

HERTFORDSHIRE COUNTY COUNCIL

CABINET
MONDAY 8 SEPTEMBER 2003 AT 2.00 P.M.

<u>Agenda Item</u> <u>No.</u> 2
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GOVERNMENT SELECT COMMITTEE INQUIRY INTO THE WHITE PAPER “OUR FIRE AND RESCUE SERVICE”

Report of the Chief Fire Officer

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1. Purpose of Report

To allow members to consider a response to the Government Select Committee Inquiry into the White Paper “*Our Fire and Rescue Service*”.

2. Summary

The Government has introduced a White Paper “*Our Fire and Rescue Service*” outlining its vision of the Service and a package of measures aimed at modernising the Service.

The White Paper proposes measures aimed at providing a more flexible approach to the delivery of the service without the nationally prescriptive and restrictive controls currently in place. However, it does not reflect the fact that progress in many of the areas identified has already been achieved in Hertfordshire.

There are also a number of areas relating to the scale and pace of change, regional governance and the CPA process which may cause concern particularly to County Council Fire Authorities. Hertfordshire is one of seventeen such authorities. The remaining fire authorities are standalone combined fire authorities.

The Government has announced a Select Committee Inquiry on how it will achieve the changes set out in the White Paper and invited written submissions by 19 September 2003.

3. Conclusion

Cabinet are asked to consider what if any areas or issues they may wish to raise in a response to the Select Committee Inquiry.

1. Background

- 1.1 The Government has introduced a White Paper “*Our Fire and Rescue Service*” outlining its vision for the future of the Service and a package of measures aimed at modernising the Service. The White Paper outlines the Government’s plans to radically reform the role, structure and management of the Service.
- 1.2 At its focus is the integration of preventative and emergency response activity supported by new statutory powers and legislation and a wider rescue role for the Service.
- 1.3 The White Paper also contains proposals to clarify the management of the Service at national, regional and local level and replaces the existing consensual and ponderous institutions with more streamlined advisory and decision making bodies. It also outlines proposals for certain aspects of the service to be managed at regional level, initially by collaboration.
- 1.4 The final significant change proposes a major reform of employment conditions and practices to permit authorities to utilise and employ people on conditions suited to local need rather than narrow prescriptive standards.
- 1.5 On 17 July an Inquiry was announced under the auspices of the ODPM Housing, Planning and Local Government Select Committee with the remit to consider how the Government is going to achieve the changes set out in its White Paper *Our Fire and Rescue Service*. Written submissions are invited by 19 September and should not exceed 3,000 words. Organisations and individuals who submit written evidence may be asked to give oral evidence to the Select Committee when it sits later this year.

2. Summary of White Paper

- 2.1 Much of the content of the White Paper and the modernisation programme is to be welcomed. The Government has proposed that the existing prescriptive national standards of fire cover be replaced by a new statutory framework which places the responsibility on the fire authority to assess local risks and hazards and develop an integrated strategy for Integrated Risk Management Planning (IRMP) which contains both preventative and responsive measures. Fire Authorities will be allowed or expected to use staff and resources in the way they believe is most appropriate without the restrictions of national prescription or employee relations machinery which slows and prevents change.

- 2.2 Integrated Risk Management Planning will allow fire authorities to ensure they have the right resources in the most appropriate locations and times, with potential variation at different times of the day.
- 2.3 In support of the preventative aspects of the strategy new fire safety legislation replacing the myriad of existing fire safety legislation will be introduced through a Regulatory Reform Order and be based on a system of risk assessment rather than certification. The existing work of the Community Fire Safety and Arson Control Forums will continue with an additional £43m being spent on centrally run programmes over the next few years.
- 2.4 The Government has also indicated that it will introduce legislation to broaden the role of the service and recognise its role in wider rescue and emergency response roles. Whilst welcoming the proposal to put these roles on a statutory footing, there are some concerns about the suggestion that charging for such services should continue once they become a statutory duty. This concern stems from public expectation that such services are paid for by them now, particularly at individual householder level. Currently policies on charging and charges are a matter for local determination perhaps a national standard would help. It is also proposed to provide further equipment and resources to deal with potential outcome of terrorist attacks.
- 2.5 In order that the above proposals can be effectively implemented a number of other issues will have to be addressed. Senior Managers and fire authorities have for many years been frustrated in seeking to change the service by a number of restrictive agreements. These include the outdated Appointment and Promotion Regulations, Discipline Regulations, Disputes Procedures and Conditions of Service.
- 2.6 Proposals have been made to replace these with more appropriate modern employment practice models which will allow greater flexibility and local decision making and agreement without recourse to ponderous national machinery. It is anticipated that this will broaden the recruitment base and attract senior managers from outside the Service. Proposals are also made to introduce new streamlined arrangements for negotiating pay and conditions of service.
- 2.7 The White Paper also contains proposals to reform the institutions which oversee the service. Many of these institutions date back to 1947 and their roles and responsibilities have become blurred. Too many rely on consensus for decision making and have therefore become impotent, blocking reform and improvement. The new institutions and their membership are designed to provide clear strategic direction and use independent experts to assist the process.
- 2.8 Proposals are also made that certain functions should be delivered at a regional level initially on a voluntary basis but ultimately through regional government institutions once they are established.

2.9 The proposals for the role of the Fire Service College provide a clarity which has been missing for some time. The College offers very special facilities particularly for Command and Specialist Training whose use must be maximised by the service and individual authorities. There is a role for the appropriate use of locally developed and delivered training which meets the requirements of IPDS (Integrated Personnel Development System). In the broader management development field, the role of nationally recognised management qualifications delivered through local colleges should not be overlooked. More formal recognition within the IPDS system may well allow graduates and others to use those qualifications to effect entry through non-traditional routes or be fast tracked.

3. Hertfordshire – Progress against White Paper

- 3.1 The White Paper contains a number of areas of suggested improvement, some of which have already been wholly or partially implemented in Hertfordshire, in some cases with the support of the representative bodies.
- 3.2 The Service has an established Community Fire Safety programme increasingly targeted locally and at those most at risk and this programme has been supported by elected members in both policy development and financial terms in partnership with other public sector and private sector organisations.
- 3.3 Hertfordshire Fire and Rescue Service was one of the first services to appoint a specialist Equality Advisor and has worked closely with the Police, Prisons and Probation Service on the Connecting Community Project funded by the Home Office. As a result of this project and others the service has established effective relationships with ethnic minority groups in the county and seen an increase in recruits from those communities above the target level.
- 3.4 The Service has also attracted funding from the Work Life Balance Challenge Fund and together with the development the HCC policy in this area is introducing a number of family friendly policies to assist staff who wish to vary their working arrangements to suit their personal needs.
- 3.5 In seeking to encourage greater diversity in the work force, the White Paper challenges the traditional single tier entry process and the reliance on uniformed staff in specialist positions. Hertfordshire currently employs a number of high calibre professional male and female personnel to positions formerly held by uniformed personnel who had neither the formal qualification nor the experience relevant to the post. The service also employs a number of non-uniformed staff including some retired firefighters as fire safety inspecting officers and training officers. These individuals are providing continuity and

expertise in an area which uniformed staff have traditionally transited through en route to promotion.

- 3.6 A significant proportion of wholetime staff in Hertfordshire are employed on second contracts as retained firefighters. This practice is one of the “modernisation proposals” contained within the agreement at national level and is still being resisted by the FBU in other authorities.
- 3.7 Hertfordshire has managed to negotiate some local variations in shift patterns and commenced discussions on specific variation to introduce a core of staff on permanent days. Day crewing stations work to locally negotiated shift patterns which suit the needs of the individual and the service.
- 3.8 The White Paper promotes the benefits of collaboration in a number of areas. The East of England Forum has been in place for some years. This Forum enables the Chairmen and Executive Members of the six brigades in the Eastern Region to meet on a regular basis . The Forum has overseen the Best Value Review and a number of collaborative projects. It is currently providing guidance on a regional approach to IRMP and the Integrated Personal Development System (IPDS). It has been quoted by both the LGA and ODPM as an example of good practice.
- 3.9 A number of service specific and technical collaborative arrangements are in place with authorities in the Region and the Service is a member of the Fire Service Procurement Association which provides a consortium for the purchase of fire engines and operational equipment.
- 3.10 Many of the services identified as suitable for collaboration in the White Paper such as procurement, payroll, vehicle and building maintenance and ICT are of course provided as part of the Hertfordshire County Council Corporate Services. Instead of seeking collaboration between fire services, greater economy of scale may therefore be provided by non-county council fire services utilising the County Council arrangements.
- 3.11 Hertfordshire has also begun to address the issue of enhanced first aid capability. The British Heart Foundation and Ambulance Service have provided 12 defibrillators and there are plans to extend these further. A revised and more advanced first aid syllabus (Advanced Life Trauma Training) has been developed and representative bodies have requested that this training be introduced as soon as possible.
- 3.12 The White Paper also identifies the move to a role based approach to pay to replace the old rank structure. This proposal relies on the introduction of the Integrated Personal Development System (IPDS) which identifies existing competencies and individual development needs. Hertfordshire has utilised this approach for all new recruits for the last five years. This has attracted funding under the Modern

Apprenticeship Scheme and the award of Beacon Status from the DF s following assessment from the Adult Learning Skills Council.

4. Issues for Hertfordshire

- 4.1 The White Paper provides a clear picture of the Government perceptions of what it intends to do to modernise the service. There is though a lack of clarity in how it is going to achieve it. This is not helped by the plethora of working groups established in the restructuring of ODPM. They do not always seem to work in harmony with each other or other organisations responsible for delivery change such as the Audit Commission and LGA.
- 4.2 The Government has promised to produce a National Framework for the implementation of the Modernisation programme. There is an urgent need for this to be developed together with a structured overarching project plan which gives clear guidance on how, when, and by what means, the programme is to be delivered. It is essential that this plan takes account of the capacity of the service to deliver a major change programme whilst continuing to meet its existing commitments, particularly as there is no indication that additional investment will be provided to support the programme.
- 4.3 From a clarity point of view, perhaps the most disappointing section of the White Paper relates to the constitutional and governance arrangements for the management of the service.
- 4.4 The White Paper outlines Government thinking that a number of activities require management or collaborative arrangements at regional level. In principle such arrangements may be appropriate or worthy of further consideration. However, the management arrangements are far from clear and will perceivably have a negative effect, particularly for County Council Fire Authorities such as Hertfordshire. The proposals are set against the background of the Government White Paper on the Regions which announced the progressive establishment of elected regional assemblies. Where regional assemblies are elected, fire and rescue authorities will become regional bodies established on similar lines to the London Fire and Emergency Planning Authority (LFEPA).
- 4.5 In the interim local fire authorities will be required to establish, before 1 April 2004, robust regional management arrangements with members of existing fire authorities. No guidelines as to the make up or constitution of these Regional Fire and Rescue Management Boards is given in the White Paper, although it is understood that the LGA is currently developing proposals for adoption by regions.
- 4.6 The White Paper lists six areas that it is expected regional management boards will take responsibility for delivering in accordance with national policies:

- Ensuring resilience to emergencies, especially potential chemical, biological, radiological or nuclear attack
- Specialist or common services where appropriate, such as fire investigation
- Establishing regional control rooms
- Introducing regional-based procurement or procurement to national standards
- Developing regional training strategies and delivery
- Introducing regional personnel management and human resource profiles.

4.7 The motivation behind these proposals is that they will deliver economies of scale and indeed some fire service specific elements would be worth pursuing. However, as with the Bain Review, the White Paper does not take account of the integration of County Council Fire Authorities within the broader County Council framework and the economies of scale these produce particularly in common or 'back office services' such as procurement. These potentially are much larger than those which may be achieved by collaboration amongst fire services within the region. Indeed the 'standalone' fire services may benefit from using existing County Council services in these areas.

4.8 The Government has indicated that if these voluntary arrangements do not deliver modernisation quickly, they will use their powers to require combinations of fire authorities, to establish regional fire and rescue authorities. These regional authorities would have the power to delegate appropriate functions to the principal local authorities in the region.

4.9 The transfer of responsibility for Quality Assurance to the Audit Commission should produce an opportunity to further rationalise the inspection processes. The current proposals are for a fire specific Comprehensive Performance Assessment (CPA) and there are concerns that account has not been taken of the impact on County Council Fire Authorities who are already part of a cross cutting CPA process. In such circumstances comparison of standalone and integrated fire authorities would not be easily achieved and there is a danger that the service could be marginalised within a County Council if subject to a separate CPA process.

5 Financial Implications

5.1 The proposals in the White Paper and other aspects of the Fire Service modernisation agenda, including the linked pay agreement, have significant cost implications for the service. At this stage it is unclear what those implications are, albeit the Government has identified £30m as nationally required to support the implementation programme. The formula for distribution of this funding is unknown so it is not possible to determine how much will be allocated to Hertfordshire. It has also

been indicated that savings equivalent to that £30m will be achieved by the modernisation programme and this will be reclaimed by Government. The Government has agreed that the level of savings in individual authorities may be larger or smaller than the level of investment provided and that there may need to be a redistribution of grant to reflect this at a later date.

Background Papers:

The Independent Review of the Fire Service: "Reducing Risk, Saving Lives"
Sir George Bain December 2002
The Government White Paper "*Our Fire and Rescue Service*" June 2003