

MEETING: 17 FEBRUARY 2020

SUBJECT: HMICFRS INSPECTION OF FIRE AND RESCUE SERVICES IN ENGLAND 2018/19

JOINT REPORT OF THE CHIEF FIRE OFFICER/CHIEF EXECUTIVE (THE CLERK TO THE AUTHORITY) THE STRATEGIC FINANCE OFFICER AND THE PERSONNEL ADVISOR TO THE AUTHORITY

1 INTRODUCTION

- 1.1 The purpose of this report is to inform Members of the 'Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) 'State of Fire and Rescue: Annual Assessment of Fire and Rescue Services in England 2019' report, incorporating an overview from the 2018/19 inspection programme.

2 BACKGROUND

- 2.1 Members will be aware that during 2018/19 HMICFRS conducted their first cycle of inspections of all 45 FRS in England, over three tranches, with the final (tranche 3) inspection reports published in December 2019.
- 2.2 Members will recall that Tyne and Wear Fire and Rescue Service (TWFRS) was inspected in tranche 2 and were judged as 'Good' across the three pillars of inspection, namely: Effectiveness, Efficiency and People (minute 17/19 refers).
- 2.3 In bringing together the three tranches of FRS inspections, HMICFRS published the 'State of Fire and Rescue: The Annual Assessment of Fire and Rescue Services in England 2019' report on 15 January 2020, hereafter referred to as the State of Fire and Rescue Report. This is the first report by Her Majesty's Chief Inspector of Fire and Rescue Services, Sir Thomas Winsor, under s.28B of the Fire and Rescue Services Act. The link to the full report has previously been circulated to Members.

3 STATE OF FIRE AND RESCUE REPORT

- 3.1 The State of Fire and Rescue report highlights that there is much that Services should be proud of, acknowledging that the FRS has many strengths and is admired by the public. The determination and dedication to protect life and property is described as 'second to none', which is a positive reflection on the professionalism, passion, and commitment of all our staff. The report also acknowledges that staff are highly skilled to respond to fires and other emergencies.
- 3.2 The report highlights that the reduction in the number of fire incidents has allowed FRS' to diversify into other activities to benefit the wider community, which is something that Tyne and Wear has worked hard to do for several years to improve the safety of our communities.

- 3.3 The report acknowledges the considerable financial disparity regarding the funding position between Services, recognising that some Services have been protected from budget reductions, whilst others have had to make considerable savings, which could be detrimental to the services provided to the public. Members and Officers of this Authority have lobbied regarding the disparity in funding and levels of cuts for a number of years and continue this work in seeking a fair funding formula.
- 3.4 The report also highlights the need for reform across the sector, calling for improvement. It further notes barriers to Services becoming more efficient and effective, including; the lack of consensus as to what firefighter and FRS should do; references unclear demarcation between political oversight and operational leadership, and a considerable influence of trade unions. The report further highlights:
- 3.4.1 Significant reform is needed to modernise the sector and the role of the fire and rescue service needs greater clarity, as there is a lack of consensus nationally over the role of firefighter and the responsibilities of the FRS.
 - 3.4.2 That national terms and conditions need reviewing, questioning whether the 'grey book' is still workable. The report acknowledging that discussions between FRS, Employers and the Government, about the role of firefighter and pay, have been ongoing for several years and all parties would benefit from these being satisfactorily resolved.
 - 3.4.3 Whilst recognising the importance of strong union representation to protect and improve members' rights, the report states that trade union influence is not always in the best interests of the public and is sometimes contrary to public interest. The cessation of the Emergency Medical Response (EMR) trial is used as an example.
 - 3.4.4 There are several different governance models in place for Fire and Rescue Services across England, including Mayoral, Police and Crime Commissioner, county council, and Fire Authority.
 - 3.4.5 Chief Fire Officers need operational independence to run services effectively and efficiently to meet the priorities and commitments in their integrated risk management plans. The report stated that Police Chief Constables have operational independence, however Chief Fire Officers do not, which has led to some CFOs being prevented from implementing changes at a local level, that would improve effectiveness and efficiency for the community.
 - 3.4.6 The report also highlights out of date working practices, a 'regrettable lack of diversity' across FRS' and the impact of localism at the expense of national standards.
 - 3.4.7 In drawing a range of themes together, Sir Thomas Winsor makes four recommendations, as set out below:

4 STATE OF FIRE AND RESCUE REPORT: RECOMMENDATIONS

1. By June 2020, the Home Office, in consultation with the fire and rescue sector, should review and with precision determine the roles of a) fire and rescue services and b) those who work within them.

2. By June 2020, The Home Office, the Local Government Association, the National Fire Chief's Council and trade unions should consider whether the current pay negotiation machinery requires fundamental reform. If so, they should include the need for an independent review body and the future of the 'grey book'.
3. By September 2020, the Home Office should consider the case for legislating to give Chief Fire Officers operational independence. In the meantime it should offer clear guidance, possibly through an amendment to the Fire and Rescue National Framework for England, on the demarcation between those responsible for governance and operational decision making by the CFO.
4. By December 2020, the National Fire Chief's Council, with the Local Government Association, should produce a code of ethics for the Fire and Rescue Services. The code should be adopted by every service in England and considered as part of each employee's progression and annual performance appraisal.

- 4.1 The 2018/19 inspection programme provides further context to the observations and recommendations of Sir Thomas Winsor.

5 HMICFRS INSPECTION PROGRAMME 2018/19

- 5.1 As Members will be aware, HMICFRS grade Services across three pillars of inspection; Effectiveness, Efficiency and People. Each Service receives a judgement for each pillar. The judgements range from 'Inadequate', 'Requires Improvement', 'Good' and 'Outstanding'. Further detail regarding the methodology and grading were reported to members in July 2019 (minute 17/19 refers).
- 5.2 Of the 45 Services inspected, 16 received the grade of 'Good' for all three pillars. TWFRS is one of 16 judged as 'Good', being positioned in the top third of FRS's in England. Appendix A sets out the full 2018/19 inspection results.
- 5.3 No FRS attained the grade of 'Outstanding' for a pillar in the first round of inspections, however three FRS received the grade of 'Inadequate' for a pillar: Avon FRS (People); Surrey (Efficiency); West Sussex (People). These FRS's were in receipt of 'Cause for Concern' notices and have been subject to re-visit by HMICFRS since their inspection.
- 5.4 The information below provides extracts from the report relating to the three pillars of inspection, together with observations from within the overview of the report:

5.5 Pillar 1 – Effectiveness

The report highlights that 29 FRS were judged as 'Good' for effectiveness, including TWFRS. 16 FRS were judged as 'Requires improvement'.

- 5.5.1 Operational response is one of the FRS's 'greatest strengths', together with response to national risk (resilience); an area in which TWFRS performed strongly.

- 5.5.2 To understand local response further, HMICFRS have stated they will further consider levels of appliance availability in the next round of inspections. (TWFRS appliance availability is currently 93%, which was omitted from the published report due to an HMICFRS reporting discrepancy. Notwithstanding this, TWFRS availability is within the top quartile of all FRS's).
- 5.5.3 There is a need to improve Protection (Fire Safety) work, with some FRS not doing enough to comply with Fire Safety regulations and having a poor record of Enforcement; whilst failing to meet their own targets with the resources they have allocated. Over half of FRS were graded as 'Requires Improvement' or 'Inadequate' in this area.
- 5.5.4 Members will be aware that TWFRS have a risk-based inspection programme, which together with the performance of our Fire Safety activities, was acknowledged as a strength by HMICFRS. The report acknowledges FRS's may need additional resources in fire protection to make improvements and stated this is something for Government to consider.
- 5.5.5 The degree of variation between FRS is undesirable, as a result of Government's direction towards Localism. HMICFRS have recommended greater consistency across England, in particular in the areas of professional standards, training, how FRS determine risk and measure emergency response standards.
- 5.5.6 The NFCC and Fire Standards Board are cited as a step in the right direction to support and promote sector wide change, however acknowledges that there is limited capacity on both; and that FRS are under no legal duty to comply with standards produced by the Fire Standards Board.
- 5.5.7 The report highlighted that the future of on-call model also needs attention.

5.6 Pillar 2 – Efficiency

- 5.7 The report highlights that 26 FRS were judged as 'Good' for efficiency, including TWFRS. 18 FRS were judged as 'Requires Improvement'. One FRS (Surrey FRS) received 'Inadequate'. Metropolitan FRS were generally judged as 'Good' in the efficiency pillar, with the exception of London Fire Brigade and Manchester FRS.
- 5.7.1 It is stated that some FRS are financially strapped, whilst others are inefficient; with some operating in a very tight financial environment, which is having a detrimental impact on the services they provide to their communities. The report acknowledges the current funding model is based on an outdated model, and results in financial disparity.
- 5.7.2 Furthermore, it is highlighted that FRS's do not have much medium term financial certainty, which is a barrier to longer term planning; and notes that reserves have grown significantly over recent years and that the intended use may not be sustainable.
- 5.7.3 FRS need to do more to ensure their workforce is productive, stating that the 2:2:4 shift system is not always the most effective and efficient. Collaboration in some cases don't go far enough; and there should a focus on evaluation to determine whether money is well spent; with an observation that significant savings could be achieved through combining FRS – the report notes '45 fire and rescue services is probably too many'.

5.7.4 It is noted that the sector is missing opportunities to use of data and technology, including in understanding risk, demand and vulnerability, acknowledging that the NFCC has commenced work to enhance how the sector uses data. Further opportunities exist in virtual reality training, together with educating the public in fire and other risks.

5.7.5 In considering the above, TWFRS will continue to focus on maintaining and improving how we use resources to manage risk, and work with Members to lobby for funding reforms, to secure an affordable way of managing risk now, and in future.

5.8 Pillar 3 – People

5.8.1 The report highlights that 18 FRS were judged as 'Good' for the people pillar; 25 'Requires Improvement' and 2 'Inadequate' (Avon FRS and West Sussex FRS). This pillar was highlighted as an area for concern and in need of improvement across the FRS, with examples of bullying and harassment in some FRS.

5.8.2 There have been some outstanding examples of a positive culture, and whilst not directly mentioned, we consider TWFRS to be among these. However, the culture in some FRS's was described as 'toxic'. Inspectors reported witnessing significant negative characteristics of the watch system creating subcultures; however also noted positive aspects regarding teamwork, outcomes for the public and support for colleagues.

5.8.3 The report clearly states the lack of diversity is striking and must be addressed - the lack of diversity amongst firefighters is described as 'woeful'.

5.8.4 The report identified examples for improvement including the structure for promoting leadership and capability; together with fairness, diversity and culture, stating that Services need to do more to understand this area and would benefit from a code of ethics.

5.8.5 The report acknowledges the NFCC People Strategy should start to address a number of the 'people' pillar issues; noting the need for better performance and talent management.

5.8.6 The report also highlights the positive developments in wellbeing provision, something that this Service has a proud tradition of, through both our Occupational Health Unit and Trauma Support Team.

5.8.7 In considering the above, TWFRS core values and Leadership Bond have been positive in developing the Services culture and promoting positive behaviours; with the approach continuing to further embed ownership of development and improvement at all levels.

5.8.8 TWFRS also continue to promote values and culture, in ensuring fairness, equality and inclusion. Work to improve the recording and monitoring of training and skills has been undertaken within TWFRS and robust quality assurance implemented.

6 PUBLIC PERCEPTIONS OF FIRE AND RESCUE SERVICES IN ENGLAND 2019

6.1 In addition to the above, during 2019 HMICFRS commissioned 'BMG research' to undertake a study of the public perceptions of local fire and rescue services across England. The Survey concentrated on the public's views of local fire and rescue services' activities.

- 6.2 The public perception survey in Tyne and Wear highlighted 89% of respondents perceived TWFRS to be an effective Service; the national average was 86%.

7 LOOK FORWARD

- 7.1 HMICFRS have now confirmed that the second cycle of inspections will commence in spring 2020, with TWFRS being allocated into inspection tranche 1: spring / summer 2020.
- 7.2 Inspection activities will commence from February 2020, including engagement visits from our newly appointed Service Liaison Lead (SLL) and existing HMI. As with the first inspection, comprehensive data and information submissions, together with a full review of our strategic documentation will form part of the process. Key elements of the inspection include Discovery Week (6 July 2020) and Fieldwork Week (27 July 2020).

8 CONCLUSION

- 8.1 HMICFRS have identified in The State of Fire and Rescue Report a significant variation in operational effectiveness, efficiency and Services' approach to people management across the Sector.
- 8.2 Specifically for TWFRS it has provided the opportunity to identify improvement opportunities, which will support the Service in achieving the vision of *'Creating the Safest Community'*.
- 8.3 As a result of the 2018/19 inspection of TWFRS, a self-identified Post Inspection Improvement Plan was formulated following receipt of our HMICFRS Inspection Report, setting out 32 improvement areas, with 85 specific improvement actions.
- 8.4 Positive progress against the actions has been made, with action and monitoring by the Senior Management Group (SMG). Of the 85 improvement actions, 54 have been completed to date, with the remaining actions broadly on target for completion, with a clear focus on ensuring the action plan is addressed as we prepare for the next round of inspection.
- 8.5 Ongoing internal review of our performance and evaluation of our processes will ensure the Service drives continuous improvement and addresses areas highlighted from HMICFRS inspections, as we seek to deliver in an effective, efficient and inclusive way.
- 8.6 The Service will now prepare for the second full HMICFRS Inspection, taking place in spring / summer 2020.

9 RISK MANAGEMENT

- 9.1 The Service has a robust improvement plan in place to ensure we address areas for improvement (AFI) presented by HMICFRS, as well as areas identified internally by our Senior Management Group.

10 FINANCIAL IMPLICATIONS

- 10.1 In managing the Services process to prepare for the HMICFRS Inspection and interactions with the Service Liaison Lead, a temporary team was established, comprising of a Station manager, Watch Manager and Administrative Assistant. The costs associated with this provision are equivalent to £141,081 per annum, at current rates of pay.

- 10.2 This coordination, support and engagement provision is currently being evolved to consider the benefits of a broader Business Improvement team, which will be evaluated to ascertain what substantive roles may be required going forward.

11 EQUALITY AND FAIRNESS IMPLICATIONS

- 11.1 The Authority and Service have a strong commitment to equality, diversity and inclusion. The findings of the first HMICFRS inspection cycle highlight that further work is needed across the Sector. By building on the recommendations, both those specific to TWFRS and those in the national report, the Authority will continue to strengthen its work in equality and inclusion as we seek to further diversify our workforce to better reflect the communities we serve.

12 HEALTH AND SAFETY IMPLICATIONS

- 12.1 There are no health and safety implications in respect of this report.

13 RECOMMENDATIONS

- 13.1 The Authority is recommended to:

- a) Note the contents of this report
- b) Receive further reports as appropriate.

BACKGROUND PAPERS

The following Background Papers refer to the subject matter of this report:

- HMICFRS Report: An Inspection of Tyne and Wear Fire and Rescue Service 2018/19
- HMICFRS Report: State of Fire and Rescue Service: The Annual Assessment of Fire and Rescue Services in England 2019
- Public Perception of Fire and Rescue Services in England 2019
- Appendix A: HMICFRS Inspection 2018/19 – All FRS Grades

