

Appendix C – Response to the Consultation

The following is Buckinghamshire and Milton Keynes Fire Authority's (BMKFA) response to the Fire and Rescue National Framework for England Government Consultation.

Delivery of Core Functions

BMKFA welcomes the focus on core functions and the additional emphasis made around prevention and protection activities and agrees that fire and rescue authorities can make a positive contribution to the delivery of public services locally, however not at the expense of delivery of core functions.

This section appears to be heavily focused on life safety and fails to mention that FRSs have a role to play in identifying risk and preventing economic and social loss.

Inspection, Accountability and Assurance

BMKFA again welcomes the independent inspection of fire and rescue authorities in England, along with its inclusion within the National Framework and has responded separately to the HMICFRS framework consultation.

In relation to 3.18, BMKFA agrees that the provision of data is essential for future evidence based decision making on policy and transparency. However, the current arrangements for providing data to the Home Office (in particular the incident recording system) is inefficient and outdated and requires government investment.

Governance

The addition of this section is noted, please see further comments in relation to governance and in particular the National Fire Chiefs Council under 'Other Comments' below.

Achieving Value for Money

BMKFA welcomes the addition of this particular section, with the following comments;

In relation to research and development, at 5.20 BMKFA agrees that it is important to pool resources and collaborate over research and development programmes.

However, it would like to make the following observations. Firstly the NFCC R&D function is still in its infancy and not yet in a position to satisfy all the needs of the UK FRS collectively. Also, many research projects are small scale and involve local collaborations with academic institutions. This allows academic development of individuals as well as supporting individual FRS needs. This should not be stifled, it is however agreed that good practice should be shared.

It would be helpful in this section to also define the role of the Centre for Applied Science and Technology (CAST) in supporting FRS research and development. Currently CAST is better established and financed by the Home Office to support

Police, Border Force much more effectively than FRS. We feel this should change and CAST be supported by the Home office to work further with FRS, NFCC and the R&D function.

Workforce

BMKFA again welcomes this section, although the section is light on the promotion of workforce reform and recommendation from previous Government published reviews such as the Independent review of conditions of service for fire and rescue staff in England by Adrian Thomas published in 2016.

In relation to 6.3 – 6.4 BMKFA eagerly awaits the announcement on the professional standards body.

In 6.6 the opening line mentions 'same fire and rescue authority'. Can it be read that 6.7 extends this principle across all fire and rescue authorities and indeed other bodies related to fire and rescue authorities?

National Resilience

BMKFA note and approve the continuing commitment from Government to providenational resilience but would welcome a longer commitment to funding in order to improve resilience and assist with contingency planning.

The addition of MTFA is noted along with the interpretation from Government that this is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (Grey Book).

Intervention Protocol

Please see comments below.

Other Comments

It is noted that the draft National Framework expressly recognises the National Fire Chiefs Council (NFCC).

The NFCC is a subcommittee of the registered charity and limited company known as the Chief Fire Officers' Association Ltd (CFOA). The subcommittee was set up under 'arrangement and operating principles' agreed by CFOA Ltd as recently as April 2017. The subcommittee is further comprised of coordination committees.

It would be fair to describe this subcommittee, which has no separate legal status from CFOA Ltd, as in an embryonic state. It is therefore questionable as to whether it is prudent to give the NFCC quasi-statutory status by recognition in the statutory National Framework and in the proposed revised statutory Protocol on Central Government Intervention Action for Fire and Rescue Authorities.

All of the NFCC membership roles with the exception of its Chairman are unpaid. It is therefore also fair to state that the participation of its members is dependent on the indulgence of the fire and rescue authorities which choose to

permit their officers the time to undertake roles on the NFCC outside of their primary employment.

It is suggested that fire and rescue authorities could consult and seek advice from the NFCC in their preparation of any action plans arising from an inspection (para 3.5). This is unexceptional as it is non-prescriptive and such a course of action is within the discretion of a politically constituted authority to consult with whom it wishes.

It is not clear however the mechanism or method by which a fire and rescue authority can effectively consult with the NFCC within the meaning of the National Framework. Nor is it known whether the NFCC has the resources to provide, and the processes to sign off or endorse, the advice given in its name on any proposed action plan.

However elsewhere the draft National Framework appears to remove the discretion to consult. It enjoins (para 4.14) that 'Fire and rescue services should consult the NFCC for advice and support when developing improvement plans, particularly in response to inspections'.

This raises the same concerns as to the maturity of the NFCC's operating model in a situation in which the National Framework essentially purports to mandate that it must provide support and advice to 'fire and rescue services' (sic). It is not clear if the distinction between fire and rescue authorities in para 3.5 and fire and rescue services in paragraphs 4.14 is deliberate. There seems to be no sensible reason for the change in terms. If paragraph 4.14 is to be retained, it is submitted that the usage at 3.5 must be preferred.

It is noted that at para 4.15 'The expectation is that fire and rescue services in England engage with the NFCC and, in turn, that the Chiefs Council works to support and represent every service'.

Paragraph 4.15 is merely a self-serving aspiration of the type found in the NFCC's 'arrangement and operating principles'. It can have no proper place in the National Framework. The National Framework is a document which by section 21 of the Fire and Rescue Services Act 2014 must be directed to fire and rescue authorities, and to which most fire and rescue authorities must have regard.

Even if it were able to agree protocols for its internal approval of the level and type of support and advice it is unclear how the NFCC would be able to resource this, including managing potential conflicts of interests, when it is reliant on a pool of well-meaning volunteers and the tolerance of fire and rescue authorities which permit these volunteers to participate in these extramural activities.

The same concerns pertain and become even more apparent in connection with the relationships which would be created with a fire and rescue authority, the Secretary of State, and the NFCC in the new role envisaged for the NFCC by the draft National Framework in the proposed revised statutory Protocol on Central Government Intervention Action.

