach to the union regarding the constitution of the NJC.
- 2.(b)8 It is our strong view that the Negotiating Machinery for Local Authority Fire Brigades should, as Sandy Bruce Lockhart previously stated, remain “within the joint machinery”.

2.c DIVERSITY

- 2.(c)1 The FBU’s women representatives, gay & lesbian representatives and black & ethnic minority representatives have each provided their own detailed submission which is included at Annexe 8. These representatives have been recognised as the most important and most effective advocates of equality and diversity within the UK fire & rescue service for many years. It is of deep regret, and appears particularly perverse, that FBU representatives have been excluded from the equality debate at the ‘Diversity Happens’ Programme Board.

3. COOPERATION

- 3.1 The FBU supports greater cooperation and collaboration between the fire & rescue service and other agencies; this already occurs on a regular basis. There is significant joint-working with the police, ambulance and coastguard including joint exercises. We welcome collaboration with social services and voluntary organisations to assist in identifying vulnerable groups. There is considerable joint working with organisations which deal with young offenders and there are several LIFE projects aimed at helping young offenders break the cycle of offending and re-offending.
- 3.2 There is a big difference between cooperation and collaboration and taking on the work of other emergency services as demonstrated by the different variations of “co-responding”. Co-responding in practice places the fire & rescue service in a position where it is taking over the role of the ambulance service in attending what are major medical emergencies. In practice it is often driven by the inability of ambulance services (some of them regional ambulance services) to hit target response times for major emergencies. In those areas where co-responding does take place or is being piloted, the fire & rescue service is sometimes sent alone and the incidents can involve anything from serious medical emergencies to members of the public who have collapsed drunk in the street. The FBU has never been presented with any proposals at a national level on co-responding, and any that were presented would need to address our serious concerns. These would include the additional burden of significant extra work for those working the retained duty system which is currently drastically under-strength, and the overall impact on a public service which the ODPM remains firmly intent on cutting.

Unprinted Papers

The following attachments were also submitted to the Committee in connection to this memorandum. Please contact the Committee Office if you wish to see copies of any of the following documents:

- FRS 63(a) Annexe 1 – Independent Review of the Fire Service 2002, Extracts and Comments
- FRS 63(b) Annexe 2 – Regional Control: National Resilience – FBU document
- FRS 63(c) Annexe 3 – FiReControl Project: IT Background Analysis, FBU Report 2005
- FRS 63(d) Annexe 4a – Control Project Sounding Board, meeting notes, June 05
- FRS 63(e) Annexe 4b – Control Project Sounding Board report to practitioners forum
- FRS 63(f) Annexe 4c – Letter to ODPM from South East Regional Management Board, 2005
- FRS 63(g) Annexe 5 – New Dimension, FBU Document, 2006

- FRS 63(h) Annexe 6 - Fire Prevention, FBU document, 2006
- FRS 63(i) Annexe 7 - ACAS Report: Rita Donaghy (Chair): Recommended revisions to NJC Constitution, 2004
- FRS 63(j) Annexe 8a – Equality: Sexual Minorities, FBU document, 2006
- FRS 63(k) Annexe 8b – Equality: Black & Ethnic Minorities, FBU document, 2006
- FRS 63(l) Annexe 8c – Equality: Women, FBU document, 2006

Memorandum by Colin Ive MBA (FRS 64)

As a Retained firefighter for the past 25 years, 23 of them as Officer in Charge of a busy single pump Retained fire station in Hampshire I'm totally dismayed by the continual discrimination poured upon us and it is this discrimination which has finally worn me down to the point where I plan to leave the service in the next few months. Despite the commitment and regular sacrifices I have seen Retained firefighters give, in particular during the time when so many tried to keep their local communities safe during the FBU dispute in 2003, all the promises of modernisation, the proposals from the Bain report and the much promised, but it seems soon forgotten, Retained Review have hardly made any impact down at the grass roots level.

As I write all the Retained Sub Officers in charge of Retained fire stations in Hampshire are to be demoted as part of the Rank to Role process, a process which seems to have been hijacked at county level with additional local 'conventions' which have encouraged this demotion. This at a time when the opportunities should be being pursued to use such people more effectively in the safety of their communities by using them and their staff widely in prevention duties.

Community Fire Safety save lives reduces fires and reduces the financial losses from fires. I know, my station has been practicing this for the past 6 years; entirely voluntarily we have raised funds locally, over £33,000, to purchase smoke detectors, 13,272 in total, and freely distributed these as personal issue to our local school children for fitting into their bedrooms. We know this has been worthwhile, we have met the family of four one who awoke in the middle of the night to one of these sounding and alerting them to what would without doubt have been a serious and very probably fatal house fire. Yet we are now told to cease this work as it is not "service policy" and recently described by a senior officer as "amateurish". It wasn't thought amateurish when we started this program in 1999, it wasn't "amateurish" last year when we were judged as finalists in the National Fire Safety Awards, and not of course by the family one saved or by the many others who would have suffered fires had not an early warning from an alarm have altered them before any need to call 999 was required. This program was of zero cost to the service, saved lives and contributed directly to the safety of our community, yet we have been ordered to stop. True a Home Fire Safety Check for each household is being promoted by the service but this will take many years, if ever to complete. Our program would have provided free added value to the service CFS policy but has been simply thrown away.

The government identified that the Retained Fire Service is "Firefighting on the cheap" and that much needs to be done by Fire Services to improve both recruitment and retention within Retained Fire Fighting. But perhaps most poignant is the requirement that "Retained Fire fighters need to be properly valued as part of the Integrated Risk Management Process". Hampshire's response to this by continually discriminating against this one specific group of employees is a management failure. Such failure seems common within the British fire service served by many senior officers who clearly

appear incapable of transferring their abilities to manage a fire or rescue incident into that of managing an organisation or teams of people in ways which produces a motivated, effective and efficient workforce. Retained firefighters are the most efficient firefighting workforce one could have but they are daily becoming less effective by being continually demotivated in so many ways.

Despite the rhetoric one may hear I can tell you from the coal, or fire, face that we are not valued nor is our potential recognised, we could do so much more but in so many ways we are, apart from a few notable exceptions, being motivated into doing less and less.

Our communities deserve better than this.

Colin Ive MBA
Officer in Charge
Yateley Fire Station
Hampshire Fire & Rescue Service.

Memorandum by the Health and Safety Executive (HSE) (FRS 65)

1. Introduction

1. The Health & Safety At Work etc Act 1974 (HSWA) and relevant subordinate regulations apply to the Fire and Rescue Services (F&RS) as they do to any other work activity, with the Fire Authorities holding the duties of employers. (There are a few specific exceptions in the details of subordinate legislation recognising particular technical issues faced by FRS.) A summary of the main features of HSWA is given in Appendix A
2. The context for HSE's work is set by the Health and Safety Commission (HSC). HSC has overall responsibility for policy on health and safety, and, uniquely among other government regulators, advises Ministers on relevant standards and regulations. The Chair and members of the Commission are appointed by the Secretary of State for Work and Pensions. HSE advises and assists HSC and has a statutory responsibility to make adequate arrangements for the enforcement of the Act and other relevant statutory provisions in Great Britain. HSE implements its share of the HSC work plan, itself approved by Ministers, and exercises a number of functions that HSC delegates to it.
3. HSE inspects F&RS activities locally and maintains close working relations with ODPM and national F&RS stakeholder bodies. This interaction is guided by the HSC strategy "A Strategy for Workplace Health and Safety in Great Britain to 2010 and beyond" and the agenda of the Ministerial Taskforce on Health, Safety and Productivity in the Public Service. Further details of the latter, along with information about another main HSE work stream with the F&RS, are described below.
4. In addition to the application of health and safety legislation to protect fire service employees themselves, HSE has enforcement responsibility for all fire precautions (including general fire precautions) in certain sectors where this is appropriate because of the nature of the work, such as offshore installations, underground mines, nuclear sites, ships under construction and repair and some construction sites. More generally, though in most workplaces the local fire authority is responsible for general fire precautions, HSE also has responsibility in relation to process fire precautions. More information is provided on these matters and relevant relations with the fire service in Appendix B.
5. In regulating major hazards we work closely with local fire services, jointly devising and exercising emergency plans. These arrangements work well and provide a coordinated service for dutyholders.
6. In particular, HSE staff work in cooperation with local and regional fire and rescue services in the assessment of emergency response plans that have been

submitted for COMAH sites i.e. sites subject to special regulation because of the large inventories of dangerous substances kept there. They also discuss the adequacy of generic emergency arrangements for non COMAH major hazard sites. HSE operational inspectors and technical staff who attend in the event of a real major hazards incident, work in close cooperation with the onsite incident commander to assist in ensuring the rescue and emergency response is conducted appropriately.

7. HSE's Nuclear Safety Directorate (NSD) interacts extensively with the Fire & Rescue Services in connection with emergency arrangements at nuclear sites. This involves discussions and exercises at local, regional and national levels. NSD also participates with CFOA in attending DTI's Nuclear Emergency Planning Liaison Group. In the event of a nuclear incident staff from HSE's Nuclear Safety Directorate are available to give specific advice.
8. Under HSE's duties as a Category 2 responder under the Civil Contingency Act staff have been working with the Fire and services and other category 1 responders to develop local and regional resilience risk registers and associated action plans. In the event of a civil contingency event HSE staff will be available to assist fire and rescue services by providing information they have about the industrial processes involved; advice on such things as risks to workers, safe systems of work, safe systems for testing whether decontamination are successful and to assist with investigating causes / initiating events.

2. **Contacts between HSE and the Fire & Rescue Service**

9. Because of the varied risks that firefighters have to approach and accept as part of their work, health and safety considerations naturally permeate most F&RS operational planning, training, and equipment design and purchase. HSE is therefore very often consulted by national stakeholders and provides them with technical and legal advice.
10. To promote the application of sensible health and safety and for effective consultation over issues that affect the whole service, HSE maintains close connections with ODPM and national F&RS stakeholder bodies. In particular, HSE is represented on the Practitioners Forum, the National Health & Safety Group that reports to the Practitioners forum and the CFOA Health & Safety Committee. HSE also advises some specialist committees on health and safety considerations that may arise in their work e.g. the Practitioners Forum New Dimensions Sounding Board and the ODPM IRMP Steering Group.
11. These links are important as they facilitate efficient national collaboration between HSE and the F&RS on standards, technical solutions and guidance, which are then available to the individual dutyholders throughout the country.

The new bodies such as the Practitioners Forum and the National Health and Safety Group have been allocated significant health and safety tasks and, as mentioned above, health and safety issues will arise in many of the other tasks they undertake. It is important that they have their own adequate access to health and safety expertise and advice so that health and safety considerations can be taken on board in their discussions and decisions in such a way as to lead to appropriate and realistic health and safety requirements/coverage in their work.

3. MAIN CURRENT HSE WORK STREAMS ON HEALTH & SAFETY IN THE FIRE & RESCUE SERVICE

i) Ministerial Task Force Agenda & Sickness Absence Research Project

12. Following the publication of the Government/HSC “Revitalising” initiative in 2000 the HSC recognised that the public sector (which accounts for 20% of the workforce) needed to make a contribution, especially for days lost through work related ill health. The programme aimed to achieve a 30% reduction in the number of days lost to work related injury and ill health in the public sector by 2010.
13. In 2004, recognising that top level commitment was a key to success, the then Minister for Work (Des Browne) asked HSE to establish the Ministerial Task Force on Health, Safety and Productivity in the public sector (MTF) to provide the impetus to deliver reduced sickness absence. Further information on the MTF, on which ODPM is represented, is provided in Appendix C
14. HSE will be working with ODPM and, in the first instance, national F&RS stakeholder bodies - including the Audit Commission - to promote the MTF agenda in the fire and rescue service. As the first major work stream, HSE and ODPM have agreed to work together on a joint research project which will pick up issues raised in the Thematic Review “Fit for Duty? Seeking a healthier Fire Service,” on sickness absence and ill-health retirements in the Fire Service, undertaken by HMFSI published in 2000.
15. As a starting point, the project will revisit the recommendations of “Fit for Duty” to see what has been implemented, to what effect and what further action may be appropriate, given the many changes since the review was published.
16. The project will provide the background and impetus for enhancing the uptake in the F&RS of the key elements that the Ministerial Task Force is looking to public sector employers to adopt in order to achieve its target of a 30% reduction in sickness absence. These are:

- i) introduction and use of management systems to provide for real time recording and audit and agreed trigger points for interventions;
 - ii) integration of absence and performance management;
 - iii) training of staff managers in systems and procedures of absence management and skills to manage members of staff who are off sick; and
 - iv) providing sufficient support for managers and people on sickness absence from Human Resources and related support services, including formal access to occupational health services focused on early appropriately targeted effective interventions and early return to work.
17. ODPM collects and publishes statistics on sickness absence levels on an annual basis from all Fire & Rescue Services in England. (Scotland has always been separate, while responsibility for the F&RS in Wales has now been devolved to the Welsh Assembly). ODPM had set targets to reduce sickness absence from 9.2 shifts per person in 1998/9 to an average of 6.5 shifts per person for fire fighters and from 13.4 to 5.4 shifts per person for fire control staff by March 2005. An analysis of the statistics for the 3 most recent years for which data is available (2001-2004) shows that absence levels have remained static (no upward or downward trend) and that targets set by ODPM for 2005 are unlikely to be met. (It is accepted that this is set against a background of national industrial action and ongoing local disputes.)
18. HSE is working with stakeholders to develop the way forward with this project. For the first stage of this project, we are considering a qualitative approach to map what individual fire and rescue services have done to reduce sickness absence, the impact of their efforts and initiatives and the reasons behind their success or otherwise. We will also be assessing their sickness absence management systems, occupational health provision and management training for enabling and supporting the improvements necessary to achieve the MTF target. Depending on what is discovered in this first phase, pilot projects will be set up to test products and good practice strategies and approaches aimed at implementing the key elements of the MTF recommendations, as outlined above, and overcoming any barriers that may be identified.
- b) HSE – Fire & Rescue Service Inspection Protocol**
19. HSE is keen to work with the F&RS and national stakeholders to ensure that the health and safety of both the public that the F&RS serve and that of F&RS employees themselves is preserved.
20. As an aid to clarifying and setting guidelines for the relationship between HSE and the F&RS, HSE has been negotiating the text of a “Protocol on the

Inspection of Fire and Rescue Service Activities by the Health and Safety Executive” which will be signed by representatives of the fire service employers organisations in England, Scotland and Wales and relevant government bodies. The Fire Brigades Union has also been consulted about the text, which is now nearing completion.

21. The Protocol sets out guidance on HSE’s inspection and enforcement activity within the F&RS and provides background on factors taken into account when considering compliance in the F&RS with the requirements of HSWA.
22. The Protocol recognises the duties placed on F&RA’s to make provision for the core functions described the Fire and Rescue Services Act 2004 (Fire (Scotland) Act 2005 in Scotland) and the context set by the National Framework under which they formulate their Integrated Risk Management Plans. It discusses the application of HSWA in recognising that Fire fighters and other fire service employees respond in operational situations that might present significant risk to their health and safety. The aim is to enable the F&RS to carry out its job in an effective manner which minimises injury and ill-health.
23. The protocol explicitly recognises that the nature of F&RS work means that not all situations are predictable and that fire-fighters and other employees need to respond to the demands of rapidly changing situations and cannot always rely on adherence to set procedures. Fire fighters and other employees must be given appropriate training and made aware of hazards likely to be encountered in order to enable them to deal with situations they encounter as effectively and safely as possible.
24. HSE recognises that operational decisions may have to be taken quickly on the basis of incomplete information. If HSE needs to investigate an accident to a firefighter on the fireground, it will generally investigate the underlying causes. All investigations will be looked at on their own merits, having due regard to the circumstances of the case, and any enforcement decisions will be taken in accordance with HSE’s Enforcement Policy Statement, taking account of the Code for Crown Prosecutors. In considering the public interest, HSE will consider what information should reasonably have been known at the time, rather than applying hindsight to the detail of every individual operational decision.
25. In the light of the principles set out as above in the draft protocol and HSE’s desire to see “Sensible health and safety, sensibly applied”, HSE is keen to deal with any perception or concern that health and safety requirements may unnecessarily hinder the Fire Service in the discharge of its public service. We are planning to organise events to be associated with the signing of the Protocol at which we will seek a common and realistic understanding with stakeholders of the practical implications of HSWA for F&RS activities so that we can ensure

that duty holders apply appropriate and sensible precautions without unduly inhibiting their work in training or on the fire ground.

26. HSE's view on many of these issues was set out in "Training for Hazardous Operations - A Case Study of the Fire Service", first published in 1984 but now out of print. This discussed the important role of realistic training in preparing firefighters for actual operations and the significance of the public utility of the service provided by fire fighters as a consideration in applying the law. This document can provide a focus for the events we are planning and interest has been expressed in updating and republishing it.

APPENDIX A

Health and Safety Legislation

Health and Safety at Work etc. Act 1974

1. The Health and Safety at Work etc. Act 1974 (HSWA) sets goals and imposes duties on employers, self-employed persons, employees, occupiers of buildings as well as suppliers of work equipment and services. The duties are expressed in general terms, so that they apply to all types of work activity and situation. The principles of safety responsibility and safe working are expressed in the general duties sections (primarily Sections 2, 3, 4, 6 and 7). They are comprehensive and designed to encourage employers and employees to take a wide ranging view of their roles and responsibilities. In some areas the general duties are supplemented by more detailed requirements laid down in regulations made under the Act.

2. Section 2 of the HSWA imposes a duty on employers to ensure, so far as is reasonably practicable, the health, safety and welfare at work of their employees. The general duty is extended to include the provision and maintenance of plants and systems of work; risks to health; provision of information, instruction and training; the place of work and working environment; etc.

3. A number of the duties imposed by the HSWA and related legislation are absolute. Others are qualified by the words "so far as is reasonably practicable". This means that the degree of risk in a particular activity or environment must be balanced against the time, the trouble, cost and physical difficulty of taking measures to avoid the risk.

4. Apart from a few specific exceptions in subordinate legislation, the HSWA legislative scheme applies to the Fire & Rescue Services as to any other employer and it is HSE's position that this can be achieved without any undue interference with or inhibition of the Fire & Rescue Services

Enforcement

1. HSE's decisions on enforcing health and safety legislation are taken in accordance with the Code for Crown Prosecutors and HSC's Enforcement Policy Statement, set by HSC after full consultation with stakeholders. Under the Policy, HSE will take enforcement action proportionate to the risk and targets its contacts on the most serious risks or where hazards are least well controlled. In order to enforce, there needs to be clear evidence of a breach of health and safety law and a demonstrable risk to the health and safety of employees or members of the public.

2. The police would normally take the lead in situations where, following a work related death, evidence indicates that a serious criminal offence, other than a health and safety offence, may have been committed e.g. manslaughter. A protocol has been agreed between HSE, the Association of Chief Police Officers (ACPO), British Transport Police, the Local Government Association and the Crown Prosecution Service on the principles of effective liaison between the parties in relation to work-related deaths in England and Wales.

APPENDIX B

HSE and workplace fire safety

In most workplaces the local Fire Authority is responsible for general fire precautions (including for example, means of detecting and giving warning in case of fire, escape routes, fire-fighting equipment, and training of staff in fire safety). HSE's main responsibility in relation to fire safety in the workplace is for process fire precautions.

Process fire precautions are the special fire precautions required in any workplace in connection with the work process that is being carried out there (including the storage of articles, substances and materials relating to that work process). They are to prevent or reduce the likelihood of a fire breaking out and if a fire does occur, to reduce its spread and intensity. Some examples of process fire precautions are:

- Suitable storage containers for flammable substances;
- Ventilation systems to dilute or remove flammable gas or vapour;
- Selecting equipment that will not be a source of ignition;
- Extraction systems to remove combustible materials such as wood dust.

Process fire precautions are enforced by HSE or the local authority, under the Health and Safety at Work etc Act 1974, the Management of Health and Safety at Work Regulations 1999 and more specific health and safety legislation such as the Dangerous Substances and Explosive Atmospheres Regulations 2002.

In workplaces covered by the Fire Certificate (Special Premises) Regulations 1976 (FC(SP)R), HSE is responsible for issuing the fire certificate for the premises and for enforcement of all fire precautions including general fire precautions. However, when the Regulatory Reform (Fire Safety) Order 2005 (RRO) comes into force in 2006, it will revoke the FC(SP)R and apply a risk assessment based regime to all workplaces. Responsibility for enforcement of general fire precautions at most workplaces currently covered by the FC(SP)R will then fall to the local fire authority.

There are certain sectors where, because of the nature of the work, HSE has enforcement responsibility for all fire precautions (including general fire precautions) such as offshore installations, underground mines, nuclear sites, ships under construction and repair and some construction sites. HSE will retain responsibility for general fire precautions in these sectors after the RRO comes into force. HSE has arrangements for quickly informing Fire Authorities where HSE inspectors encounter fire prevention issues which are the responsibility of the fire authorities to enforce (and vice versa).

Liaison between HSE and ODPM

HSE worked with ODPM during the development of the new fire safety legislation by providing comment on an ongoing basis, as and when requested. We are also providing comment on the suite of guidance documents and the enforcers' guide, which ODPM is currently developing to support the Regulatory Reform Order.

HSE is currently developing an internal operational guidance document addressing liaison between HSE/LA inspectors and fire and rescue authorities, which will be agreed with ODPM.

APPENDIX C

Ministerial Task Force for Health, Safety and Productivity

Background

Following the publication of the Government/HSC "Revitalising" initiative in 2000 the HSC recognised that the public sector (which accounts for 20% of the workforce) needed to make a contribution, especially for days lost through work related ill health. The programme aimed to achieve a 30% reduction in the number of days lost to work related injury and ill health in the public sector by 2010.

Recognising that top level commitment was a key to success, in 2004, the then Minister For Work (Des Browne) asked HSE to establish the Ministerial Task Force (MTF) to provide the impetus to deliver reduced sickness absence. Membership includes ministers from:

- HM Treasury, as a large employer and given its interest in the efficiency and delivery agendas;
- The Cabinet Office, given its interest civil service employment and delivery issues;
- The Home Office, ODPM and Department of Health in view of their sponsorship of large public sector operations such as the Police, local authorities and the NHS;
- Ministers from the Welsh Assembly and the Scottish Parliament.

In the Spending Review 2004 announcement the Chancellor asked the Secretary of State for Work and Pensions to undertake a review of the public sector's management of long term sickness absence, and the Minister for the Cabinet Office to "consult on, and negotiate changes to, the current arrangements for self certification".

The MTF took this work forward and produced a joint review of 'Managing Sickness Absence in the Public Sector' in November 2004 (accessible at <http://www.hse.gov.uk/gse/sickness.pdf>). The review was well received by stakeholders as being balanced and well thought through. It concluded that further action was needed to:

- secure sustained commitment from managers at the top level;
- deliver the right data and systems to support better attendance management; and
- provide leadership and support for line managers.

It proposed a series of pilots to explore innovative approaches to some long standing issues, and actions to address working practices and long term absence issues.

HSE provides the Ministerial Task Force secretariat, and continues to follow up the implementation of the recommendations of the review.

Lord Hunt, chairman of the MTF, regards stakeholder engagement as a priority and the MTF agreed to a strategy for stakeholder engagement across the public sector. One element of this was a summit on sickness absence management in November 2005. At the summit, The new Secretary of State for Work and Pensions, John Hutton expressed his personal interest in, and support for, the work of the MTF. He also stressed the important links between this work and the Health, Work and Wellbeing agenda. Des Browne, Chief Secretary to the Treasury, emphasised the Treasury's support for the work of the MTF and welcomed its contribution to public sector efficiency and productivity.

At the summit the MTF 'One Year On' report was launched (accessible at <http://www.hse.gov.uk/gse/oneyearon.pdf>), the 'One Year On' report refers to a number of initiatives and, where possible, their direct impact on sickness absence. It enables experiences to be shared across the public sector, and demonstrates the improvements that can be made through partnership working with HSE.