

# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY CONSULTATION RESPONSE**

## **'ENABLING CLOSER WORKING BETWEEN THE EMERGENCY SERVICES'**

### **Introduction**

West Midlands Fire and Rescue Authority (WMFRA) welcomes the opportunity to respond to the Government's consultation document: 'Enabling closer working between the Emergency Services.'

The approach of the consultation focuses on asking how the proposals should be implemented rather than the proposals itself and as such, this response seeks to provide comment around the five sections rather than responding to each individual question.

### **1. Greater Collaboration**

*Questions referenced in consultation response*

*Question 1: How do you think this new duty would help drive collaboration between the emergency services?)*

This consultation is running along the development of the West Midlands Combined Authority (WMCA). West Midlands Fire and Rescue Authority (WMFRA) anticipates that devolution of power to WMCA would provide wider opportunities for the Fire Service to collaborate across not only emergency services but other agencies and sectors in the event that West Midlands Fire Service (WMFS) falls within this devolved structure.

WMFRA and its partners already benefits from positive collaborative relationships with a range of emergency and public sector services. Some examples include:

- Joint Emergency Services Interoperability Programme (JESIP).
- West Midlands Police (WMP) – Fire Investigation.
- Emergency Services Mobile Communication Programme.
- Co-locating with West Midlands Ambulance Service.
- Health and commissioning – Coventry City Council Telecare Pilot.
- Sharing of estates with Birmingham and Coventry City Councils.
- Joint Fire Control with Staffordshire Fire and Rescue Service. This particular area of collaboration has resulted in £1.5 million joint savings per year with a joint saving of £11.6 million projected to 2020. This provides a good example

of where local solutions have been delivered to create a more efficient and effective approach to front line service delivery.

WMFRA recognises the increasing need to collaborate further across the emergency services and welcomes the intent around this new duty. However, it is important that this duty also takes into account the need to collaborate wider across other agencies (such as the NHS and the third sector) to enable the achievement of better joint outcomes, which are designed to provide more impact socially for our local communities in a more efficient and effective way.

This is critical to the contribution that WMFRA and the Fire Sector in general can make to the wider health and wellbeing agenda through addressing the causes of the causes to social and health inequalities. This approach is essential to the success of the fire and health prevention agenda and reducing risk to communities. The WMCA would provide opportunities for improved outcomes, across a wider public health and wellbeing environment whilst reducing the impact upon the public purse through effective collaborative working.

WMFRA recognises the value of the Police in cross sector groups such as Multi Agency Safeguarding Hub (MASH). However, this involvement primarily arises from a safeguarding and enforcement perspective and does not align to a pure prevention approach. The role of fire officers in prevention is widely accepted by the public and this is critical to the operating model for fire. This is not currently the same for Police, though it is recognised that there is some intent for this to change.

Whilst the proposals focus heavily on Fire/Police collaboration, a duty to involve services who may not appear as embrative around collaboration to bring added benefits to the communities as WMFS do is welcomed. WMFRA envisages that the duty could provide further and perhaps more appropriate opportunity for more front line collaborative working with the Ambulance Service in areas that have been previously considered. WMFRA therefore acknowledges the comments made by the LGA in this regard in their submission.

WMFRA are committed to working more effectively with the Police and Crime Commissioner (PCC) and collaborating further with the Police and other agencies in areas such as:

- Governance
- Shared or merged services
- Operational activities across prevention, protection and response
- Closer collaborative working around Road Traffic Collisions
- Shared Estate
- Shared ICT
- Data Sharing

## 2. **Accountability and Governance**

*Questions referenced in consultation response:*

*Question 2: Do you agree that the process set out above would provide an appropriate basis to determine whether a Police and Crime Commissioner should take on responsibility for Fire and Rescue?*

*Question 3: Do you agree that the case for putting in place a single employer should be assessed using the same process as for a transfer of governance?*

*Question 4: What benefits do you think could be achieved from empowering Police and Crime Commissioners to create a single employer for Police and Fire and Rescue personnel whilst retaining separate frontline services where a local case has been made to do so?*

*Question 5: Do you agree that the requirement for a chief officer to have previously held the office of constable should be removed for senior fire officers?*

*Question 10: Do you agree that Police and Crime Commissioners should be represented on Fire and Rescue Authorities in areas where wider governance changes do not take place?)*

In line with the objectives of this consultation paper, to promote greater effectiveness and efficiency through greater collaboration, there should be a strong focus on joint working to understand the benefits, considerations, barriers and, as importantly, the costs incurred in integrating the governance of the Police and Fire Services prior to any determination locally made. The process set out in the consultation document does not support this approach and does not take into account the impact and costs of this level of change.

A single person taking on the responsibilities for governance of Fire and Rescue and the Police as opposed to a WMCA or Mayor and Cabinet model, would place a significant amount of responsibility and risk in one person making decisions for both services. The current Fire Authority model provides a more risk averse and balanced approach where the strategic leadership, political balance and governance is spread more effectively and is far more representative of the communities being served.

WMFRA provides critical services to the Communities of the West Midlands and is directly accountable through local authorities. For example Section 41 Fire Authority Members present fire performance for scrutiny to their District Councils. These Members are locally elected by their constituents and therefore also enable effective engagement with local authorities and their communities to promote prevention based work and communicate needs.

WMFRA are committed to exploring collaboration with the Police in the sharing of services which could be achieved without the need for a single employer, WMFRA therefore do not believe that there is a need for this form of collaboration to be legislatively prescribed on a forward thinking authority such as WMFRA. This local level exploration would secure the evidence base to enable, in due course, a change

in governance to take place in a way that is aligned to the WMCA and would therefore minimise the impact on staff and communities as well as the costs of making this change twice.

A potential outcome of operating under a single employer could make effective communication and engagement with our communities from a front line perspective difficult. Due to the priorities of the two services, the brand and image of each are very different. The Fire Service generally takes a 'neutral stance' which has aided the sector in reaching areas of society that other services have found difficult to gain access to. As such, the Fire Service has progressed significantly in the prevention arena over the last 10 years.

The Local Government Association (LGA) are undertaking some analysis which seeks to evidence the potential impact of the above paragraph.

WMFRA believes that the role of the Chief Fire Officer over the past 5 years in leading transformation in a constantly changing and challenging environment, qualifies the Chief Fire Officer to have equal standing and opportunities with Chief Constables. However, WMFRA does not believe that a single employer model is the way forward.

### 3. **Performance and Scrutiny**

*Question referenced in consultation response:*

*Question 6: How do you think the requirement for a Police and Crime Commissioner to have access to an informed, independent assessment of the operational performance of the Fire Service should best be met?*

*Question 7: Do you agree that where a Police and Crime Commissioner takes responsibility for the Fire and Rescue Service, the Police and Crime Panel should have its remit extended to scrutinise decision making in relation to fire services?*

*Question 8: Do you think that where a Police and Crime Commissioner takes responsibility for the Fire and Rescue Service, the Police and Crime Panel should have its membership refreshed to include experts in fire and rescue matters?*

*Question 9: Do you think that where a Police and Crime Commissioner puts in place a single employer for Fire and Rescue and Police service's personnel, complaints and conduct matters concerning fire should be treated in the same way as complaints and conduct matters concerning the Police?*

There are a variety of approaches that WMFRA takes part in and/or invites which enables effective, informed and independent assessment of performance across the Service. The fire service as a whole is already a high performing sector which is borne out successfully in driving down incidence of fire and the impact this has on individuals, family and local economies.

The (LGA advocated) Operational Performance Assessment (OpA) provides a predominant and successful, industry accepted approach to sector led improvement and greater local accountability. The approach is based upon the following principles:

- Fire and rescue services are responsible for their own performance.
- Stronger local accountability leads to further improvement.

A recent independent review of OPA recognised the role of the peer review process in:

- Providing structured and consistent basis for improvement.
- Providing councillors and chief officers which information to challenge operational service delivery.
- Enables sector wide improvement.
- Transparent and robust mechanism for providing challenge to individual services as well as the sector.

Some of the improvements focused in the above review have sought to strengthen organisational effectiveness and change, the emphasis on welfare in health and safety, leadership, governance, financial planning and importantly outcomes for communities.

WMFRA supports and engages fully with the OpA and recognises the benefits of this independent assessment of the Fire and Rescue Service. It is important, irrespective of governance models, that an approach to an operational assessment is consistent across the Fire and Rescue Sector.

In preparing more widely for WMCA and working more collaboratively with the Police and Crime Commissioner, WMFRA believe that this approach to independent assessment provides sufficient information to determine and understand the performance of the Fire and Rescue Service, both operational and organisational preparedness to ensure effectiveness and efficiency in its approach.

Independent scrutiny is provided through WMFRA's External Audit regime and continued good 'unqualified' financial and value for money conclusions.

As part of the approach to internal and external scrutiny of decision making, WMFRA scrutinises decisions made through a Member led Scrutiny Committee. The Committee is able to hold officers to account for performance through its review process or as an outcome of corporate performance reporting.

Alongside both mandatory and non-mandatory approaches to assessment, WMFRA consistently invites and receives challenge from external organisations and parties as part of aspirations to share and receive best practice and to promote our approach to service delivery. Examples of this can be evidenced through:

- **Our Story events**, which seeks to create awareness and understanding, the most recent being to share with the Fire and Rescue Service Sector independent academic research undertaken around fire survivability. This

research evidenced the validity of the 5 minute high risk attendance standard which is core to WMFRA's service delivery model.

- **Building relationships and partnerships with Health**, to promote and extend the reach of our prevention work, seeking to target the hard to reach in the most innovative ways. Making every contact count through delivering key prevention messages for a number of public sector services.
- **Building relationships across the Fire sector**, such as the Chief Fire and Rescue Advisor, MP's and Ministers, to raise understanding of the impact of the Corporate Spending Review and providing data and information which places the Service under additional scrutiny in terms of performance and finance.

The role of a Fire Authority is to be accountable to local communities for the strategic performance against corporate strategy, as well as for effective governance of the Service. The current Fire Authority model provides this public accountability and local assurance through a transparent and effective corporate governance framework.

Any future model should be able to reflect and improve upon the current level of scrutiny provided through the current authority model. A recent Parliamentary report 'Tone from the Top' by the Committee for Standards in Public Life has recognised that PCCs are not currently held to account sufficiently by Police and Crime Panels and urged a number of changes to ensure accountability is improved.

Complaints and conduct issues are currently very different for the two services. It is difficult to see how a single process could be applied to two different services with very different historical and legal backgrounds.

#### 4. **Civil Contingencies**

*Question referenced in the consultation response:*

*Question 13: To what extent do you think there are implications for local resilience (preparedness, response and recovery) in areas where the Police and Crime Commissioner will have responsibility for Police and Fire?*

The West Midlands conurbation has a healthy relationship across the partner agencies to deliver its responsibilities under the Civil Contingencies Act (CCA). Resilience arrangements are tested through a co-ordinated approach ensuring engagement with category 1 and 2 responders and voluntary sector partners. Maintaining governance for a healthy relationship and locally agreed arrangements across the 7 Local Authority areas supports cross sector resilience and emergency preparedness for our communities.

*Question 14. To what extent do you think there are implications for resilience responsibilities in areas where an elected metro mayor is also the Police and Crime Commissioner and responsible for the Fire and Rescue Service?*

A governance structure that provides a framework for better collaboration, effective engagement and closer working enhances preparedness. A community risk register that incorporates a full range of risks across a number of authority areas will provide wider benefits in preparing for and responding to incidents that impact on our communities. Currently Local Resilience partners are encouraged to work together to improve community resilience and preparedness and any governance structures should place greater responsibility for collaboration. An elected mayor would possibly provide greater accountability for the Local Resilience Forum. The CCA provides more of an influence to collaborate rather than a must and no one partner answers to the other.

## 5. **Other Considerations**

*Questions referenced in the consultation response:*

*Question 15: Are there any other views or comments that you would like to add in relation to emergency services collaboration that were not covered by the other questions in this consultation?*

*Question 16: Do you think these proposals would have any effect on equalities issues?)*

There are many opportunities for further collaboration with Police as well as across other emergency and public sector services and, as highlighted earlier in this response, WMFRA are committed to expanding the work presently carried out across a range of services. However, in the case of WMFRA there is clear reason for caution. WMFRA benefits from a recognised and trusted brand which has enabled the Fire and Rescue Service to access its communities and in particular those that are harder to reach, delivering circa 330'000 interventions in the homes over the last 10 years

Our professional firefighters have delivered advice well beyond the scope naturally associated with fire by working with young and old people, protecting the most vulnerable through risk assessments and ongoing contact through partnership working with other agencies. The result of this integrated approach in providing services to the community is the ongoing provision of a valuable community-based service that goes far beyond responding to emergencies. It is therefore important to recognise the success of the Fire and Rescue Service and acknowledge and utilise the role of the Fire and Rescue Service, particularly the successful integrated service delivery approved by the WMFRA which has been endorsed by Sir Michael Marmot: "a world class service" (Director of the UCL Institute of Health Equity) and Shirley Cramer: "the unsung heroes of public health", (The Royal Society for Public Health), for addressing inequalities at the heart of the West Midlands communities.

The prevention agenda is growing and is increasingly widening into the health agenda and with the requirement to make savings with further cuts to budgets forecast, the Fire and Rescue Service is extremely well placed to integrate their fire safety and health and wellbeing messages with the delivery of messages and interventions on behalf of the wider public services and has the potential to play a key role in introducing prevention across the public services. As highlighted in the 'Accountability and Governance' section above, the proposals set out in this document have the potential to adversely impact on the evolution of this work which could make this harder to achieve.

From a perspective of improved outcomes for the community, alignment to a WMCA model incorporating public health agencies and access to health and wellbeing commissioning provides far better value for money for longer term ongoing reduction upon the public purse, as opposed to exploring the potential for short term cost savings.

WMFRA do not feel that the perceived positive impacts of these proposals are detailed sufficiently to understand the outcomes for local communities. This vision would make clearer the desired success criteria beyond short term savings.

From an equality perspective WMFRA are more representative of our communities than a single elected PCC.

Given the makeup of WMFS, any reduction in the workforce brought about by sharing back office services through greater collaboration will adversely impact upon female and BME's as protected characteristics groups, who are amongst the lower paid. Indeed, the need to adequately reflect the communities served is a consideration which featured highly on the Home Secretary's agenda in the address to the conference of the National Black Police Association this month.