

12 March 2018

Proposed fire and rescue services inspection programme and framework 2018/19

Date: 16 February 2018

1. About the Local Government Association (LGA)

- 1.1. The Local Government Association (LGA) is the national voice of local government. We work with councils and fire and rescue authorities to support, promote and improve local government.
- 1.2. We are a politically-led, cross party organisation which works on behalf of councils to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on the issues that matter to local authorities so they are able to deliver local solutions to national problems.
- 1.3. This paper contains the response of the LGA's Fire Services Management Committee.

2. Inspection principles

- 2.1. Members are supportive of the aims behind inspection and welcome the chance to showcase good practice as well as providing challenge to the sector. We have welcomed the opportunity to input into the development of the methodology and inspection framework. It is also gratifying that the inspection framework and methodology are being developed in close conjunction with the work of the Professional Standards Body and the new Fire Framework from the Home Office to ensure that these pieces of reform are properly integrated.
- 2.2. However, members continue to have concerns that the inspection regime will impose new burdens on the fire and rescue service. For instance there are some concerns around the inclusion of promotion of road safety within the methodology, which is not a statutory duty. If HMICFRS are keen to include non-statutory duties under inspection which promote safety more generally, these should all be considered under one general question rather than simply concentrating on one activity which falls into this category. This would reflect that Fire and Rescue Services tailor their activities based on the risks in the local area as defined by their IRMP.
- 2.3. There are some concerns about how the inspection will keep governance and operational duties separate. Whilst Members appreciate that governance will not be a part of any inspection there will inevitably be times when the governance of the fire and rescue service has had an impact on the operational delivery of services. HMICFRS will need to be aware of the connection between the two and consider how the joint responsibility for the delivery of services can be separated.

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- 2.4. Members wish to see the IRMP at the heart of the inspection process as the start for all work on risk within the local area and we are pleased to see that it has been included under the second set of questions, however, as the foundation for risk based activity in the FRS it should also be included in the first set of questions.

3. Methodology

- 3.1. How effective is the FRS at keeping people safe and secure from fire and other risks?

3.1.1. It would be helpful to mention the IRMP within this section of the methodology as it underpins the work around risk. Whilst different areas have different processes for undertaking their IRMP and analysing risk this is a statutory document that all FRAs, regardless of governance structure, have to produce, therefore it would be sensible for that to be mentioned explicitly and consistent terminology used throughout the document.

3.1.2. Question 1.1.3: "Vulnerable people" are included within this question however, this maybe defined in different ways by different FRAs. Therefore a clear definition would be required.

3.1.3. Question 1.2.4: We still have concerns about the inclusion of the promotion of road safety within the methodology. This is not a statutory duty on fire and rescue services and if there is an expectation as a result of inspection that FRAs will have to undertake this activity that would create a new burden. If HMICFRS wish to look at a wider range of non-statutory duties that promote safety more generally these should be considered under a more general question, rather than concentrating on only one aspect.

3.1.4. Question 1.3.4: We have concerns about the way this question is currently worded, and any assessments that may result from it. As the independent review of building regulations and fire safety has identified there are ambiguities in the legislation governing this work, namely the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005. It is not always clear, particularly in the context of high-rise buildings, who is responsible for enforcement action or inspection, or what powers the fire and rescue service have. Also it should be noted that not all categories of buildings/dwellings will fall under the Fire Safety Order to enable fire and rescue services to take enforcement action or inspections even when people are not complying with fire safety regulations.

3.1.5. Question 1.5.5: The wording on this question is unclear, it would be better if the LRF and marauding terrorist attacks were looked at in separate questions. Whilst LRFs might have identified this as a risk it is a national capability largely paid for by the Home Office and not all FRAs will have a marauding terrorist specialist team themselves though there are mutual aid agreements in place. Whether or not

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responding to these incidents in the context of a warm zone is already part of an employees' contract is the subject of differing views. The largest fire service specific trade union, the Fire Brigades Union, is of the view that it is not, which has caused difficulties in some local areas. The matter is currently included in a much broader negotiation within the National Joint Council for Local Authority Fire and Rescue Services to assist in resolving this matter.

3.2. How efficient is the FRS at keeping people safe and secure from fire and other risks?

3.2.1. We have no particular comments on the questions in this section.

3.3. How well does the FRS look after its people?

3.3.1. We have no particular comments on the questions in this section. However, as an observation in respect of 3.3 in general, it would be sensible for HMICFRS to be aware of the work of the NJC-led Inclusive Fire Service Group which uniquely has employer and employee representation and involves a number of fire service stakeholder groups. It has undertaken detailed work in this area and will be monitoring the resulting improvement strategies issued to FRAs and FRSs in 2017.

4. Conclusion

4.1. Members are supportive of the aims of inspection and can see the benefit to the sector, however there are a number of concerns about the split between the political and operational leadership of the sector as well as the potential for inspection to introduce new burdens on the FRS.