



Buckinghamshire & Milton Keynes Fire Authority

MEETING	Fire Authority
DATE OF MEETING	10 February 2016
OFFICER	Chief Fire Officer/Chief Executive, Jason Thelwell
LEAD MEMBER	Councillor Adrian Busby
SUBJECT OF THE REPORT	Enabling Closer Working Between the Emergency Services: Consultation Outcomes and Next Steps
EXECUTIVE SUMMARY	<p>On 26 January 2016 HM Government published a summary of the responses received to the consultation on 'Enabling Closer Working Between the Emergency Services' and its further proposals in light of these (shown at Appendix A). The consultation ran for six weeks from 11 September to 23 October 2015. There were a total of 318 full or partial responses to the consultation from a variety of organisations and individuals. A summary of responses by type is shown at page 21 of the report and a list of respondents from page 22–26. The response submitted by Buckinghamshire and Milton Keynes Fire Authority is shown at Appendix B.</p> <p>In light of the outcomes of the consultation, HM Government has announced its intention to legislate to:</p> <ul style="list-style-type: none"> • introduce a high level duty to collaborate on all three emergency services, to improve efficiency or effectiveness (HM Government has indicated that this duty will not be overly prescriptive or prevent collaboration with other parties such as local authorities and the voluntary sector); • enable Police and Crime Commissioners (PCCs) to take on the functions of fire and rescue authorities (FRAs), where a local case is made; • where a PCC takes on the responsibilities of their local FRA, further enabling him or her to create a single employer for police and fire personnel; • in areas where a PCC has not become responsible for fire and rescue services, enabling them to have representation on their local FRA with voting rights, where the local FRA agrees; and • abolish the London Fire and Emergency Planning Authority and give the Mayor of London direct responsibility for the fire and

	rescue service in London.
ACTION	For Information.
RECOMMENDATIONS	It is recommended that the outcomes of the consultation and next steps proposed by HM Government be noted.
RISK MANAGEMENT	Were the Authority to be affected by the implementation of any of the proposals following their enactment, then this could potentially affect our approach to the management both of risk in the communities we serve and corporately. For example the proposed legislation would enable, where a single employer model is adopted, Chief Officers to 'designate' certain police powers to their fire personnel though it is not proposed that this include any of the core powers that only a police officer can hold (such as the power of arrest). Also the current law that prevents full time police officers from being a firefighter would remain in place.
FINANCIAL IMPLICATIONS	There would be potential financial implications were the Authority affected by the implementation of the Government's proposals following their enactment. This would include transitional costs, were a successful bid mounted by the local PCC to take over the role of the Authority, together with potential changes to precepting arrangements and the structure of revenue and capital budgets depending on the level of integration with other Fire Authorities and Police included within the scope of any proposal.
LEGAL IMPLICATIONS	<p>Under the proposed changes to legislation PCCs will be able to take on the functions of a fire and rescue authority subject to a local case being successfully made and the introduction by HM Government of the necessary secondary legislation to effect the transfer. Where this has been done, PCCs will also have the power to create a single employer for police and fire personnel subject to the case for doing so being subject to the same assessment process as for a transfer of governance. HM Government will also require fire and rescue authorities to inform any business case made by the PCC and require the PCC to consult locally on the merits of that case.</p> <p>Where fire and rescue authorities remain responsible for fire and rescue services, the proposed legislation will also enable PCCs to have the opportunity of formal representation on their local fire and rescue authority or its committees with voting rights subject to them making clear their reasons for this and where the authority agrees to it. HM Government has also indicated that where PCCs are granted voting rights, fire authorities will have the ability to change their</p>

	<p>membership in order to maintain their political balance.</p> <p>In June 2012 the Authority adopted a discretion to allow non-members onto its standing committees under section 102(3) of the Local Government Act 1972. However any such appointees are currently precluded from voting rights by virtue of section 13 of the Local Government and Housing Act 1989.</p>
<p>CONSISTENCY WITH THE PRINCIPLES OF COLLABORATION</p>	<p>The Authority has already committed to a default position of collaboration with Thames Valley FRAs unless a clear business case favours an alternative option; and separately with the Thames Valley PCC and the Thames Valley FRAs in respect of property sharing. The Authority also works with South Central Ambulance Service in its co-responding and in allowing the use of Authority premises. This is all in advance of the introduction of the Government's proposed legal "duty to co-operate".</p>
<p>HEALTH AND SAFETY</p>	<p>This would be subject to evaluation depending on the nature of any proposed changes to the role of fire personnel implied or specified as a consequence of a the implementation of any local proposals following enactment of the enabling legislation. For example, were delegation of policing powers envisaged in the event of the adoption of a single employer model.</p>
<p>EQUALITY AND DIVERSITY</p>	<p>This would be subject to evaluation depending on the nature of any proposed changes to the focus of fire and rescue service operations and/or the role of fire personnel arising from implementation of any changes to governance and organisational structures as a result of any local proposals for change arising following enactment of the proposed legislation. The consultation feedback identified the potential for positive effects in relation to harmonising equality plans, policies and processes though noted concerns about the potential for reduced community engagement affecting vulnerable groups. Both PCCs and fire and rescue authorities will remain subject to the duties imposed by the provisions of Equality Act 2010 (summarised at page 20 of Appendix A).</p>
<p>USE OF RESOURCES</p>	<p>Were the Authority to be affected by the implementation of the proposals then potential implications would arise for the use of resources including:</p> <ul style="list-style-type: none"> communication with stakeholders; the system of internal control; the medium term financial strategy/plan; the balance between spending and resources;

	<p>the management of the asset base;</p> <p>the arrangements to promote and ensure probity and propriety; and,</p> <p>environmental impact.</p>
<p>PROVENANCE SECTION & BACKGROUND PAPERS</p>	<p>The initial consultation on this matter was released by HM Government on 11 September on behalf of the Home Office, Department of Communities and Local Government and the Department of Health and applies to Blue Light Services in England. This was presented to Members at the 14 October Fire Authority meeting together with a draft response to the consultation:</p> <p>http://bucksfire.gov.uk/files/6514/4403/9440/Fire Authority Meeting 141015.pdf</p> <p>A number of other fire and rescue authorities have already gone down the path of closer working and integration with the police. For example, locally, Northamptonshire Police and Northamptonshire Fire & Rescue Service (NFRS) have set out an ambition to become one organisation under the PCC model, following the enactment of the necessary enabling legislation and have embarked on an extensive programme of operational and support service integration towards this end. This has included measures such as co-locating NFRS's senior management team with the Police's to promote closer working and opening their first co-located police and fire station at Thrapston:</p> <p>https://www.northants.police.uk/#!/News/26740</p> <p>To date, the Authority's collaboration with the Police has been more limited. However, Thames Valley Police Officers have been co-located at Broughton Fire Station following completion of the lease in March 2014. Also, the Authority has tested the principle of co-locating its services with those of other emergency services with the public as part of its 2015-20 Public Safety Plan consultation, with 62% of respondents to an online questionnaire agreeing that we should consider co-locating (on the same site) with other emergency services (Continuing the Journey: Public Safety Plan 2015-20, Report of Questionnaire findings Opinion Research Services October 2014).</p> <p>Fire and rescue services are also being brought within the scope of the PCC governance model as part of wider English devolution arrangements being agreed between central and local government. For example, as part of the devolution deal reached with Greater Manchester, the elected mayor will hold the functions of PCC and be responsible for fire and rescue, after the elections scheduled for 2017.</p>

APPENDICES	A: Summary of Consultation Responses and Next Steps B: Buckinghamshire & Milton Keynes Fire Authority response to the consultation
TIME REQUIRED	20 Minutes.
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