



Buckinghamshire & Milton Keynes Fire Authority

Meeting and date: Fire Authority, 15 June 2022

Report title: Home Office Consultation 'Reforming Our Fire and Rescue Service'

Lead Member: Chairman of the Authority

Report sponsor: Graham Britten, Director of Legal & Governance

Author and contact: Graham Britten, Director of Legal & Governance

Action: Decision

Recommendation:

It is recommended that:

1. The content of the Home Office white paper consultation document be noted.
2. The establishment of a working group comprised of the Group Leaders, the Vice Chairman, and Lead Members be agreed in order for it to formulate responses to be approved at the meeting of the Executive Committee on 13 July.

Executive summary: The purpose of this report is to bring to the Authority's attention the publication by the Home Office of its white paper 'Reforming Our Fire and Rescue Service - Building professionalism, boosting performance and strengthening governance'; and to agree the mechanism for finalising responses.

The proposals were published on 18 May and are being consulted on, with the deadline for responses being 23:59 on 26 July 2022.

A copy of the consultation document ('the Consultation'), is attached as **Appendix 1**.

On 16 March 2021, the Home Secretary laid a Written Ministerial Statement in Parliament. This foreshadowed the Consultation as follows:

"[...] the Government is clear that further reform of fire and rescue is required in order to respond to the recommendations from Phase 1 of the Grenfell Tower Inquiry, the Kerslake Review¹ and to build on the findings from Sir Thomas Winsor's State of Fire and Rescue Report². Our reform agenda will

¹ The Mayor of Greater Manchester Andy Burnham commissioned a non-statutory independent review of the events and aftermath of the Manchester Arena Terrorist Attack. The review panel was chaired by Lord Kerslake and its report was published on 27 March 2018.

² On 15 January 2020, Her Majesty's Inspector of Constabulary and Fire and Rescue Services (HMICFRS) published his first annual report regarding the state of fire and rescue services in England. The report provided an overview of his assessment, along with the recommendations for the Home Office and the National Fire Chiefs Council.

focus on three key areas: people; professionalism; and governance. Taken together, improvements in these areas will help deliver higher standards and greater consistency across fire and rescue services.

The Review kick-started our work on fire service governance and the findings signalled strong support for a directly elected individual taking on fire functions to help simplify and strengthen the governance of fire and rescue services across England. The Home Office will be launching a consultative White Paper on fire reform later this year. The White Paper will be used to set out our reform agenda in further detail and explore the Review proposals on fire governance which include:

- Consulting on whether to mandate the transfer of fire and rescue functions to the Police, Fire and Crime Commissioner model across England where boundaries are coterminous, unless there is an option to transfer fire governance directly to an elected Mayor.
- Consulting on how to address coterminosity challenges, including in the South West.
- Legislating to create operational independence for Chief Fire Officers and to clearly separate and delineate strategic and operational planning for fire and rescue.
- Considering options to clarify the legal entities within the PFCC model.”

HMICFRS had also published on 20 June 2019 [‘Fire and Rescue Service inspections 2018/19 - summary of findings from tranche 2’](#) which contained 2 recommendations. Together with the 4 recommendations from the ‘State of Fire and Rescue’ report for 2019, these recommendations are set out at **Appendix 2**.

Since that Ministerial Statement, two subsequent annual State of Fire and Rescue reports have been published - [2020, published 17 March 2021](#) and [2021, 15 December 2021](#). Updates on progress on, and revised implementation dates for, the recommendations were included in these annual reports.

Financial implications: No direct impact. Resources required to respond to the consultation can be accommodated within existing budgets.

Risk management: Whether, or the degree to which, responses are made to the white paper creates no risk to the delivery of the Authority’s functions. The wide array of questions in this White Paper lend themselves to a blended approach requiring differing levels of input as between Members of the Authority and Officers dependent on the matters in question.

Legal implications: The Authority’s Scheme of Delegation to Officers provides that ‘Delegation to Chief Fire Officer does not include: [...]making a formal response on behalf of the Authority to any White Paper, Green Paper, Government Consultation

Paper [...] without reference first to the Chairman of the Authority. However, when the timescales so requires, the Chief Fire Officer is authorised to respond without discussion with the Chairman. The content of such response shall be referred to the appropriate committee for their attention.”

Privacy and security implications: The Consultation requests respondents to provide the following information: job title or capacity in which they are responding to this consultation exercise and company name/organisation (if applicable). The approved response will be treated by the Authority as being in the public domain.

Duty to collaborate: The [Policing and Crime Act 2017](#) requires the Authority to consider opportunities for collaboration with the police and ambulance services. The Monitoring Officer has been in contact with the Office of the Thames Valley Police and Crime Commissioner, with the intention of liaising further before any response is finalised.

Health and safety implications: None arising from the recommendations

Environmental implications: None arising from the recommendations

Equality, diversity, and inclusion implications: None arising from the recommendations

Consultation and communication: An article has been posted on the Authority’s intranet encouraging all staff to look at the proposals in the White Paper and to respond in their own right, or via a representative body, should they so wish.

Background papers:

[Grenfell Tower Inquiry: Phase 1 Report, The Rt Hon Sir Martin Moore-Bick, October 2019](#)

[The Kerslake Report: An independent review into the preparedness for, and emergency response to, the Manchester Arena attack on 22nd May 2017](#)

[State of Fire and Rescue, 2019, published 15 January 2020](#)

[Scheme of Delegation to Officers](#)

Appendix	Title	Protective Marking
1	Home Office white paper ‘Reforming Our Fire and Rescue Service’	None
2	HMICFRS Recommendations and status updates as at 15 December 2021	None