



## **Fire and Rescue Services Association Response:**

### **SUBMISSION TO EQUALITY AND SOCIAL JUSTICE COMMITTEE**

#### **Enquiry into the fire and rescue services**

##### **Introduction**

We are very pleased to offer a written submission to the inquiry regarding the governance of the Fire and Rescue Service in Wales. By way of background, our union was founded in 1976. The Fire and Rescue Services Association (FRSA) is a United Kingdom wide, independent, member-led trade union representing other public-spirited individuals who are primarily On-Call firefighters. In 2018 the union changed its name from the Retained Firefighters' Union (RFU) to the FRSA to take account of the fact that our membership had been widened to welcome other fire service employees (grey and green book staff) who are more aligned with our values, our professional approach to negotiating local terms and conditions and how we positively and pragmatically represent our members at local and national level.

We ourselves are a broad-church, representing a wide range of political views, but with a common commitment to serve the local and national communities. For this reason, we have agreed not to exercise our right to strike, as our members cannot, in clear conscience, place their communities at risk by withdrawing their professional services.

In relation to our response, we will follow the terms of reference as set out by the inquiry.

#### **1. The extent governance arrangements contributed to the failing identified in the SWFRS culture review.**

The review undertaken into the SWFRS was amongst the most detailed into the operations of a fire and rescue service. The FRSA have had long-held concerns regarding the governance of fire and rescue services. These concerns are fourfold and repeated throughout the United Kingdom. The review did not highlight specific issues with the authority, so our response is based on our extensive experience of governance arrangements across the United Kingdom.

## **Size of authority**

There has been a longstanding tradition of fire and rescue authorities to be large. While in theory this should allow a diversity of views, in reality, meetings become unwieldy, often incoherent, and few people speak on a regular basis. Accountability is diluted and lost in the sheer numbers. Important issues are often not discussed in a coherent manner, and members themselves often feel that they are having little impact upon the operation of the service itself. Smaller groups of people who would be able to dedicate their local authority work into more discrete areas would be better than the current arrangement in South Wales.

## **Lack of Expertise**

The situation arising in all fire and rescue services, is that the authority is required to hold the chief fire officer and their leadership team to account, yet the chief fire officer acts as the professional adviser to the authority itself. Too often the role of holding the senior leadership team to account becomes seriously diluted. Many members overly rely on the information provided before them and offer little or nothing in the way of direct challenge. On the rare occasions where this does happen relations can break down. In South Wales the authority clearly lacked expertise in the running of fire and rescue services, and soon found themselves out of their depth when the current difficult situation arose – otherwise Commissioners would not have been appointed. They would have benefited from an independent source of advice assisting them in the questions they should ask, and the answers they would expect. Fire authorities themselves are vulnerable to falling prey to vested interests within the service or elsewhere who seek to influence change to their benefit. In many cases this helps to make the senior leadership team's task easier, as they are not required to confront radical options and alternatives.

## **Understanding of role**

It is clear that many fire authorities, including the South Wales authority, have a misunderstanding of their role. They are often encouraged to be in 'partnership' with the senior management team, or act as 'critical friends'. They are in fact ultimately responsible for the proper running of the authority and need to act appropriately. This requires difficult questioning and a dogged attempt to obtain answers to concerns. Too often the chair becomes too entangled with senior leadership team. They should not be friends but should maintain a cordial but critical distance.

## **Distance from the fire and rescue service**

For many fire and rescue authority members there is little or no contact with those firefighters who operate the service. The members may well enjoy the kudos of ceremonies and special events, but they are often not open to direct approaches by concerned members of staff, or even members of the public. They do not engage with staff networks or open themselves for discussion on a regular basis with station staff in the absence of senior management. Serious misdemeanours occur without those who should be holding the senior management team accountable being aware of them.

**2. The capacity and capability of FRAs to change the existing management structure and practices that have been identified as potential areas of concern, and their willingness to deliver cultural change.**

The evidence is crystal clear. FRAs as currently constituted, do not have the capacity or ability to deliver cultural change. The first barrier to this is the understanding of what cultural change is needed. Many fire authority members consider that the fire service is in a reasonable place. They find the male dominance of services, and the disciplinarian regime, reassuring. They have an old-fashioned view of emergency services no longer shared by their counterparts in the ambulance service, police or military. Many of those who are members of authorities are well-meaning amateurs, with no experience of driving through cultural change in any organisation, let alone an emergency service. Focus on change is lost, as fire authority members will tend to defend the service rather than challenge it. Those who do are often identified as mavericks and ostracised.

**3. The failure of previous attempts at reform exploring the barriers that prevented implementation of previous review, specifically the Commission on Public Service Governance and delivery, which called for the reconstitution of FRAs.**

In 2014 the Commission said:

*‘Fire and Rescue Authorities cannot both manage services and scrutinise their delivery. Although we are sure that members of the authorities are committed and enthusiastic, it is asking too much to expect councillors to provide meaningful strategic leadership of a professional uniformed emergency service. Nor can they provide effective scrutiny of a service for which they are legally responsible, or for decisions which are taken in their name.’*

These facts have been well-known in the fire and rescue world for many years. We believe the barriers to reform are clear. Vested interests – local authority members who do not wish to lose control of their positions; chief fire officers who enjoy the lax governance arrangements; those unwilling to change duty systems or broaden roles as the current system inhibits development of the firefighter role; those in other emergency services who do not wish to become too closely aligned with fire and rescue service, which they see as tainted; other emergency services whose leaders are unwilling to explore the full benefits of collaboration. Governments have recognised the need for reform but have failed in effective implementation.

In England there was a move towards regional fire and rescue services, which while not without difficulties, was generally seen as a positive step – but this failed. The government encouraged fire and rescue mergers – however these were few and far between – and as seen in Dorset and Wiltshire did not necessarily result in better governance; Police Fire and Crime Commissioners (PFCCs) in England were introduced, but overall, the results have varied from the bizarre, to the banal, to the reasonable. They have certainly not produced the ‘step changes’ the government envisaged. Merging police with fire governance does not work – it is too big a task.

The oversight of PFCCs has been set as deliberately weak, so as not to undermine their electoral mandate. However, that mandate is weak, and the PFCC role is little understood.

In Scotland a national fire and rescue service was created, however, its performance has not been strong in governance terms. Mayors have started to figure more in governance arrangements – but they have shown little inclination for radical change. Clearly with a variety of governance types doing poorly there is something much deeper at work. Ultimately it is the quality of leadership, the lack of diversity throughout the organisations, the lack of proper accountability, and barrier creating organisational structures such as the UK wide National Joint Council which actively inhibit change.

#### **4. How the Welsh Government's 2018 consultation on reform of Fire and Rescue Service has shaped current governance arrangements and working practices. The extent to which Welsh Government acted on concerns identified through this consultation and its 2019 progress report.**

The progress report from 2019 makes depressing reading. It is a service largely devoted to service delivery, with little vision for expanding its role as part of the wider emergency service family. The progress report itself reflects a litany of problems – too many to repeat here. Given it is five years old, little has since improved. Piecemeal reform and statements of ambition are clearly no longer tenable.

#### **5. The changes needed to strengthen current arrangements for inspection and audit, including the role of external bodies including the Auditor General for Wales.**

Currently the adviser operates inspections on a thematic basis. In England His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) work on the basis of individual fire and rescue authorities, but will also undertake thematic investigations. We do not consider that the adviser has the resources for in-depth inspection. We also consider that in smaller areas, there is a danger of inspectors becoming too close to the services they are inspecting.

In England HMICFRS has been criticised for missing serious failing within fire and rescue authorities. Part of this problem seems to rest with too many people coming from within the fire and rescue service as part of the team. We have, based on our experience, warned against this in the past but have been ignored.

Audit plays an important part of inspection of fire authorities, but demarcation lines need to be defined between technical and financial investigation, and they need to work closely together. The Commission itself spoke of overlapping responsibilities of inspection bodies, and the inherent inefficiencies. Their activities need to be closely aligned.

Overall, we would suggest keeping the adviser role separate to inspection, and undertaking inspections on an area basis by HMICFRS, but with clear guidelines developed by the Welsh government.

**6. The effectiveness of mechanisms for ensuring that evidence collected through inspections and reviews of the FRSs by the Chief Fire Adviser and Inspector for Wales is used and acted upon and the arrangements for shared learning from inspections of FRSs undertaken in other UK nations, specifically in England, to inform policy.**

The Commission of Public Service and Governance said:

*'We heard too that whilst audit, inspection and regulation can effectively identify the need for change and improvement, organisations do not always respond well or effectively to this. We were told that organisations may choose to ignore or deny the validity of findings and fail to act on them; recent failures of services or in organisations substantiate this.'*

The reality across the UK is that there are no mechanisms to ensure that inspections are acted upon or recommendations are followed up. Recommendations in England that come through the inspectorate and independent reviews are left in the hands of fire and rescue authorities, who have neither the expertise or capacity to follow up.

There are no sanctions for not taking forward recommendations; the main dangers are reputation, and history has shown fire and rescue authorities pay scant attention to these until they become overwhelmed by public outrage. Similarly with government reports, there is usually no follow-up action.

Big ticket issues may be taken forward – but many, if not most recommendations, are left in abeyance, and left to gather dust once the next issue arises. The National Fire Chiefs Council has a general advisory role, but this is ad hoc, and it has no remit to comment on individual fire and rescue service's performance. Its work is largely done in private, and much of it is hidden from view behind protected areas on its website.

The Local Government Association produces reports and strategies, but they are high level, and of little practical use; in any event they are not followed up, and often repeated every few years. The National Joint Council for Fire and Rescue Services (NJC) also produces documents, again at high level, generally not of any practical use, and certainly not followed up in any systematic manner. The HMICFRS would like a wider role in ensuring follow-up action, but its credibility at the moment is dented, and we can see no particular benefit in extending its role further.

## **Conclusions**

The fire and rescue services across the United Kingdom are currently mired in a sorry state, and Wales is not immune. Serious reports regarding cultural issues have been published recently in Dorset and Wiltshire, London Fire Brigade and latterly South Wales. Reported concerns have been raised in the national media regarding cultural standards in North Wales.

These build on fire and rescue performance criticisms in terms of the Manchester Arena outrage, and the Grenfell Tower tragedy. In England a patchwork quilt of governance arrangements has resulted in a lack of cohesion amongst fire and rescue services, not least in relation to important matters such as training, cohesion and

cultural reform. Responsibilities are spread across a number of bodies, with primary responsibility resting with fire and rescue authorities, who are clearly not up to the task.

The National Joint Council (NJC) for Fire and Rescue Services, responsible for national pay and conditions, tends to lean towards maintaining stability in the sector rather than progressing innovation, it certainly does not address the needs of Wales, with its particular mixture of densely populated urban areas, and remote rural areas.

There is no magic bullet to resolve these problems, but they have to be addressed or they will continue to grow. Controversy after controversy now occurs on almost a monthly basis, and it will continue to occur destroying both trust and reputations.

We would suggest that the following should be put in place:

- i) Area based inspections, with a clear and robust remit from the Welsh government as to what is to be inspected.
- ii) Station audits should be regularly undertaken.
- iii) The adviser role should be independent of the inspection process but be responsible for monitoring progress on inspections.
- iv) Inspectors should be drawn from a wide area of expertise, drawing on fire expertise only where necessary.
- v) Inspection teams to be drawn from a wider area than Wales, to ensure that they do not get drawn too close to those being inspected.
- vi) A standing body should be put in place to monitor progress on recommendations arising from inspections and elsewhere.
- vii) A Wales only NJC should be created, with wider trade union representation, focussing on the specific needs of Wales, and with the removal of the anachronistic processes of the current NJC.
- viii) Work should be put in hand to create an all-Wales fire and rescue service, with a small board consisting of experts appointed by the Welsh Government who will hold the national Chief Fire Officer and his team to account.
- ix) A substantial research and development budget should be set aside to support the new organisation.
- x) Clear expectations of emergency collaboration should be set by the Welsh Government and progress towards full collaboration effectively monitored.

*Ends*

**Tristan Ashby**  
Chief Executive Officer

07 March 2024