

HMICFRS REPORT ON STANDARDS OF BEHAVIOUR: THE HANDLING OF MISCONDUCT IN FIRE AND RESCUE SERVICES



REPORT OF THE CHIEF FIRE OFFICER

For Approval

1. PURPOSE OF REPORT

- 1.1 To provide Members with Cleveland Fire Brigade's response to the HMICFRS Report on Standards of Behaviour: The Handling of Misconduct in Fire and Rescue Services.

2. RECOMMENDATIONS

- 2.1 Members are asked to note the 15 recommendations as set out in the HMICFRS Report 'Standards of Behaviour: The Handling of Misconduct in Fire and Rescue Services'.
- 2.2 Members are asked to note the Standards of Behaviour Gap Analysis Report attached as Appendix 1 and the Chief Fire Officer's intended actions in relation to addressing any gaps relating to Recommendations 1-12 and 14 and 15.
- 2.3 Members are asked to consider and approve the actions to address Recommendation 13.1 and 13.2 as set out in Section 5 of this Report
- 2.4 Member are asked to note that the gaps will be addressed through actions in the Corporate Internal Operating Plan and monitored quarterly in line with our Improvement Planning arrangements.

3. BACKGROUND

- 3.1 Inspections carried out by His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) in England from 2018 onwards have highlighted cause for concern in several areas relating to the values and cultures of Fire & Rescue Services (FRSs). Subsequently, in March 2023, HMICFRS published the 'Values and Culture in Fire and Rescue Services' spotlight report, which examined all 44 FRSs in England. The report focused on areas including bullying, harassment, discrimination, fairness, diversity, and reporting and handling of concerns and allegations of misconduct. Alongside this work, several service specific culture reviews, including The Independent Cultural Review of London Fire Brigade in 2022, have taken place which have emphasised specific conditions leading to poor culture and presented recommendations for the improvement of workplace culture.

- 3.2 On 13 Jul 2023, the Home Secretary commissioned HMICFRS to undertake a thematic inspection of the handling of misconduct in fire and rescue services in England; to build on the findings in the spotlight report on Values and Culture.
- 3.3 The inspections took place between Oct 2023 and Jan 2024 and focussed on:
- the extent to which services are identifying and investigating misconduct
 - the effectiveness of misconduct processes and how consistently they are applied
 - how confident FRS staff are in raising concerns and in misconduct processes and
 - the role of fire and rescue authorities and other organisations in handling misconduct
- 3.4 Detailed inspections were carried out in ten FRSs: Cornwall, Dorset and Wiltshire, Greater Manchester, Humberside, Kent, Lincolnshire, Northamptonshire, Staffordshire, Tyne and Wear, and West Midlands. These services were selected to be a representative sample of FRSs across England in terms of size, location, governance structures and performance.
- 3.5 The inspection teams reviewed relevant policies and processes; examined a sample of their grievance, discipline, whistle-blowing and public complaints case files; and interviewed and held focus groups with staff in a variety of roles and at all levels of seniority.
- 3.6 The Inspection team also analysed data provided by all 44 FRSs in England about their grievance and discipline cases.

4. STANDARDS OF BEHAVIOUR: THE HANDLING OF MISCONDUCT IN FIRE AND RESCUE SERVICES REPORT

- 4.1 The findings from the Thematic Inspection are set out in HMICFRS Standards of Behaviour: The Handling of Misconduct in Fire and Rescue Services Report which is available at <https://hmicfrs.justiceinspectorates.gov.uk/publications/standards-of-behaviour-handling-misconduct-in-frs>
- 4.2 HMICFRS said that most fire and rescue services have taken steps to improve standards of behaviour and root out misconduct, but the inspectorate found there are still pockets of abhorrent behaviour, and it has called for further improvements to make sure misconduct is handled effectively.

Inspectors also found that:

- occurrences of unacceptable behaviours including sexist, racist and homophobic language were most common within watches (a group of firefighters assigned to work on the same shift). Staff described examples of toxic cultures where managers failed to challenge behaviour so they could remain popular
- there is a widespread lack of confidence in misconduct processes which prevents staff, particularly women, from speaking out

- supervisors and managers aren't sufficiently trained to manage staff performance, poor behaviour and welfare issues. Staff that manage and investigate misconduct need the right training; and
- services need to learn from their misconduct cases. They must do more to understand why unacceptable behaviour happens and what needs to change to prevent it happening in future.

4.3 HMICFRS has made 15 recommendations to chief fire officers, fire and rescue authorities and others. These include the need for each service to have access to a professional standards function to support fair and transparent misconduct investigations, and to introduce the right training and support for all staff investigating misconduct.

5. CLEVELAND FIRE BRIGADE'S RESPONSE TO THE STANDARDS OF BEHAVIOUR: THE HANDLING OF MISCONDUCT IN FIRE AND RESCUE SERVICES REPORT

5.1 Cleveland Fire Brigade is a learning organisation and will use the findings from the Thematic Inspection to drive improvements in our arrangements and practices. In line with our assurance framework, we have undertaken a gap analysis against the recommendations within the Report the outcomes of which are set out in the attached Gap Analysis Report at Appendix 1.

5.2 Recommendation 13 within the HMICFRS Report relates to two actions required by both the Fire Authority and the Chief Fire Officer as set out below:

- 13.1: By 1st November 2024, fire and rescue authorities and chief fire officers should consider varying the approach to hearing appeals so that appeals for complex or serious cases are heard by a panel rather than one person.
- 13.2: By 1st February 2025, fire and rescue authorities and chief fire officers should make sure all service managers and members of fire authorities who hear appeals receive appropriate training

5.3 With regard to Recommendation 13.1 we are proposing to expand the use of the Fire Authority's Appeals Panel to hear appeals relating to complex or serious cases and this is presented for Members consideration.

5.4 With regard to Recommendation 13.2 Members are asked to note that the Brigade is rolling out a training programme relating to Disciplines and Appeals which will be extended to Fire Authority Members.

5.5 For all identified gaps actions have been added to our digital Corporate Internal Operating Plan and will be monitored by the Executive Leadership Team and the CFA's Executive Committee through our Improvement Planning arrangements.

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