



TYNE AND WEAR FIRE AND RESCUE AUTHORITY

MEETING: 15th FEBRUARY 2016

Item 7

SUBJECT: ENABLING CLOSER WORKING BETWEEN THE EMERGENCY SERVICES: SUMMARY OF CONSULTATION RESPONSES AND NEXT STEPS

REPORT OF THE CHIEF FIRE OFFICER, CHIEF EXECUTIVE AND CLERK TO THE AUTHORITY

1. Purpose of report

- 1.1 The purpose of this report is to brief the Authority on the Government's response to the consultation on closer working between the emergency services, which was carried out in September and October 2015.

2 Background

- 2.1 On 11th September 2015, Government issued a consultation document setting out proposals for legislative measures to enable the enactment of its manifesto commitment to "*enable fire and rescue and police services to work more closely together and develop the role of our elected and accountable Police and Crime Commissioners*".
- 2.2 The Authority discussed this consultation on 14th September 2015 and its response was agreed at the meeting of 19th October 2015.
- 2.3 On 26th January 2016, Government published a summary of responses and set out the next steps in implementing its proposals. The response document is attached as Appendix A.

3 Summary of changes

- 3.1 Following the consultation process, Government intends to legislate to introduce all the measures proposed in the consultation document. This includes legislating to:
- a) Place a statutory duty on all three emergency services to collaborate with one another to improve efficiency or effectiveness for all parties. This will not

prevent other parties, such as local authorities and the voluntary sector, from being part of a collaborative activity, albeit that the duty itself will not extend beyond the emergency services. The Government will ensure that the duty is broad to allow local discretion over how it is best implemented for the benefit of local communities.

- b) Enable Police and Crime Commissioners (PCCs) to take on the responsibilities of the fire and rescue service(s) in their area where it is in the interests of economy, efficiency or effectiveness or public safety, and where a local case is made.
- c) Provide a process for determining whether a PCC should assume governance for fire and rescue services as broadly set out in the consultation paper. This should include:
 - A requirement that FRAs provide PCCs with all necessary information to help prepare the business case
 - Where all parties are not agreed that fire and rescue should transfer to a PCC, it would be for the Secretary of State to consider the local business case and decide whether the governance change would be in the interests of economy, efficiency. Effectiveness or public safety. To inform this view, they would take into account the outcome of the local consultation and they would seek an independent assessment of the local business case before any decision to proceed.
 - Implementation for each area would be by secondary legislation which would be subject to Parliamentary scrutiny
- d) Enable a PCC to put in place a single employer for local fire and policing, (rather than two separate employers under the governance model) under his or her governance
- e) Provide that the case for putting in place a single employer is assessed using the same process as for a transfer of governance
- f) Enable any changes to the designation of powers to police personnel and volunteers to be applied locally to fire personnel, under the single employer model (NB this is felt to be still within the proposal outlined in the consultation

that the distinction between frontline services and the powers of a police officer and firefighter will be maintained).

- g) Enable the post of chief officer to be open to applications from senior fire officers with relevant experience and who meet the standards set by the College of Policing, and remove the requirement in legislation for senior fire officers applying for chief constable posts to have previously been a constable
 - h) Extend the remit of Police and Crime Panels so that a PCC's fire responsibilities are scrutinised by the Panel alongside a PCC's police responsibilities, where the PCC's role is extended
 - i) Ensure that where a single employer model is put in place, complaints, conduct and death and serious injury matters for fire and rescue personnel and police personnel will be handled in the same way. For other governance models, the system for complaints and conduct matters for fire and rescue personnel will remain separate and unchanged
 - j) Enable a PCC to have representation on their local FRA or its committees, with voting rights, in areas where FRS remain the responsibility of FRAs. This will be subject to PCCs making clear their reasons for seeking membership and FRAs agreeing to their request (furthermore FRAs will have the ability to change their membership in order to maintain political balance where a PCC is appointed).
 - k) Abolish the London Fire and Emergency Planning Authority and incorporate fire responsibilities within the existing Greater London Authority structures. This would include creating a deputy mayor for fire, creating a statutory London Fire Commissioner and a new Committee of the London Assembly which will provide scrutiny and oversight.
- 3.2 Government intends to give further consideration to the most appropriate arrangements for PCCs to have access to reliable independent assessments of local FRS performance, given the range of views expressed.

4 Financial implications

- 4.1 This report has no direct financial implications



5 HR implications

5.1 This report has no direct HR implications.

6 Recommendations

6.1 It is recommended that the Authority notes the content of this report and seeks further updates as required.