

Appendix 1: Consultation response

Introduction:

Warwickshire Fire and Rescue Authority welcomes the White Paper on Reforming of the Fire and Rescue Service. Although we are very proud of our Fire and Rescue Service, we also recognise the need to reform to meet the changing needs of our communities. Warwickshire Fire and Rescue Service (WFRS) is an integrated part of Warwickshire County Council (WCC). This 'one team' approach across WCC ensures that WFRS plays a significant role, alongside a range of partners, supporting the communities of Warwickshire. This was evidenced through the Covid19 pandemic and on-going joined up activity around youth engagement, community safety and road safety. There are significant challenges ahead in relation to levelling up, cost of living, climate change, the economy and enabling people to live healthy, happy and independent lives. This can only be achieved in partnership and collaboration, working as one team, to enable and support the people of Warwickshire.

Although reform is welcomed it needs to be focused on better outcomes for communities. Warwickshire Fire and Rescue Authority is yet to be convinced that a governance change would deliver better outcomes. We will be working to ensure that reform is delivered locally that makes Warwickshire the best it can be, now and into the future.

Survey response:

Q1: To what extent do you agree/disagree that fire and rescue services should have the flexibility to deploy resources to help address current and future threats faced by the public beyond core fire and rescue duties?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
Y				

Q2: To what extent do you agree/disagree that fire and rescue services should play an active role in supporting the wider health and public safety agenda?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
Y				

Q3: To what extent do you agree/disagree that the business continuity requirements set out in the Civil Contingencies Act 2004 provide sufficient oversight to keep the public safe in the event of strike action?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q4: To what extent do you agree/disagree that the current pay negotiation arrangements are appropriate?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q5: Please provide the reasons for your response to Q4

It is clear that the National Joint Council (NJC) arrangements have not been able to deliver the required outcomes in relation to the flexible deployment of Fire and Rescue Service personnel to new and emerging risks within the community. The NJC arrangements have also not been able to deliver suitable or sufficient pay agreements over a period of time.

Having said that, unless additional finance is provided centrally, any pay negotiation mechanism will be unable to operate effectively, due to the inability to afford any pay agreements locally. The review needs to consider how pay negotiations and pay rises are going to be sustainably funded and achieved, especially in a time of inflation and austerity, alongside how the NJC reaches such decisions.

The role and scope of the NJC has crept outside of its original remit. The NJC should focus on pay and conditions and not on the role of a firefighter and how they are deployed locally to reduce risk.

There should be flexibility for firefighters to be deployed to deliver against the local risk and vulnerability as identified within the Community Risk Management Plan.

Q6: To what extent do you agree/disagree that consistent entry requirements should be explored for fire and rescue service roles?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q7: Please provide the reasons for your response.

Consistent entry requirements will ensure that all in leadership positions have the required knowledge and competencies to lead. However, a single pathway to achieving these competencies, could restrict and reduce diversity.

Q8: To what extent do you agree/disagree that other roles, in addition to station and area managers, would benefit from a direct entry and talent management scheme?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q9: To what extent do you agree/disagree with the proposed introduction of a 21st century leadership programme?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q10: Please provide reasons for your response to Q9.

The current Executive Leadership Programme is a beneficial 21st century leadership programme. This is not a new concept. It is important that all leaders achieve the required competencies to lead, however, a single pathway and route for development will constrain diversity and limit a broader experience base in leadership across Fire. A 21st Century Leadership Programme adds value but should not be the only pathway to leadership roles.

Q11: To what extent do you agree/disagree that completion of the proposed 21st century leadership programme should be mandatory before becoming an assistant chief fire officer or above?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
				Y

Q12: To what extent do you agree/disagree that each of the activities outlined above are high priorities for helping improve the use and quality of fire and rescue service data?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q13: What other activities, beyond those listed above, would help improve the use and quality of fire and rescue service data? Please give the reasons for your response.

A national approach to data analytics, training and governance will add some benefits as local fire specific data sets may not be large enough locally to inform and understand risk. This cannot be at the expense of local data analytical capability across local partners. The understanding of local place is essential, leading to the ability to meet local bespoke community needs.

Q14: To what extent do you agree/disagree that each of the activities outlined above are high priorities for improving the use and quality of fire evidence and research?

- Collaborating
- Commissioning
- Conducting
- Collating

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q15: What other activities, beyond those listed above, would help improve the use and quality of evidence and research on fire and other hazards? Please provide the reasons for your responses.

This question suggests that evidence and research would be around fire and other hazards. It is essential that Fire and Rescue Services are focused, with partners, on the causes of emergencies and crisis occurring which will be much broader than fire. There is academic evidence to show that this will include mental health, dementia, alcohol and drug dependency and misuse, poverty, unemployment, climate change, building construction, new and emerging technology and vehicles, population and housing growth as examples.

Q16: To what extent do you agree/disagree with the creation of a statutory code of ethics for services in England?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
		Y		

Q17: To what extent do you agree/disagree that placing a code of ethics on a statutory basis would better embed ethical principles in services than the present core code of ethics?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q18: To what extent do you agree/disagree that the duty to ensure services act in accordance with the proposed statutory code should be placed on operationally independent chief fire officers?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q19: To what extent do you agree/disagree with making enforcement of the proposed statutory code an employment matter for chief fire officers to determine within their services?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q20: To what extent do you agree/disagree with the creation of a fire and rescue service oath for services in England?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q21: Please give the reasons for your response to Q20.

It is not possible to change culture or values within the Fire and Rescue Service through legislation or statute. This will drive negative behaviours and attitudes underground or beneath the surface. Culture needs to be changed through leadership and creating understanding. Fire and Rescue Services also need to recruit in line with the Core Code of Ethics.

The taking of an oath is required, as a form of contract of employment and in service to the crown, in some service sectors. It is not required in the Fire and Rescue Service due to the role of firefighters and existing contracts of employment. Fire and Rescue personnel do not directly work for the crown and are more similar in contract of employment to the Ambulance Service and other public sector organisation than the Police.

The implementation of the oath for all people will be problematic. There are significant challenges that would be faced should existing long term employees refuse to take the oath. It is also hard to understand how the oath and statutory code of ethics co-exists alongside existing contracts of the

employment. Any changes to contracts of employment would require agreement or dismissal and re-employment.

The oath may restrict diversity into the sector with some parts of our communities being unwilling to take an oath. This could be on religious grounds as an example.

Q22: To what extent do you agree/disagree that an Oath would embed the principles of the Code of Ethics amongst fire and rescue authority employees?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
				Y

Q23: To what extent do you agree/disagree with an Oath being mandatory for all employees?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
				Y

Q24: To what extent do you agree/disagree that breach of the fire and rescue service oath should be dealt with as an employment matter?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q25: To what extent do you agree/disagree that the five areas listed above are priorities for professionalising fire and rescue services?

- Leadership
- Data
- Research
- Ethics
- Clear Expectations

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
Y				

Q26: What other activities, beyond the five listed above, could help to professionalise fire and rescue services?

There should be a link to the nationally agreed Fire Standards as developed by the NFCC.

Q27: To what extent do you agree/disagree with the creation of an independent College of Fire and Rescue to lead the professionalisation of fire and rescue services?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q28: Please provide your reasons for your response

Having the provision of the appropriate, recognised and accredited development across the sector is essential. This includes the ability to deliver national research and data. There is too much focus on a physical location. There would be benefit in this being a virtual fire college. Resources and people needing to attend a physical location increases cost and reduces service to the community locally.

There are risks of this being provided with a commercial partner who has multiple agendas.

The provision of training and development needs to be in line with the Core Code of Ethics.

The funding of an independent College of Fire cannot be an additional financial burden on Fire and Rescue Services.

Q29: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to a single elected individual?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q30: What factors should be considered when transferring fire governance to a directly elected individual?

Although a single elected member can provide a simple and identifiable accountable person, it also removes the diversity of thought of a larger Fire and Rescue Authority.

Within a County Council model, there is an identified portfolio holder who has accountability for the day-to-day governance of the Fire and Rescue Service.

Within a County Council model strong links are developed with a range of internal teams such as children services, adult social care, education, highways, trading services and community safety. Any changes to a single accountable person are likely to remove the structures that enable effective relationships and a 'one team' approach.

Q31: Where Mayoral Combined Authorities already exist, to what extent do you agree/disagree that fire and rescue functions should be transferred directly to these MCAs for exercise by the Mayor?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q32: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to police and crime commissioners?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q33: Apart from combined authority mayors and police and crime commissioners, is there anyone else who we could transfer fire governance that aligns with the principles set out above?

YES	NO
Y	

Q34: If yes, please explain other options and your reasons for proposing them.

There are significant benefits to a County Council Fire and Rescue Service. Linked to the proposed requirement in the White Paper of good governance, an 'executive leader' being the Leader of the Council is a realistic and beneficial option.

Within a County Council model strong links are developed with a range of internal teams such as children services, adult social care, education, highways, trading services and community safety. Any changes to a different single accountable person are likely to remove the structures and mature ways of working that enable effective relationships and a 'one team' approach. These relationships and collaborations save lives, reduce vulnerability and add significant community value.

Although a Fire and Rescue Service can stand alone, there is benefits in economy of scale and a greater level of financial sustainability within a larger County Council model.

Q35: To what extent do you agree or disagree that the legal basis for fire and rescue authorities could be strengthened and clarified?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree

		Y		
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Q36: Please provide the reasons for your response.

There is a lack of guidance around the role and function of Fire and Rescue Service governance. There is also a lack of clarity around operational independence of the Chief Fire Officer.

Q37: To what extent do you agree/disagree that boundary changes should be made so that fire and rescue service areas and police force/combined authorities (where present) areas are coterminous?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q38: To what extent do you agree/disagree with ring-fencing the operational fire budget within fire and rescue services run by county councils and unitary authorities?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
			Y	

Q39: Please provide the reasons for your response.

The ring fencing of budgets within a County Council model would restrict the flexible use of resources to meet the risks and needs of the community in Warwickshire. It would be problematic to manage and restrict flexible investment when required.

The Fire and Rescue Budget has not been changed within year in Warwickshire for a considerable time.

It should be clear to the public on how their council tax and fire budgets are being used to achieve value for money and effectiveness.

Q40. To what extent do you agree with this proposed approach (as outlined in the table above)?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
		Y		

Q41. Do you have any other comments to further support your answer?

Large elements of the table seem appropriate. It is however important to recognise that there is unlikely to be clear delineation in decision making in all

circumstances. The table, in general is helpful, and provides a level of clarity, however there should be the ability to locally, to together seek agreement, on how best to serve the community.

Q42. Are there any factors we should consider when implementing these proposals?

It will be important to set out within guidance the roles and responsibilities as the scheme of delegations does not provide the vehicle for clarity and can be changed at any time.

Having clear delineation in decision making between operational and governance is useful, but care needs to be taken not to create siloes or hard lines that result in a failure to consult and engage in decision making.

Q43: What factors should we consider when giving chief fire officers operational independence?

Providing clarity on what operational independence means is essential. It is also important to understand and define what good governance looks like. It is essential that an operationally independent Chief Fire Officer is scrutinised through good governance to ensure the best possible service to the community.

Q44: What factors should we consider should we make chief fire officers corporations sole?

Consideration must be given to how this could be achieved whilst maintaining a County Council Fire and Rescue Service. It is currently not clear.

A full assessment of what this means for the Fire and Rescue Service and what accountabilities and responsibilities this places onto the CFO and other Fire and Rescue personnel.

It is also important to evidence the benefits that this approach would have on service to the community. This is a significant change with limited evidenced benefits but with various legal implications such as TUPE and pensions as examples.

Q45: To what extent do you agree or disagree that the responsibility for strategic and operational planning should be better distinguished?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q46: To what extent do you agree or disagree that the strategic plan should be the responsibility of the fire and rescue authority?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
	Y			

Q47: To what extent do you agree or disagree that the operational plan should be the responsibility of the chief fire officer?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
Y				

Q48: Please provide the reasons for your response.

It is appropriate for the publicly elected executive leader to, in conjunction with the CFO, define the high-level outcomes that need to be delivered to keep the community safe. These high-level objectives should be agreed by the public.

It is then right for the operationally independent CFO to have delegated accountability and responsibility to determine how to deploy the resources on a day-to-day basis in order to deliver these high-level objectives.

Conclusion:

We would like to thank you for the opportunity to shape the future reform of the Fire and Rescue Service through this consultation response. We remain committed in Warwickshire to providing our communities with the best possible Fire and Rescue Service. We look forward to understanding how you will be responding and informing us of the outcomes of this consultation. In the meantime, please contact us should you need any further information or clarity on our response.

Appendix 2 - Fire Reform White Paper electronic link

<https://www.gov.uk/government/consultations/reforming-our-fire-and-rescue-service>