

GOVERNMENT WHITE PAPER: “REFORMING OUR FIRE AND RESCUE SERVICE”



REPORT OF THE CHIEF FIRE OFFICE

For Approval

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to provide a summary of the government's consultation response to the Fire Reform White Paper and to flag the importance of taking action at all levels on integrity and culture in the fire and rescue service.

2. RECOMMENDATION

- 2.1 Members are asked to comment on the government's consultation response to the Fire Reform White Paper, and in particular consider the Home Office actions relating to the key elements of the proposed reform package; and
- 2.2 Members views and comments will inform the inclusion of any internal actions in the Authority's prioritised Corporate Internal Operating Plan (CIOP), which will be circulated to the full Fire Authority for final commentary and approval.

3. BACKGROUND

The Case for Reform

- 3.1 The consultation paper "Reforming Our Fire and Rescue Service" was published on 18 May 2022 to seek views on Government's ideas for reform, building on lessons from independent inspection, concerning national reports and the Grenfell Tower Inquiry. It laid out a vision for fire reform and was built on the ambition to strengthen fire and rescue services. However, the fire reform challenge has become clearer since the launch of the White Paper. Evidence gathered during the consultation stage and a number of key reports and events have provided further insight into the issues set out in the White Paper which have informed the Government's strategy for reform.
- 3.2 As a result, government have focussed their efforts and thinking on the reform steps that will have the biggest impact for the public and for fire professionals: supporting employers and employees to develop a profession to be proud of and ensuring that fire services do more to put the public first. Government will continue to use all tools available to drive improvements, including legislation where appropriate, through revisions to the National Framework and building on wider sector plans, such as Fit for the Future. The report (see Appendix No.1) summarises the consultation responses and sets out the Government's strategy for reform.

- 3.3 In addition, government addresses the integrity and industrial action issues that have since been brought to attention.

Integrity Matters

- 3.4 Autumn 2022 saw the publication of the Independent Culture Review of London Fire Brigade, finding widespread and disturbing bullying, harassment, and discrimination. Whilst the findings were troubling, it is right that senior leaders gripped the issue at hand. It quickly became apparent that these issues were not confined to London, far from it.
- 3.5 In response to this review, and other allegations in multiple services, the Minister for Crime, Policing and Fire commissioned His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) to produce a "Spotlight" report on values and culture. The Report was published in March 2023 and highlighted widespread unacceptable behaviour. HMICFRS also raised serious concerns around the misconduct process, background checks, and leadership across services.
- 3.6 The Home Secretary therefore commissioned HMICFRS to conduct a thematic inspection of the handling of misconduct in fire and rescue services. This will examine the effectiveness and consistency of the misconduct processes.
- 3.7 The Home Office will prioritise the actions needed to ensure fire and rescue services are welcoming, respectful workplaces that enable all individuals who work in them to thrive and will expect all partners and sector leaders to play their part.

Keeping Communities Safe during Strikes

- 3.8 This year has seen services in a period of uncertainty and the public potentially placed at undue risk due to strike threats. Although a pay offer from fire employers ended the current pay dispute without industrial action, this highlighted, in the government's view, the need for more robust business continuity planning and a more modern, transparent pay mechanism. Employees should have the right to strike, but it is essential that the public remain protected, and business critical services can continue to be delivered.
- 3.9 With fire and other public services in mind, this Government took steps to protect the public with the introduction of minimum service levels legislation into Parliament. In the event of industrial action, these measures would ensure a sufficient level of staffing to keep the public safe.
- 3.10 A public consultation concluded on 11 May 2023 and on 20 July 2023 the Strikes (Minimum Service Level) Act 2023 received Royal Assent in Parliament, ensuring workers maintain the ability to strike whilst giving the public access to the essential services they need.
- 3.11 Government are continuing to work through what the policy design for fire and rescue minimum service levels could look like.

4. **GOVERNMENT STRATEGY FOR FIRE REFORM**

- 4.1 The Fire Reform White Paper consulted on the government's vision for fire reform, centred around three main themes:

People - improving systems, flexibility and culture.

Professionalism - helping fire professionals to best serve their communities.

Governance - strengthening oversight and leadership.

- 4.2 Although the proposals focussed strongly on making sure that fire and rescue is a great modern profession, recent reports have illustrated how central these issues should be in the strategy for reform. The changes government outline in the attach response document will support both the public and fire and rescue professionals: building a profession we can all be proud of.

5. **PEOPLE**

- 5.1 The White Paper outlined plans to help fire professionals to further develop their skills and ensure that everyone could thrive in their work. This included clarifying the role of fire and rescue services, unlocking talent, and improving representation within services.

- 5.2 The Home Office is already taking significant steps: with grant funding to support new standards, leadership programmes at all levels and embedding the Code of Ethics. The Home Office has also worked with the Ministry of Justice, National Fire Chiefs Council (NFCC) and the Disclosure and Barring Service to introduce legislation, supported by new guidance, expanding eligibility for background checks on Fire and Rescue Authority (FRA) employees in the interests of both staff and public safety.

Talent and inclusion

- 5.3 The White Paper set out the intention to build on existing progress to provide effective leadership of the sector and building capability, embedding values, and nurturing talent within services.
- 5.4 The Home Office is funding the development and piloting of wider direct entry schemes through the NFCC, bringing new perspectives into services alongside the many talented professionals already serving.

Home Office Action

- **The Home Office will explore options and engage with key stakeholders to determine how best to implement this proposal, taking into account lessons and experiences from the pilot that is being run by NFCC.**
- **The Home Office will continue to work with the NFCC and others to develop talent management schemes for both new recruits and those already working in fire and rescue.**

- **The Home Office will also work with service leaders to consider consistent entry requirements, including barriers in current entry requirements.**

Pay and role

- 5.5 The current role of fire and rescue services is to keep the public safe through prevention, protection and response work with a duty to collaborate with other Blue Light services where this will improve public safety outcomes. The consultation sought views on the proposal to expand the role of fire and rescue services in relation to the range of incidents faced by the public.
- 5.6 The Government's fundamental position is that the role of the fire and rescue service in England is clear - laid out comprehensively in legislation across three key acts of Parliament that address fire, community safety and civil contingencies. While the law may be clear, the Government recognise that its implementation is hampered by cumbersome pay and conditions machinery and a lack of clear accountability for fire operations and resources, and the tasking of fire professionals.

Home Office Action

- **The Home Office will continue to work with the sector to address this as well as to identify and explore opportunities and action which will benefit public safety.**
- **The Home Office will work together with the Department of Health and Social Care (DHSC) and other partners to explore options further. We will also work alongside fire and rescue services across the UK, DHSC, NHS England, NHS Wales and regional Ambulance trusts to support the work of the ambulance services in a way that increases public safety. Operational independence for CFOs will also help facilitate fire and rescue services playing a wider role in the health and public safety agenda, as they will have the powers to deploy resources in their local areas.**
- **The Home Office want to work with the full range of both fire employers and unions to address the call for change that has come through in the consultation responses in relation to the operation of the National Joint Council (NJC). In the first instance, HO will support the fire and rescue authorities and unions to critically review the NJC's own mechanisms, operations, and transparency. This should be an inclusive process and should be completed by early 2024.**
- **It is clear from this consultation that the right answer cannot simply be a defence of the status quo. We will want the review to actively consider the changes that it is clear consultation respondents want to see and to explore whether there needs to be more scope for variation and self-determination including by types of services and by location. If this does not result in meaningful change, we will need to explore other routes to ensure a modern, fair pay system that constructively enables role reform in England.**

Minimum Entry Requirements

- 5.7 The White Paper considered whether minimum entry requirements should be set for fire and rescue service roles.
- 5.8 Quantitative responses to the White paper consultation showed either strong agreement or agreement with the proposal, citing an apparent lack of consistency, the importance of striking the right balance between operational and academic experience and the need for more inclusive standards. However, respondents who were against the proposal were primarily concerned that minimum entry requirements could have an adverse impact on recruiting from diverse backgrounds or those without academia.

Home Office Action

- **The Home Office will continue to explore options and engage with key stakeholders to determine how best to implement this proposal with a focus on consistency.**

6. PROFESSIONALISM

- 6.1 The White Paper proposals on Professionalism centred around the creation of an independent body for fire professionals. These proposals will build on the important and ongoing work of both the Fire Standards Board (FSB) which has developed a strong suite of Fire Standards ranging from operational matters to culture and ethics, and the National Fire Chiefs Council (NFCC), who will have an enduring and important role in future.

Creating a College of Fire and Rescue

- 6.2 A College of Fire and Rescue was proposed to strengthen the development of individuals and the overall professionalism of fire and rescue services, setting the direction on data, research, leadership, ethics, and professional standards. It was also proposed that a College could be given powers mirroring those of the College of Policing, to help it drive change.

Home Office Action

- **The Home Office will continue to work openly with sector leaders, the frontline and existing comparable organisations such as the College of Policing, as they develop the most appropriate delivery model.**

Raising standards

- 6.3 The White Paper proposed creation of a statutory code of ethics, the case for which is bolstered by inspection findings of HMICFRS and serious lapses of integrity in parts of our fire and rescue services. In matters of integrity and elsewhere, the Home Office wants to see professional standards which drive consistency and drive-up performance and professionalism.

Home Office Action

- **The Home Office will place future responsibility for professional standards with the College of Fire and Rescue and will create powers to place elements of professional standards such as a code of ethics on a statutory basis when parliamentary time allows.**

Fire and Rescue Service Oath

- 6.4 The White Paper proposal sought views on introducing a fire and rescue service oath in England. The oath would be a promise undertaken by fire and rescue authority employees to uphold the principles in the statutory code while undertaking tasks on behalf of fire and rescue authorities, to help address the cultural challenges identified above and provide a positive commitment to the role services can play in their communities.

Home Office Action

- **After considering the findings of the consultation, it is clear that respondents have concerns regarding the oath and that it may not address the challenges within the sector as desired. The Home Office will therefore not be taking this proposal forward at this time.**

7. GOVERNANCE***Governance Change***

- 7.1 The White Paper opened debate on strengthening or simplifying fire governance. It indicated that single point accountability allows for better link up between services, more efficient use of resources and clearer accountability to the public. The current process of submitting business cases for governance transfers can be complex, costly and time consuming. The White Paper also confirmed the intention to deliver on the independent inspectorate's recommendation that chief fire officers should be afforded operational independence, similar to their policing counterparts.

Home Office Action

- **The Home Office believes in the value of single point accountability in fire and is committed to supporting moves towards this. However, they will not take forward the mandatory transfer of FRA functions to Police and Crime Commissioners (PCCs), Mayors or single elected individuals at this stage. The Home Office will encourage PCCs and Mayors who want to take on fire governance functions, where the areas are co-terminus, to step forward, in order to enable the Home Office to assess readiness and support change.**

- **The Home Office will work proactively with PCCs and the Association of Police & Crime Commissioners to explore ways to simplify processes and incentivise voluntary transfers, including radically streamlining the business case process or exploring legislative means to remove them altogether.**
- **The Home Office will also, as part of the Government's Levelling Up agenda, continue to support locally led devolution deals and any fire governance transfers that result from these deals.**

Operational Independence

- 7.2 The proposals in the White Paper set out plans to clarify the responsibilities of fire authorities and chief officers. The aim is to create a framework that complements existing structures while providing greater clarity and transparency in the division of responsibilities. At all times, the fire and rescue authority will be responsible for their fire service. The chief officer is effectively responsible for operationalising the authority's strategic directions. Operational independence would provide chief officers with the ability to make decisions on practical and management issues.

Home Office Action

- **The government will seek to legislate, at the earliest opportunity, to give chief officers operational independence. The Home Office will also take action to make the responsibilities of the fire and rescue authority and the chief officer clearer, with regard to a clearer separation of strategic and operational planning requirements and the governance of services.**

8. SUMMARY

- 8.1 The government's consultation response to the Fire Reform White Paper has clarified and redefined the Home Office's package of reforms which they believe will focus on the areas that have the biggest impact for the public and for the fire professionals: developing a profession to be proud of and ensuring that the fire service do more to put the public first. These include:
- Introducing a professional College of Fire and Rescue to raise standards and strengthen leadership.
 - Developing provision for chief fire officers to have operational independence.
 - Tasking the National Joint Council (NJC) to review the pay negotiation mechanism.
 - Taking action to improve integrity and culture in fire and rescue services through improved training, more open recruitment practices and working towards a statutory code of ethics for fire and rescue employees.

9. **ENCLOSURE**

- **Consultation Response December 2023**

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