

Consultation Response from County Durham and Darlington Fire and Rescue Authority (CDDFRA) to HMICFRS 'Proposed fire and rescue services inspection programme and framework 2018/19'.

Background

CDDFRA are the legal entity responsible for the provision of a fire and rescue service in County Durham and the Borough of Darlington. The Authority is a combined authority created by the Durham Fire Services (Combination Scheme) Order 1996. Membership of the Authority comprises of 21 elected councillors from Durham County Council and 4 from Darlington Borough Council.

Introduction

CDDFRA are pleased to be given the opportunity to respond to HMICFRS's consultation document: proposed fire and rescue services inspection programme and framework 2018/19.

Specific Consultation Questions

1. What do you think of the proposed approach to FRS inspection that HMICFRS proposes to conduct in 2018/19? How could this be improved?

Broadly speaking, this Authority welcomes the proposed approach to inspection of fire and rescue services (FRSs) in England. The principal questions and their supporting diagnostic and sub diagnostic questions, with certain exceptions mentioned later in this document, will provide an evaluation of performance across a broad range of FRS functions. This Authority welcomes the inclusion of the third principal question that will explore how well a FRS looks after its people as this is an important area that external assessments applied to FRS in recent years have neglected.

We are disappointed that the inspections will not include an assessment of corporate governance or the accountability structures provided by the fire and rescue authority. Effective corporate governance has significant influence on both the effectiveness and efficiency of any organisation and we believe it will be difficult to separate these, particularly in terms of how efficient the FRS is in keeping people safe and secure. For example, both our internal audit function and the value for money assessments made by our external auditors are used to inform our approach to understanding and managing our corporate and financial risks. It is not clear how these externally validated judgements of our approach to corporate governance cannot influence the inspection of a FRS.

Furthermore, whilst we appreciate that the fire sector governance landscape is becoming ever more diverse, it is difficult to understand how an assessment of the efficiency and effectiveness of a FRS can be undertaken without including an assessment of the role of the Fire and Rescue Authority (FRA).

A Chief Fire Officer (CFO) does not have the same operational independence as a Chief Constable as they are an employee, not an office holder. Established as the statutory body

by the Fire and Rescue Services Act 2004, the FRA's constitution will set out the balances between Authority and CFO/Officer decision making and whilst these may vary across the country, there is a consistency in the responsibility of the FRA as the employer, approving both the strategy of the FRA/FRS and the budget.

The CFO as Head of Paid Service is accountable to the FRA for the day to day operational management of the service. Currently a FRA is a Body Corporate, with the CFO and their staff being employees of the FRA. The FRA approves the integrated risk management plan, strategic direction and budget.

Guided by the requirements of the Fire and Rescue Services Act 2004, Civil Contingency Act 2004, The Regulatory Reform (Fire Safety) Order 2005 and the Fire and Rescue National Framework for England, the CFO determines the staffing structure, appointment and development of staff to enable effective delivery of the FRA's strategy.

Whilst the FRA delegates some decision making to the CFO to enable effective operational administration and these delegations will vary to some degree between FRAs, it is important to understand that essentially key decisions regarding the significant change of resources that impact on strategy are approved by the fire authority. Although the consultation document states that HMICFRS may carry out a separate corporate governance inspection where there is evidence that the FRA is inhibiting the efficiency and effectiveness of the CFO, it is our belief that the inspection cannot provide a rounded assessment of the FRS without it.

At this stage, the detailed methodology and the associated assessment criteria that will underpin the inspection framework are still emerging, and therefore suggesting further options to improve the approach is dependent upon further detail being available. However, this Authority believes consideration could be made to improving the proposed approach by providing clarity on whether and how holding external accreditation to recognised sector specific standards, or non-sector standards such as ISO 9001 will be used to inform inspection outcomes.

2. Do you agree that an integrated inspection of fire and rescue services' effectiveness and efficiency, and how they look after their people, is better than separate thematic inspections?

We agree that an integrated inspection is better than separate thematic inspections as it will allow the 3 principal questions to be considered in context of each other and should help manage the burden of inspection.

That said, having engaged with Police colleagues about their experience of inspection and digested the information received from HMICFRS to date, we are concerned that supporting the data and information needs of the background monitoring framework, the integrated inspection itself and the follow-up activities will be significant and very difficult to resource in an already challenging fiscal environment.

3. Are there any other areas of fire and rescue services' activity that should be included in the integrated inspections?

In addition to our previous comments about corporate governance and the accountability structures, we are surprised that the statutory call management and incident support functions of a FRS do not appear as a specific sub-diagnostic, given they are so intrinsic to the effectiveness of emergency response regardless of whether outsourced or not.

Diagnostic 1.2 asks how effective is the FRS at preventing fires and other risks and is supported by sub-diagnostics that are limited to preventing fires, promoting road safety and tackling arson. It is widely known that FRS are leading and contributing to reducing a much wider range of 'other' risks. For example, promoting water safety, improving health and wellbeing and the wider work around children and young people, amongst others. In this area the inspection regime does not seem to take account of the requirements outlined in the draft The Fire and Rescue National Framework for England.

The FRS has an established statutory role to work with category 1 & 2 responder agencies, through their local resilience forum (LRF), to prepare for and provide an effective and integrated emergency response to major incidents. The level and quality of the FRS contribution in leading and supporting the LRF to ensure all partner agencies can provide an effective emergency response will naturally vary between FRS, often for valid reasons, but we feel this should form part of the inspection framework.

4. Does the draft inspection methodology include the right questions to gather evidence for a rounded assessment of fire and rescue services? How could this be improved?

The Fire and Rescue National Framework for England sets priorities and objectives for fire and rescue authorities in England in connection with the discharge of their functions including the requirement to produce an integrated risk management plan (IRMP). The HMICFRS consultation document states that HMICFRS inspectors will consider the content of an IRMP and how this translates into the operational practice of the fire and rescue service. Given that fire and rescue authorities have a duty to have regard to the Framework, there is little further reference to assessing the extent to which a FRS is complying with the Framework.

Sub-diagnostic question 2.1.6 asks to what extent is the FRS actively exploring all opportunities for collaboration within and beyond the fire sector. Consideration should be made to what barriers may be preventing effective collaboration that are beyond the direct control of the FRS. For example, if there is a strong business case for collaboration initiated between the FRS and a key partner agency that will deliver tangible improvements in effectiveness and efficiency but that this has not progressed due to an unwillingness on the partners behalf, should the FRS be penalised for this?

The sub-diagnostic question 2.2.5 explores how the FRS estate/fleet strategy support current and future service provision. This should be expanded to include other key assets that support current and future service provision such as operational equipment and information technology.

Relationships with trade unions can, and do, have a bearing on the culture and progress of a FRS so it would be helpful to include some diagnosis of such relationships even if only to provide context to the broader inspection.

5. How else could HMICFRS adapt the way in which it acquires information to take full account of the circumstances of fire and rescue services and of risks to public safety?

All fire and rescue authorities have statutory duties to fulfil so understanding the context that the FRS is operating within will be crucial to the success and fairness of any inspection, whether that be political, financial, socio-economic, cultural, geographic or simply size and structure. Early engagement with FRS by service liaison leads and those HM Inspectors responsible for judging the inspection outcomes so as to establish constructive working relationships will be key. Until such time as further detail on the inspection methodology, and particularly the background monitoring framework, emerges that will provide clarity on the approach to information gathering and the criteria that HMICFRS will apply to form judgements on performance, it is difficult to provide further comment.

6. What, if any, new or emerging problems for fire and rescue services should HMICFRS take into account in its inspections?

The requirements of the draft National Framework will introduce different requirements of FRS who are operating within an increasingly complex governance framework and a challenging fiscal climate that restricts the ability to invest in reforming service provision to meet local needs whilst simultaneously supporting national resilience. The approach to public sector pay restraint has inevitably impacted on the motivation of staff and whilst the ongoing pay negotiations may bring respite for staff in this regard, funding any significant uplift in pay levels without additional government funding will be almost impossible to achieve without affecting service delivery provision.

7. What else should HMICFRS consider doing to make its fire and rescue service assessments as fair as they can be?

As we have already said, understanding the context that the FRS is operating within will be crucial to the success and fairness of any inspection. Providing detailed clarification on the grading criteria applied to the methodology will be essential.

In addition, it will be important to provide clear definitions of the data measures that will be used to support an effective 'apples with apples' benchmarking comparison of FRS.