

Enabling closer working between the Emergency Services: Humberside Fire Authority response

About Humberside Fire Authority

Humberside Fire Authority (HFA) is responsible for the fire and rescue service across the four unitary authority areas of the East Riding of Yorkshire, Kingston upon Hull, North Lincolnshire and North East Lincolnshire.

HFA is pleased to have the opportunity to respond to this consultation. We have sought to answer each of the questions in detail and then provide a more general view under Question 15.

1 How do you think this new duty would help drive collaboration between the emergency services?

- 1.1 HFA is supportive of moves to enable locally determined collaboration between emergency services where appropriate, and welcomes measures that will further encourage our partners to collaborate.
- 1.2 As the consultation document recognises, fire and rescue services in many places across the UK are already working closely with the police and ambulance services, both at the operational and strategic level, we are one of those services.
- 1.3 Humberside Fire Authority is already involved in significant collaboration with other organisations in the Humberside area: a new fully integrated joint venture company with Humberside Police for a combined vehicle and equipment workshops which began earlier this year; an Emergency First Responders Scheme supporting the Ambulance Service is being broadened following improved response rates and health outcomes; a trial is currently ongoing delivering a falls response service for Hull Clinical Commissioning Group (CCG); and investment into Hull CCG's new integrated care centre will provide a new model for collaborative delivery of local services.
- 1.4 The Government have stated in this document, "We are not ruling out mergers between neighbouring fire and rescue authorities in the future." We believe that fire-fire mergers would be a simpler process than merging with a police service with a more beneficial outcome for communities. Following Fire Authority Member direction, we will advance our discussions with neighbouring fire and rescue authorities to examine the potential business case for fire-fire mergers.
- 1.5 HFA believes this new duty would be helpful for those areas that are resisting collaboration. For us, this duty would not have the same impact as so much successful collaborative working is already underway. The test of the proposed duty will be whether it achieves improved collaborative working and better outcomes beyond those already being introduced.

- 1.6 The consultation document makes clear that the duty will be “broad to allow for local discretion in how it is implemented”, which means that collaboration may take different forms at local level. It will be important to be clear against what criteria such a duty will be judged, and who would be responsible for enforcing it. HFA questions whether the need to comprehensively fulfil the duty may actually stifle collaboration and the absence of a particular example of collaboration in one area may not lead to a valid conclusion of ‘failure to collaborate’. And, if collaboration is judged not to be taking place, who will determine which partner(s) are not meeting the obligations under the proposed duty.
- 1.7 It is noted that while the consultation document begins by referencing the three emergency services, it continues only with reference to police and fire. We are focused on our purpose to deliver an excellent service to keep our communities safe and collaborate where there is the opportunity to not only achieve efficiency, but also providing the best service in an improved way to our communities, regardless of which service that is with. We have covered these in our wider answer to question 15 under points 15.1-15.4.

2 Do you agree that the process set out above would provide an appropriate basis to determine whether a Police and Crime Commissioner should take on responsibility for fire and rescue services?

- 2.1 HFA has supported collaborative working across a wide spectrum, with significant success and further ambitious plans in progress. Removing any legal barrier to this is welcome.
- 2.2 HFA is not supportive of the proposal to allow a Police and Crime Commissioner to unilaterally make the case to take over the fire and rescue service if local authorities and the public are not supportive of the move. This would go against the government’s stated aim of having a locally determined approach, and we do not believe any process where the Secretary of State for Communities and Local Government and Home Secretary have the final say could be said to have been locally determined.
- 2.3 The process appears predetermined and heavily weighted to making the proposal happen, not about testing its appropriateness and effectiveness. The business case will be important in demonstrating the case for and against change. As well as identifying the benefits of the potential change (in terms of service outcomes as well as financial) it needs to take account of the benefits already being secured, the impact of organisational structural change, the need for capital investment to secure change and the potential impact on the benefits from other collaborations and partnership working which may need to cease. Support may be needed to ensure the business cases are robust and that there is meaningful consultation locally.
- 2.4 As referenced in question one, the proposal clearly states that organisations should “collaborate for the benefit of their communities.” HFA questions whether a more effective model might be a newly constituted ‘Emergency Services

Commissioner' or 'Emergency Services Authority', which has responsibilities for the three main emergency services.

2.5 The complicating factor of devolution announcements cannot be ignored at this time. Until further details of these plans are announced it is difficult to consider this proposal in isolation.

3. Do you agree that the case for putting in place a single employer should be assessed using the same process as for a transfer of governance?

3.1 This is difficult to understand without knowing the full implications of the change. The Authority is of the view that this appears to be more about amalgamation rather than collaboration which is already happening in the Humberside area.

3.2 HFA does support maintaining the important distinction between operational policing and firefighting.

3.3 HFA believes that where local managers, politicians and communities wish to pursue a course of action in relation to creating a single employer, and has considered the costs and benefits (see below), they should be enabled to do this. If the best time to do this is judged locally to be the same as the date for transfer of governance, HFA would support this. We do not agree that a business case should go to the Secretaries of State, it would be more appropriate to go to the electorate to decide.

3.4 A single employer could work but the ramifications must be taken into account and ultimately the people who it is serving are served in the best way.

3.5 The proposal clearly states "PCCs already have...a strong incentive to pursue ambitious reform to improve local services and deliver value for money in the interests of local people"; we are already delivering ambitious reform and value for money, as has been confirmed by our external auditors and it must be questioned why there is the view that only the PCC could be more successful in achieving this.

3.6 There is evidence research which states the failure rate of mergers and acquisitions is somewhere between 70% and 90% (e.g. Harvard Business Review) whether in the business, charity or public sectors. Evidence states that in most cases the business case is never fully realised for a number of reasons, not least the time it takes to get cultural integration and it cannot be underestimated that failure to get that integration will affect how the single organisation functions. When there is success, organisations cite that they had similar cultural values and aims to start and notably the legal form of the organisation and the TUPE arrangements (if applicable) were relatively simple or at least compatible.

4. What benefits do you think could be achieved from empowering Police and Crime Commissioners to create a single employer for police and fire and rescue personnel, whilst retaining separate frontline services, where a local case has been made to do so?

4.1 In principle a single employer and Chief Officer could produce savings and simplify leadership arrangements. However, this proposition has to address the people issues of such a change: we believe it will be important to consider issues of trust and confidence in the management by the workforce given that Police and Fire operate very differently and undertake profoundly different roles. While morale is not easy to tangibly quantify, it is hugely important particularly in organisations where staff have so much pride in wearing their respective uniforms.

4.2 We recognise there could be efficiencies in creating a new single employer for specific functions – as demonstrated by the creation of a joint venture for vehicle and equipment workshops between fire and police through a one employer model without any change in governance. However the detail of what these benefits could be cannot be quantified at this time. There are opportunities for support functions to be shared and this is already an area we are working on, in collaboration with partners.

4.3 The government will need to consider how Gold command structures will work under a single employer and merged managerial team. Currently Fire and Police have separate Gold Commanders at incidents, and we believe it is important that this is maintained. Consideration should also be given to the capacity of fire and rescue services to provide Gold, Silver and Bronze command cover if one of the intended outcomes of a merged managerial team is to cut the number of senior fire managers. As we understand it, under the model proposed on page 14 of the consultation, only one officer that would currently be recognised as a Gold Commander is in place for fire.

5. Do you agree that the requirements for a chief officer to have previously held the office of constable should be removed for senior fire officers?

5.1 Yes, however this is once again weighted towards the police taking over fire. Although HFA has a number of reservations relating to the prospect of the single employer model and the prospect of merging the roles of Chief Fire Officer and Chief Constable, we believe it would be only fair that Chief Fire Officers had the same opportunity to lead a joint service. We believe that either a Chief Constable or Chief Fire Officer assuming the joint role would require training and appropriate professional support to enable them to effectively manage both services.

5.2 We believe the requirement to remove this requirement is itself an indicator of the potential difficulties associated with the single employer/single Chief Officer model.

- 5.3 If the consultation proposals are implemented there will be a need to consider the arrangements for recruitment / appointment of chief and senior officers, the training and development programmes which will equip these leaders to take accountability for both high profile services and the arrangements for addressing performance issues.
- 5.4 The challenge of the role covering two emergency services should not be underestimated. The individual leader will need to be able to rely on appropriate professional support, particularly in services with which they are less familiar and will need to retain the confidence of all operational staff and the communities they serve.
- 6. How do you think the requirement for a Police and Crime Commissioner to have access to an informed, independent assessment of the operational performance of the fire service should best be met?**
- 6.1 Humberside Fire Authority's Governance, Audit and Scrutiny (GAS) Committee advises the Authority on governance, internal control and risk management, internal and external audit, performance risk and programme management, and scrutiny. The Committee comprises seven Independent Co-opted Members appointed by the Fire Authority. The Constitution of the Authority sets out the role of the Committee and the role of Members. The Police and Crime Commissioner could sit as part of the GAS Committee to fulfil this requirement.
- 6.2 HFA supports the principle of sector led improvement and assessment, and has continued to be committed to the Operational Assessment (OpA) and Peer Review process in partnership with the LGA to this end. The peer review process used by fire and rescue authorities is incredibly challenging due to it being knowledge based and in the event that a fire and rescue service is transferred to a PCC, we believe this should be retained as opposed to an expensive HMI arrangement. It is particularly important that a consistent approach to assessment is maintained between different fire and rescue governance models.
- 6.3 We believe that it will be important to maintain an independent source of expertise, currently embodied in the Chief Fire and Rescue Advisor. As with our point above, as there will be a range of governance models within the fire and rescue service, we believe it would be important that consistency is maintained between all of them.
- 7. Do you agree that where a Police and Crime Commissioner takes responsibility for a fire and rescue service, the Police and Crime Panel should have its remit extended to scrutinise decision making in relation to fire services?**
- 7.1 There appears to be a recurring theme in the document about police looking at fire and rescue and there is a presumption that the Police and Crime Panel would remain. If the Fire Authority were to be disbanded, it is our view that the

Police and Crime Panel should also be disbanded and a new “Emergency Services Panel” be created.

- 7.2 Alternatively, a separate panel with responsibility for oversight of fire and rescue matters could be created, which might incur additional cost but would ensure appropriate expertise could be brought to bear and sufficient time allowed to consider topics.
- 7.3 The recent report *Tone from the Top*¹ by the Committee for Standards in Public Life has recognised that PCCs are not currently held to account sufficiently by Police and Crime Panels, and urged a number of changes to ensure accountability was improved. This is of significant concern to us and we would be keen to see such improvement if Police and Crime Panels, or a similar joint panel or a separate fire and rescue panel, were to assume responsibility for fire and rescue services as well.

8. Do you think that where a Police and Crime Commissioner takes responsibility for a fire and rescue service, the Police and Crime Panel should have its membership refreshed to include experts in fire and rescue matters?

- 8.1 It is recognised that being an expert on both is difficult. If this panel was to still exist, in isolation of a fire and rescue panel, it should include fire and rescue experts. As explained in 7.3, we are concerned about the effectiveness of Police and Crime Panels as they currently exist, particularly in relation to their ability to impact the decision making of the PCC.
- 8.2 The operational and organisational challenges faced by the fire and rescue service are very different to those of the police, and therefore the Police and Crime Panel would need to be able to consider these issues from an informed position. Current combined accountability and knowledge of fire authority decision makers at a local level enables this. However the current Police and Crime Panel model does not appear to require ‘experts in Police’ as a criterion for selection. Perhaps a panel which has a more sophisticated way to select its membership but including local views would achieve better scrutiny.

9. Do you think that where a Police and Crime Commissioner puts in place a single employer for fire and rescue and police services personnel, complaints and conduct matters concerning fire should be treated in the same way as complaints and conduct matters concerning the police?

- 9.1 Given that it is not proposed to introduce this for all fire and rescue services, we believe it would be difficult to have two different standards for complaints and conduct for fire officers and firefighters in different service areas. We believe a consistent national model should be maintained, so that members of the public making complaints can be clear on the process that will be applied. There could also be complications caused by staff members who moved from one authority to another where different complaint and conduct systems are in place.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439208/Tone_from_the_top_-_CSPL.pdf

- 9.2 We also believe it is important to consider the significantly different job roles of operational police and fire staff. As warranted officers, operational Police are “on duty” at all times, while firefighters are not. Careful consideration of how this would affect joint complaints and conduct procedure will be required.
10. **Do you agree that Police and Crime Commissioners should be represented on fire and rescue authorities in areas where wider governance changes do not take place?**
- 10.1 As mentioned elsewhere within our response, we believe that a focus on the potential for collaboration with Police is too narrow, and would therefore argue that there are other organisations that could provide equally valid input and oversight of local fire and rescue services, such as partners in health, ambulance, coastguard, other response agencies or elsewhere.
- 10.2 However, as outlined in question six, the Authority’s GAS Committee would be an appropriate forum on which the Police and Crime Commissioner could participate.
11. **Do you agree that the London Fire and Emergency Planning Authority should be abolished and direct responsibility for fire and rescue transferred to the Mayor of London?**
- 11.1 HFA believes this should be a matter determined locally by politicians and the public in London.
12. **In the event that the London Fire and Emergency Planning Authority is abolished, how should responsibility for fire and rescue be incorporated into the mayoral structure?**
- 12.1 We believe that the fire and rescue service in London must continue to be funded and maintained as a separate operational entity, regardless of the governance model.
13. **To what extent do you think that there are implications for local resilience (preparedness, response and recovery) in areas where the Police and Crime Commissioner will have responsibility for police and fire?**
- 13.1 It will be important that fire and police are both equally represented in their contributions to local resilience structures, such as Local Resilience Forums (LRFs) as they are currently. The Local Resilience Forum is a strong model for local resilience, these are largely operational matters and therefore there would be no change regardless of governance.
- 13.2 We believe that matters of national resilience should also be considered, and these are discussed in more detail within our response to Question 15.

14. To what extent do you think there are implications for resilience responsibilities in areas where an elected metro mayor is also the Police and Crime Commissioner and responsible for the fire and rescue service?

14.1 Our views are the same as our response to question 13. The involvement of a wider range of partners under the remit of an elected metro mayor may present greater opportunities for improved collaboration in relation to local resilience.

15. Are there any other views or comments that you would like to add in relation to emergency services collaboration that were not covered by the other questions in this consultation?

General comments

15.1 As we have mentioned earlier in our response, we believe this consultation is narrow in its focus on collaboration between only emergency services, and specifically only two of those services. This proposal and the consultation are heavily predetermined towards the PCC as the only option for governing Fire and Rescue Services, whereas Humberside Fire Authority is more closely aligned to health and the ambulance service. We believe there to be even wider scope for collaboration with health services and local authorities to produce both savings to the public purse and improved outcomes for the public.

15.2 Attached to this response are the details of all collaboration currently being undertaken by Humberside Fire Authority to evidence how narrow this consultation is by focusing solely on police and fire, particularly when the beginning of the document refers to three emergency services including the Ambulance Service.

15.3 Cross-FRS collaboration is already well underway which includes the East Coast and Hertfordshire Control Room Consortium (ECHCRC) – a group of four FRSs – a new network connecting each of the four Service’s control rooms enabling greater asset utilisation and operational efficiency, helping to increase community safety and lay the foundations for wider shared services amongst the group.

15.4 HFA believes these proposals, while in many instances practicable, are an overly complex means of achieving the stated aims. We would argue that collaboration between emergency services is already ongoing in many areas and will only continue to grow and develop as inevitable financial challenges are placed before us.

15.5 The uniqueness of the three emergency services must not be underestimated. The Fire Authority operates its Fire and Rescue Service on a basis of risk and should not be considered as a subordinate service. There must also be no confusion between efficiency and effectiveness, this new model could be lower cost in the long run, but we question whether it is better in terms of outcomes for our communities.

- 15.6 The Fire Authority has been successful in delivering challenging efficiencies due to being democratically elected, with a clear mandate and deep knowledge of local communities transparent in their decision making.

Prevention activity and the Fire Service brand

- 15.7 As is often recognised by government and others, the fire and rescue service has been extremely successful at preventing fires and other emergencies through a combination of enforcement and community safety interventions. It is recognised that the positive public image and brand of the fire and rescue service is a major contributory factor to that success, as it enables firefighters to engage with vulnerable and hard to reach communities. This same unique brand is being exploited as part of our work with colleagues within the NHS and elsewhere, and we would not wish to see this brand diminished as a result of a governance or managerial merger. We recognise that the government is committed to maintaining separate “front line” services, but are concerned that direct association with Police may undermine that work and image.

National Resilience

- 15.8 The current national resilience structures for fire through the NCAF arrangements rely upon senior fire officers to form the National Strategic Advisory Team. In recognition of the desire to keep police and fire operationally distinct, the government would need to consider potential resourcing issues caused by a reduction in the number of senior fire officers under joint models.
- 15.9 Further in relation to national resilience, we are keen to see that specific fire and rescue service resilience resources, such as HVPUs and Technical Rescue Units, continue to be funded separately to the rest of the service as they are now.

Finances

- 15.10 We note that under these proposals, the government intends that the funding for police and fire, and their precepts, would be provided separately. It is not clear if the intention would be that funding could be combined into a single Police and Crime Commissioner’s budget and spending priorities assessed across both services. We believe that this issue requires much further thought, how the two funding streams could be maintained separately, and what restrictions this would place upon a PCC, need to be considered. We have concerns around the security of funding available to mitigate the risk fire and rescue services have to manage under this new model.

Trading

- 15.11 HFA’s community safety activities benefit from funds raised by a Community Interest Company (CIC) set up by the FRS in 2012. HFR Solutions CIC is

projected to generate around £1.5m for HFA by the end of March 2016. The ability of FRSs to trade is significantly important to future project delivery and wider opportunities for collaboration across all sectors. We are concerned that these opportunities would be affected as part of the proposed collaboration due to restrictions on Police trading.

16 Do you think these proposals would have any effect on equalities issues?

16.1 We have not yet identified any serious equalities implications from these proposals but a more complete equalities impact assessment should be undertaken.