

Fire White Paper: Summary of themes and questions

Reforming our Fire and Rescue Service is the Government's [White Paper](#) on Fire reform. The consultation has three themes – People; Professionalism; Governance, and closes 26/07/22.

The Paper makes two critical references to GMFRS, which are detailed at the end of this summary, along with initial responses to the Paper from the LGA, the FBU and the NFCC.

Headline proposals

1. FRS should be able to widen the role of their firefighters without national negotiations
2. No current plans to remove the right to strike but Civil Contingencies Act will be reviewed
3. An independent review into the current pay negotiation process
4. Entry requirements for fire officers and a new leadership programme
5. New systems to improve data use and sharing
6. A new central research capability
7. A statutory code of ethics for FRS and a mandatory oath for all employees
8. An independent college of fire and rescue
9. Transfer governance to directly elected individuals such as PCC and mayors
10. Create operational independence for CFO

People

Role of the firefighter: Current working practices are described as “highly inflexible”. The Government believes CFO should be able to make decisions on the basis of risk and resources.

“While it is right that all relevant trade unions have a role to play in discussions on terms and conditions and the health and safety of their members, this must not come at the expense of safe and sensible progress and efficiency when communities need action.”

The associated questions ask whether

- FRS should have flexibility to deploy resources beyond core duties (Q1)
- FRS should play an active role in supporting the wider health and public safety agenda (Q2)

Industrial action: The Government is not proposing to remove the right to strike, but “public safety needs to be ensured.” The Home Office is reviewing the Civil Contingencies Act and will work closely with the NFCC to ensure each service has a robust business continuity plan that considers challenges, including the impact of industrial action.

The associated question asks whether:

- The Civil Contingencies Act provides sufficient oversight to keep the public safe in the event of strike action (Q3)

Pay Negotiation: The Government will commission an independent review into the current pay negotiation process and consider if it is fit “for a modern emergency service”.

The associated question asks whether:

- The current pay negotiation arrangements are appropriate (Q4-5)

Talent and development: “HMICFRS found that services need to do more to support future leaders, and that diversity in senior leadership positions is even more limited than in the wider workforce.”

The Government is concerned there are no standardised national progression routes or consistent levels of education or experience required for entry into roles. The Government will explore lessons from national talent and recruitment schemes such as Teach First, Police Now, Unlocked and the civil service’s Fast Stream scheme model to establish high-potential development programmes.

The associated questions ask whether:

- Consistent entry requirements should be explored for FRS roles (Q6-7)
- Other roles, in addition to station and area managers, would benefit from a direct entry and talent management scheme (Q8)

Professionalism

Leadership: The Government wants to develop a mandatory 21st century leadership programme for progression to senior roles. There is not much detail on what this would like, but the Government is looking to apply the police Strategic Command Course model.

The associated questions ask:

- Should there be a new 21st century leadership programme (Q9-10)
- Whether this should be mandatory for ACFO roles and above (Q11)

Data: Government wants FRS to use and share data more effectively.

The associated questions ask:

- Whether the activities below are priorities for FRS regarding data use (Q12)
 - A national data analytics capability; Data-focused training; Consistent approaches to structuring data; Clear expectations for data governance; Securing data-sharing agreements (with local and national partners, including LRFs)
- What other activities would help improve the use and quality of FRS data (Q13)

Research: Government is proposing a central fire and rescue research capability that would collaborate with others including FRS; conduct and commission research; collate research undertaken elsewhere to avoid duplication of effort.

The associated questions ask:

- Whether the proposed approach meets the priorities for FRS research (Q14)

- What other activities would help improve evidence and research (Q15)

Clear expectations: This section is not that clear and there are no associated questions. It refers to the importance of national guidance and standards.

Ethics and culture: The Government wants to address what HMICFRS calls “a toxic culture” in some FRS. It is proposing to create a **statutory code of ethics** for FRS, placed on services not individuals.

The associated questions ask whether:

- The Code should be made statutory (Q16) and whether this would help embed ethical principles (Q17)
- The duty to ensure FRS comply with the Code should be placed on “operationally independent chief fire officers” (Q18) and whether enforcement should be a matter for CFO to determine within their services (Q19)

The Government wants to introduce a **statutory oath** for all FRA employees which may include affirming such principles as acting with integrity; and supporting equality, diversity and inclusion. Breach of the oath would be an employment matter for the FRA, rather than a legal matter.

The associated questions ask whether:

- There should be an oath (Q20-21) and whether it would help embed the code of ethics (Q22)
- The oath should be mandatory (Q23) and whether a breach should be an employment matter (Q24)

Questions 25 and 26 ask whether the proposals in the *Professionalism* section are the right priorities and whether anything is missing that would improve professionalism.

College of Fire and Rescue (CoFR): The Government proposes a CoFR to be the independent body to support FRS improvement. The CoFR would aid FRS in

implementing proposed reforms. The Government would like to hear from potential hosts to understand where the proposed college could be located. The proposed college will take on the functions currently undertaken by the Fire Standards Board. The independent CoFR could have the following remit:

- Leadership - developing and maintaining Leadership Programmes and direct entry schemes
- Data - providing a home for a strategic centre of data excellence
- Research - housing a central research function
- Clear Expectations - taking on responsibility for the creation of fire standards, building on the work of the Fire Standards Board
- Ethics - powers to create and maintain the proposed statutory code of ethics and oath

The Government wants to ensure the CoFR has the power to further improve FRS and is considering giving it legislative powers. These could mirror the powers held by the College of Policing or could involve the extension to the College of Fire of the powers held by the Secretary of State under the FRS Act 2004. Legislative powers could include the power to issue statutory codes of practice.

The associated question asks whether:

- There should be an independent CoFR to “lead the professionalisation of FRS” (Q27-28)

Governance

The Government’s preferred governance model is based on the following criteria:

- A single, elected – ideally directly elected – individual who is accountable for the service rather than governance by committee
- A clear demarcation between the political and strategic oversight by this individual, and the operationally independent running of the service by the CFO
- The person with oversight has control of necessary funding and estates

- Decision-making, including budgets and spending, is transparent and linked to local public priorities.

The Government is considering legislation that could set out the role and function of an FRA including its oversight and scrutiny functions, specifying how transparency objectives should be met, and clarifying the relationship between political oversight and operational decision making. If not in statute, this could be included in the Fire and Rescue National Framework.

The associated questions ask whether:

- The Government should transfer responsibility for FRS to a single elected individual (Q29) and what factors are relevant (Q30)
- Governance should be transferred to a directly elected combined authority mayor (Q31) or PCC (Q32), or whether it could be transferred to someone else such as an executive councillor (Q33-34)
- The legal basis for FRA should be strengthened and clarified (Q35-36)
- Boundary changes should be made so that FRS areas and police force / combined authority areas are coterminous (Q37)

Questions 38-39 are around ring-fencing Fire funding for county councils and unitary authorities.

Operational independence

The Government is concerned that many CFO are “required to engage in prolonged negotiation at both the national and local levels on matters that should be within their operational responsibility.” They are proposing operational independence for CFO and clear demarcation between the CFO and the Executive Leader along the following lines:

- *Executive leader*: Setting priorities; Budget setting; Setting precept; Setting response standards; Opening and closing fire stations; Appointment and dismissal of CFO.
- *CFO*: Appointment and dismissal of other fire service staff; Allocation of staff to meet strategic priorities; Configuration and organisation of resources;

Deployment of resources to meet operational requirements; Balancing of competing operational needs; Expenditure up to certain (delegated) levels.

The Government is also considering whether to legislate to make CFO corporations sole and therefore a legal entity in their own right. This could clarify their role and responsibilities, and make CFO the employers of all fire personnel. This would mirror the arrangement in policing.

The associated questions ask:

- If there is agreement for the proposed demarcation of roles and what factors are applicable (Q40-42)
- What factors should be considered when giving CFO operational independence (Q43)
- What factors should be considered if CFO were to be made corporations sole (Q44)

Risk management and strategic plans

The Government wants to clarify the distinction between strategic and operational planning. They want a clear distinction between a strategic fire and rescue plan established by the FRA that sets priorities for the service on behalf of the public, and an operational plan that would become the responsibility of the CFO and would deal with how strategic priorities will be met and risks mitigated.

The associated questions ask whether:

- The responsibility for strategic and operational planning should be better distinguished (Q45)
- The strategic plan should be the responsibility of the FRA (Q46)
- The operational plan should be the responsibility of the CFO (Q47-48)

Appendix

References to GMFRS

- The Kerslake report into the Manchester Arena bombing found that “GMFRS was ‘bought to a point of paralysis’ as their response was delayed for two hours.”
- A team formed to respond to marauding terrorist attacks in the city “withdrew their labour because of a dispute, leaving the community unacceptably vulnerable...this capability has been restored through a local agreement that costs more taxpayer money...”

Initial responses to the White Paper

FBU: “At the heart of this white paper is the threat of an attack on workers’ rights by undermining collective bargaining and a proposal to remove frontline firefighters’ voices...Collective bargaining is a well fought for mechanism by which frontline firefighters have a say on pay, terms and conditions. It is their basic democratic right.” *Matt Wrack*

LGA: “The LGA is pleased to see the publication of the long-awaited white paper, it’s especially positive that government has not said it will make mandatory changes to fire governance, and is consulting on a range of governance models for fire and rescue services.” *Cllr Ian Stephens*

NFCC: “NFCC has a significant role to play in advising and delivering on reform and improvements. However, no one organisation alone holds the key – we want to work with the various fire service bodies to inform and implement further improvements.”
Mark Hardingham