

**HER MAJESTY'S INSPECTORATE OF CONSTABULARY
AND FIRE AND RESCUE SERVICE (HMICFRS):
RESPONDING TO THE PANDEMIC**



REPORT OF THE CHIEF FIRE OFFICER

For Information

1. PURPOSE OF REPORT

- 1.1 To inform Members of the findings from HMICFRS inspection of all fire rescue services in England in relation to their response to COVID-19 as set out in the 'Responding to the pandemic' Report attached at Appendix 1.

2. RECOMMENDATIONS

- 2.1 Members are asked to note the findings of HMICFRS inspection in relation to how all fire and rescue authorities in England responded to the COVID-19 outbreak as detailed in the 'Responding to the pandemic' Report at Appendix 1

3. BACKGROUND

- 3.1 In August 2020, the Home Secretary commissioned HMICFRS to inspect the response to the COVID-19 pandemic of the fire and rescue sector in England. The commission has been issued under section 28A(3) of the Fire and Rescue Services Act 2004.
- 3.2 The inspectorate has been specifically asked to consider:
- (a) what is working well and what is being learnt;
 - (b) how the fire sector is responding to the COVID-19 crisis;
 - (c) how fire services are dealing with the problems they face; and
 - (d) what changes are likely as a result of the COVID-19 pandemic.
- 3.3 The aim of these inspections is to understand the sector's overall response and how well it worked across boundaries and with other organisations. This was to enable the HMICFRS to form a picture of the fire and rescue sector's overall response to the COVID-19 pandemic which is captured in this national report which has been published along with individual service reports.

4. HMICFRS INSPECTION

- 4.1 The COVID-19 pandemic is a global health emergency on a scale not seen in our lifetime. In August 2020, the Home Secretary commissioned HMICFRS to inspect how fire and rescue authorities in England responded to the COVID-19 outbreak and the numerous challenges. This Report gives an overview of the Inspectorate's findings.
- 4.2 HMICFRS inspected England's 45 fire and rescue services from September to November 2020 with a focus on how they responded during the initial period of the pandemic. The findings from the inspection are set out in the 'Responding to the pandemic' Report at Appendix 1.
- 4.3 In the foreword of the Report HMI Zoe Billingham made the following points:-
- 4.3.1 Overall, FRSs responded very well to the outbreak and maintained their ability to respond to fires and other emergencies; many supported communities in ways that extended far beyond their statutory duties, with fire-fighters and staff stepping up to take on a range of pandemic activities. Recognition was given to the hard work and enormous dedication of so many across the fire and rescue sector, who provided much-needed additional humanitarian support to their communities.
- 4.3.2 The pandemic was a catalyst for many FRSs to transform, modernising some of their working practices to become more effective and efficient.
- 4.3.3 All services put in place extra measures to support and protect their staff, although in some services more could have been done to proactively identify and engage with those who may have been more vulnerable to the virus.
- 4.3.4 Six national recommendations had been made since HMICFRS first FRSs inspection in 2018, two at the end of the second tranche in summer 2019 and four in *State of Fire and Rescue 2019* in January 2020. They cover the most important factors affecting how services operate and include:
- better standardisation of practice
 - clarity on the role of services and their staff
 - considering whether the arrangements governing staff terms and conditions remain appropriate; and
 - providing greater operational independence for chief fire officers
- 4.3.5 All these issues came to the fore during the pandemic and whilst, understandably, there has been a delay in implementing some of those previous recommendations, the need for improvement and reform remains.
- 4.3.6 FRSs are 'can do' organisations that want to help their communities; too many services faced barriers in mobilising operational staff to assist with pandemic activities as effectively and rapidly as they would have wished and stated it is deeply regrettable that FRSs would have been better placed to assist local communities at their time of greatest need had it not been for the restrictive industrial relations arrangements. This ultimately had the effect of tying the hands of chief fire officers and too often delaying the safe deployment of the right people with the right skills as quickly as their communities needed them.

- 4.3.7 The mechanism known as the 'tripartite agreement' designed to enable the National Employers, National Fire Chiefs Council (NFCC) and Fire Brigades Union (FBU) to determine the additional activities firefighters would carry out in support of the FRSs' response to the pandemic rapidly became too prescriptive and, in some services, it became a hindrance rather than a help.
- 4.3.8 The Inspectorate question the need for such a mechanism in the first place, not least where staff are ready, willing and able to assist. The public would expect greater flexibility of the FRS during this global health emergency. Specifically, chief fire officers should be unhindered in their ability to deploy their workforce rapidly, safely and effectively so as to protect the public. However valuable the role of trade unions in protecting their members' interests, we don't consider it appropriate for the FBU to have been given the ability to delay or veto the reasonable and safe deployment of firefighters to assist the public during a national emergency.
- 4.3.9 Looking forward, public-spirited firefighters and staff want to help their communities through the pandemic. It is in everyone's interest to vaccinate the population as quickly as possible. Some FRSs are making great strides to support the vaccination programme using firefighters and staff from within their own workforce. They are doing so with the necessary and reasonable measures in place to protect the health and safety of those stepping forward to help with this work. Others look set to follow. The FRS has much more to offer in supporting the mass vaccination programme and other pandemic activities; thereby matching the ambition of fire service leaders and the commitment of their staff. The barriers dominating the sector need to be overcome or resolved.

5. HEADLINE FINDINGS FROM 'THE REPORT'

5.1 Every service maintained its ability to respond to fires and other emergencies

- 5.1.2 Every service was able to respond to calls from the public, incidents and emergencies when needed. Most prioritised responding to emergencies over other activities. They also put in place measures to reduce the risk of exposure to the virus, ensuring firefighters and control room staff remained available.

In Cleveland, "...the brigade had continued to provide its core statutory functions throughout the pandemic".

5.2 Every service provided a range of additional support to its community that went above and beyond its statutory duties

- 5.2.1 To support their communities during the pandemic, fire and rescue services did more than their 'business as usual' activities. Additional pandemic work included ambulance driving and delivering food to the vulnerable and PPE to healthcare professionals. Most of the activities carried out were listed in the tripartite agreement, but some services provided other support to their community under local agreement. What each service did varied and depended on what their local partners required of them and which part of the workforce was willing to carry it out.

In Cleveland, "...to protect communities, the brigade had worked directly with local partners and through the Cleveland LRF to offer support and assistance where requested. Staff (corporate, whole-time and on-call fire-fighters) were encouraged to carry out extra roles beyond their core duties. This included support to other local blue light services and other public service providers that were experiencing high levels of demand, and support directly to its communities. The brigade had carried out the following new activities: assisting vulnerable people, face fitting for masks, delivering PPE, packing and repacking food for vulnerable people, providing training packages and temperature testing members of the public as part of the Middlesbrough Local Outbreak Plan".

5.3 The fire and rescue sector's outdated arrangements hindered the way services responded

5.3.1 We have made six national recommendations since we began inspecting fire and rescue services in 2018. The recommendations cover important structural issues relating to how the fire and rescue sector operates, including:

- better standardisation of practice;
- clarity on the role of services and their staff;
- considering whether the arrangements governing staff terms and conditions remain appropriate; and
- providing greater operational independence for chief fire officers.

5.3.2 All these structural problems affected the way services operated during the pandemic and reveal the sector's current limitations. This is despite the dedication and determination of services and their staff to provide the best possible outcome for the public.

No commentary in the Cleveland Report

5.4 The effect of the tripartite agreement varied from service to service

5.4.1 In March 2020, the first of 15 tripartite agreements was agreed to increase the scope of work that operational staff could do. Each service then had to consult locally on the specific work it had been asked to support to agree how to address any health and safety requirements, including risk assessments.

5.4.2 The arrangements under the tripartite agreement stopped in December 2020 and a new agreement was reached without the NFCC, involving only the National Employers and the FBU. Unfortunately, this new arrangement collapsed on 13 January 2021. At the time of publication, professional risk assessments provided by the NFCC are in place and provide appropriate control measures for staff. The National Employers support the risk assessments, and the onus is now on operational staff to volunteer to step forward for their communities.

In Cleveland, to protect communities, fire and rescue service staff were encouraged to carry out extra roles beyond their core duties. The brigade carried out the following new activities: assisting vulnerable people, face fitting for masks, delivering PPE, packing and repacking food for vulnerable people, providing training packages, and temperature testing members of the public.

The national 'tripartite agreement' was put in place to include the new activities that firefighters could carry out during the pandemic. The agreement was between the NFCC, National Employers, and the Fire Brigades Union (FBU), and specified what new roles firefighters could agree to engage in during the pandemic. The brigade negotiated locally with the FBU to implement the tripartite agreement.

Other unions were engaged, including UNISON, if their members were asked to do extra work, including under the tripartite agreement.

Most of the new work done by the brigade under the tripartite agreement was agreed on time for it to start promptly and in line with the request from the partner agency.

5.5 The pandemic demonstrated what on-call firefighters and non-operational staff offer fire and rescue services and the public

- 5.5.1 Fire and rescue services used them extensively during the first wave of the pandemic to respond to emergencies, as well as provide additional support to their communities.
- 5.5.2 The majority of on-call firefighters were available to support their fire and rescue service as needed, as many were furloughed from their primary employment or working from home. Consequently, most services with on-call staff had more fire engines available to respond to emergencies than before the pandemic.
- 5.5.3 On-call firefighters were willing to work flexibly to fill a range of roles, including delivering food to the vulnerable, supporting local ambulance trusts and covering staff absences.
- 5.5.4 Services took steps to mitigate any financial hardship these individuals might have faced if their primary employment was affected by the pandemic. This included offering them paid employment or short-term contracts.
- 5.5.5 Non-operational staff (including those who work in non-uniformed roles, such as prevention) also volunteered to help. Services told us of their willingness and ability to assist.

In Cleveland, work under the tripartite agreement was done by both operational and non-operational staff. Operational staff assisted with the delivery of pharmaceutical and essential items. Non-operational staff assisted with the delivery of pharmaceutical and essential items and temperature testing in the community.

The on-call workforce took on extra responsibilities covering some of the roles agreed under the tripartite agreement. On-call staff assisted with the delivery of training packages to care home staff.

5.6 The way services maintained statutory prevention and protection functions varied, and some did less than expected

- 5.6.1 The NFCC provided advice on how services could maintain a risk-based approach to prevention and protection activity. However, not every service aligned its activity to NFCC guidance. Four services exceeded the requirements of the guidance and eight stopped the majority of protection activity during the early stages of the pandemic.

The NFCC issued guidance explaining how services should maintain a risk-based approach to continuing prevention and protection activity during the Covid-19 pandemic. The brigade broadly adopted this guidance.

5.7 The wellbeing offered to staff during COVID-19 was generally good, but varied

- 5.7.1 Services placed importance on staff wellbeing. Some enhanced their wellbeing provision and tailored it to the outbreak, directing staff to additional help where necessary. However, more could have been done in a third of services to make sure staff who may have been at greater risk, such as those from a black or ethnic minority background, were identified and correct provisions put in place to offer them relevant support.

In Cleveland, staff wellbeing was a clear priority for senior leaders during the pandemic, who actively promoted wellbeing services and encouraged staff to discuss any worries they had.

5.8 The pandemic was a catalyst for change and transformation

- 5.8.1 In our first inspections (between 2018 and 2019) we found that a small number of services had done little to transform and modernise the ways they work. The pandemic changed that quite dramatically for the better.
- 5.8.2 Some services implemented improvement programmes within days of the first lockdown being announced, rolling out new IT and supporting infrastructure. Existing improvement programmes were brought forward and implemented in weeks rather than months. And existing barriers preventing the exchange of information between partners were removed.
- 5.8.3 Transformation mostly benefitted non-operational staff, whose working lives have been revolutionised with the introduction of digital and flexible working in many services. However, this rarely translated into improvements in the working practices or productivity of operational staff, including firefighters. Services should take their experience of digital and workplace transformation and use it to make firefighter time as productive as possible while on station. This could include providing prevention advice remotely to vulnerable people.
- 5.8.4 When the pandemic began, services implemented changes, such as re-deploying staff, reducing community activity and changing working practices, in anticipation of much higher sickness levels. Thankfully, these levels failed to materialise at the time of inspection. However, some services were slow to undo their changes, whether returning re-deployed staff or restarting activity that had been stopped.

In Cleveland, during the pandemic, services were able to adapt quickly to new ways of working. This meant they could respond to emergencies and take on a greater role in the community by supporting other blue light services and partner agencies. It is now essential that services use their experiences during Covid-19 as a platform for lasting reform and modernisation.

6. OTHER FINDINGS

6.1 HMICFRS referenced the following findings within their Report:

- There was strong multi-agency working in every area, supported and facilitated by LRFS
- all services maintained their ability to respond to fires and other emergencies
- the prioritisation of response was, in some cases, to the detriment of prevention and protection activity
- access to data on vulnerable individuals from partners varied
- the oversight and scrutiny of fire and rescue authorities varied
- some services were more prepared for the pandemic than others
- the fire and rescue sector was able to come together effectively during the pandemic
- the intent behind the tripartite agreement was pragmatic, but it was too prescriptive in practice
- on-call firefighters further demonstrated their enormous value to fire and rescue services
- services could have done more to ensure the efficient and productive use of their staff
- most services put effective measures in place to protect control room functions
- more could have been done by services to consider if their risk profile changed as a result of the pandemic
- the additional costs services incurred when responding to the pandemic were mainly covered by government grants
- wellbeing provision offered to staff during COVID-19 was good but varied
- the wellbeing provision offered to staff during COVID-19 was generally good, but varied

7. CONCLUSION

7.1 HMI Zoe Billingham stated that:

“In conclusion, the fire and rescue service can be proud of how it responded during the initial stages of the pandemic, and the support it gave communities. Our comments on the barriers to doing more shouldn’t detract from our recognition of the important and significant contribution fire and rescue services made and continue to make. Fire and rescue services, firefighters and staff stepped up and supported their communities well beyond what they would normally do.

Nonetheless, now is a pivotal time for the country in terms of the fight against the virus. The fire service has much more to offer in supporting the mass vaccination programme and other pandemic activities; thereby matching the ambition of fire service leaders and the commitment of their staff. The barriers dominating the sector need to be overcome or resolved. The sector should look to the good work outlined in this report and continue to serve its communities to the best of its ability. I know there is a desire to do more, and I hope that all those vested with the power to enable this to happen will do so."

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