

**Safest People, Safest Places**

County Durham and Darlington  
**Fire and Rescue Authority**



## **COMBINED FIRE AUTHORITY**

**24 NOVEMBER 2016**

## **THE ADRIAN THOMAS REVIEW**

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### **REPORT OF CHIEF FIRE OFFICER**

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#### **Purpose of Report**

1. The purpose of this report is to inform members of the publication of the 'Independent review of conditions of service for fire and rescue staff in England' and the associated implications for the Authority.

#### **Background**

2. In October 2014 the then Fire Minister, Penny Mordaunt MP, announced that she had commissioned Adrian Thomas to undertake an independent review to investigate further barriers to change that had been suggested by Sir Ken Knight within his review of the efficiencies and operations of the fire and rescue authorities in England.
3. The methodology employed by Adrian Thomas involved: a desk-top review of previous reports and studies in to the fire and rescue service; a review of the applicable legislative frameworks in place; visits to 21 fire and rescue authorities; issued questionnaires; the acceptance of written responses; meetings with the representative bodies; and meetings with other key stakeholders such as the Chief Fire Officers Association (CFOA), key players within government, the Fire Service College, Skills for Justice and diversity groups.
4. Adrian Thomas visited County Durham and Darlington Fire and Rescue Service (CDDFRS) on 28 October 2014. He met with the Chair and the Service Leadership Team, the representative bodies and visited Consett Fire Station. Notes were made from the various meetings held and the meeting participants were asked to review and agree the final contents of the notes.
5. Although the report was complete in February 2015 it was only published on Thursday 03 November 2016. A copy of the report is attached as Appendix A.

#### **Contents of the report**

6. The report makes a total of 45 recommendations which are directed at: the Local Government Association (LGA); the National Joint Council (NJC); fire and rescue authorities; and government. The recommendations are divided into 5 main themes:

- The working environment
  - Documented conditions of service
  - Industrial relations
  - Retained Duty System
  - Management of fire and rescue services.
7. The key findings of the report, broken down under the 5 themes, are attached as Appendix B.
  8. The Report prioritises a number of key areas from the findings, conclusions and recommendations. Adrian Thomas believes there is a need to improve the culture in some fire and rescue services as he found evidence of bullying and harassment often linked to poor industrial relations. He points out, however, that in some services the picture he found was very different with inspirational leadership and high performing and engaged workforces.
  9. Adrian Thomas believes a service wide engagement survey should be undertaken which focuses on culture, equality and trust and that the results of the survey should be hard wired into management performance objectives.
  10. The Retained Duty System (RDS) features significantly in the report and, in the opinion of Adrian Thomas, provides opportunities to reduce costs if wholtime cover is replaced with RDS in lower risk areas. He points out the challenges that are experienced with recruitment and retention of RDS staff and calls on government to: introduce national recruitment campaigns; implement a national communication programme; and introduce legislation which would help overcome these challenges.
  11. Adrian Thomas makes a number of recommendations relating to both the Grey and Gold Book which contain the documented conditions of service for uniformed staff. He suggested the Gold Book (which relates to Brigade Managers) was redundant and its use should be discontinued.
  12. He suggests that the Grey Book, whilst viewed as important by staff, was seen by the employers as a barrier to change and hindered the alignment of conditions of service with local delivery needs. He puts forward that the Grey Book should be slimmed down and that consideration should be given to replacing it with contracts of employment agreed at a local level. He believes that only 'base pay' should be agreed nationally and all other terms and conditions should have a more regional/local flavour. He suggests all remuneration above base pay should be aligned to competency based increments where staff could be paid greater amounts depending on the specific skills they have.
  13. The Report also outlines that both role maps and the prescriptive duty systems in the Grey Book are inflexible and therefore, in consultation with the representative bodies, they should be removed.
  14. Adrian Thomas recommends that the government should bring forward legislation to remove the protection afforded to workers under the Trade Union and Labour Relations (Consolidation) Act 1992 to withdraw their labour (take strike action). He believes this protection is incompatible with the expectations the public has of an emergency service.
  15. The Report also contains an analysis of Chief Fire Officer (CFO) salaries and makes a comparison of annual salary against a measure of complexity. This analysis is contained in Appendix 4 of the Adrian Thomas Report. The report also contains a separate piece of work from PwC which suggests a possible methodology for evaluating senior officer pay.

## Implications for the Authority

16. It should be welcomed that the Adrian Thomas Review has finally been published by the government. Workforce reform, across all levels of the service, is a key pillar of the Home Office's Fire Reform Programme and the report contains some recommendations that should lead to healthy debate which in turn could help drive improvement in the fire and rescue service sector.
17. It is, however, extremely disappointing that the Government has taken almost two years to publish the report and the delay has potentially damaged its credibility given some of the recommendations are already out of date. A graphic example of the issues around currency of the data is shown in Appendix 4 which relates to CFO pay. Of the CFO positions included the data over 40% of those CFOs have now left the service, two fire and rescue services have merged and some services now share a CFO.
18. The report does not consider the reform that has already been implemented over the last two years across the fire and rescue service. It is also important to recognise the context in which the research was undertaken. The fire and rescue service was in the midst of a very bitter national industrial dispute over changes being imposed by the government on firefighter pension schemes. A great many staff felt a sense of betrayal that their terms and conditions were being changed by the government and that the individual impacts of these changes were often significant. The timing of the research was unhelpful and naturally led to suspicion from some staff that this was connected to the dispute. It is therefore perhaps unsurprising that Adrian Thomas experienced a combative environment in some of the services that he visited.
19. The fact that the report fails to identify those services where he experienced 'inspirational leadership' and those where 'the management team seemed to struggle with direction setting and dealing with resistance' is unhelpful and lacks transparency. It masks where the true problems are and hinders sector wide learning – a criticism he coincidentally levels at the fire and rescue service. In order to improve transparency it would have been helpful if Adrian Thomas had published the transcripts from all of the meetings undertaken during his research. Failure to do this leads to further suspicion especially when he states that his findings 'should be read as applying to all 46 authorities' in England.
20. In CDDFRS there has been a significant amount of change in the last twelve months. From an operational response perspective staff are now responding to medical emergencies as part of the national trial being undertaken by the NJC. From a prevention perspective the staff have also widened their role by undertaking safe and wellbeing visits looking at a much wider home safety agenda. This work also forms part of the NJC trial.
21. The Service has very strong industrial relations with the various recognised representative bodies and this has allowed sensible discussion around modernising terms and conditions using the existing frameworks and national term and conditions. Over the last twelve months we have made significant improvements in relation to employee engagement and internal communications. We are currently awaiting the results of a cultural survey that has been undertaken by Professor Les Graham from Durham University Business School as part of a research project. The approach is based on the work the University has developed with Durham Constabulary which is viewed as best practice by the Home Office.
22. The RDS are a vital part of CDDFRS and we welcome the recommendations in the report asking government to support fire and rescue services to ease recruitment and retention issues.

23. The Authority has an agreed procedure for setting and reviewing Brigade Manager pay at a local level which already requires an external job evaluation to be undertaken when any significant changes are made which could impact on salary levels. This evaluation was implemented earlier in the year prior to the substantive appointment of the Chief Fire Officer and Deputy Chief Fire Officer. The salary level quoted in the Report is therefore out of date.

## Government Response

24. The government have not issued any formal response to the Report. The Minister of State for Policing and the Fire Service, Brandon Lewis MP, did write to Chief Fire Officers and Chairs of Fire Authorities on 03 November. A copy of the letter is attached as Appendix C and only provided a response to one recommendation. He makes it clear that the government has no intention of removing the right to strike at this time. For the other recommendations however he indicates that the government will 'respond in due course, following feedback from the sector.'

## Conclusion

25. Whilst CDDFRS appear to be in a relatively strong position in relation to the findings from the Adrian Thomas Review it is important not to be complacent. Workforce reform is one of the three key pillars of the Fire Reform Programme and there is no doubt that the government are determined to introduce changes in these areas. It is reasonable to assume that when the Home Office introduce the fire service inspectorate, which is also a key feature of the Fire Reform Programme, they will expect to see significant progress made against the recommendations in the Report.
26. The Service have undertaken a gap analysis and developed an action plan to ensure that all of the applicable recommendations are fully considered and progress against each is measured. A copy of the gap analysis and action plan is attached as Appendix D. Progress against this action plan will be reported regularly to the Authority.

## Recommendations

27. The Authority is requested to:
- (a) **note** the report and the publication of the 'Independent review of conditions of service for fire and rescue staff in England';
  - (b) **note** the associated gap analysis and action plan;
  - (c) **receive** further future reports and monitor progress against the action plan.

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