

Fire Inspectorate

Purpose

For discussion and direction.

Summary

Since the discussion at FSMC in July on the creation of a fire inspectorate the Home Office has asked Her Majesty's Inspectorate of Constabulary (HMIC) to scope out options for how fire inspection can be delivered. Her Majesty's Inspector of Constabulary, Zoë Billingham, will be attending FSMC to update members on HMIC's work. This paper summarises developments since July and the work that the LGA has been doing to consider the future role and shape of the LGA and Chief Fire Officers Association Operational Assessment and Fire Peer Challenge.

Recommendations

Members are asked to:

1. Note the LGA's ongoing engagement with the Home Office around the design and creation of the fire inspectorate.
2. Comment on HMIC's preferred model of fire inspection to inform the LGA's work around this element of the fire reform agenda going forward; and
3. Note the work within the LGA led by the Fire Peer Challenge Working Group to consider the future role and shape of Operational Assessment and Fire Peer Challenge.

Actions

Officers to take forward the Committee's comments and views in any further work on the creation of the fire inspection regime.

Contact officer:	Charles Loft
Position:	Senior Adviser
Phone no:	020 766
Email:	charles.loft@local.gov.uk

Fire Inspectorate

Background

1. As members will recall from the discussions at the July meeting of FSMC the Police and Crime Bill makes provision for a fire inspectorate. The Home Office's aim is for the new inspectorate to go live from April 2017. In his speech to the Fire Sector Summit last month, the Minister said his 'working assumption is that a new inspectorate will be fully operational in April 2018, with 2017/18 used to plan, pilot and develop standards that future performance can be assessed against.'
2. When FSMC discussed this issue in July, it supported the idea of an inspection framework but raised concerns about the additional bureaucracy around an inspection regime. The feeling was that inspection should be proportionate to the budget and capacity of the Fire and Rescue Service. The point was also made that when the government removed the previous inspection regime it retained the financial savings and therefore any new inspection regime should not place the financial burden onto local government.
3. The Home Office is currently working up proposals and costings for what the inspectorate looks like, with the two key questions being who does the inspections and what do they inspect. They are talking to HMIC and the Scottish Fire Inspectorate about what is inspected.
4. The Home Office has asked HMIC to scope options for how they would deliver this new function. Another bidder is believed to be preparing proposals. HMIC submitted its proposals in mid-November. These were developed using an External Reference Group on which both Chief Fire Officers Association (CFOA) and FSMC were represented (although the proposals are the responsibility of HMIC alone). The group met twice. A decision on who will provide the new inspectorate is expected in January.

HMIC's External Reference Group

5. Her Majesty's Inspector of Constabulary, Zoë Billingham, who chaired the External Reference Group will attend the FSMC to discuss HMIC's proposals. Two significant issues came out of the meetings of HMIC's External Reference Group:
 - 5.1 The risk that they impose a significant burden on Fire and Rescue Authorities (FRAs) and the Fire and Rescue Service; and
 - 5.2 HMIC's intention not to inspect FRAs themselves.
6. A key factor in the first of these is likely to be the timetable adopted for the frequency of inspections. HMICs preferred option is:
 - 6.1 An inspection development, design, piloting and consultation phase until October 2017.
 - 6.2 All FRSs receive a full Fire PEEL inspection over an 18 month period in tranches of 15 inspections every six months starting in October 2017.
 - 6.3 Individual FRS reports will be published in three batches at the end of each six month tranche together with a short national summary.

- 6.4 All 45 FRSs will receive full fire PEEL again in three tranches over 18 months of 15 inspections per 6 months (April 2019 – October 2020).
 - 6.5 From October 2020 full inspections will focus on inadequate FRAs and those requiring improvement (it is estimated this will require 15 inspections a year).
 - 6.6 A very small number of national thematic reviews will be held during years 1 and 2. These can be continued from year 3 onwards.
 - 6.7 Routine monitoring of FRS through a monitoring framework (to be developed) similar to the Crime and Policing Monitoring Group (where HMIC Inspectors can raise concerns that risks and issues are not being addressed) will support inspection.
7. There is concern in the sector that the capacity and resources required to manage and prepare for HMIC's preferred option for the inspection regime would be significant. In addition HMIC proposes to use peers as part of their inspection teams which will create another capacity issue for the sector.
 8. Members' views and comments are sought therefore on HMIC's preferred option for inspection to inform any further discussions with the Home Office about the way the fire inspection regime operates from April 2017.

Peer Support and Operational Assessment (OpA)

9. OpA and Fire Peer Challenge is a sector-led improvement programme, this is its strength. It was never designed to deliver assurance, but to support improvement. The LGA and CFOA are committed to ensuring that sector led improvement has a future and adds value to the introduction of inspection. This has been met by in-principle assurances from Home Office officials and by HMIC support for the idea.
10. The LGA and CFOA have established a joint cross party working group with CFOA to consider the future role and shape of Operational Assessment and Fire Peer Challenge.

LGA & CFOA Fire Peer Challenge Working Group

11. The first meeting of the LGA and CFOA Fire Peer Challenge Working Group was held on 31 October 2016. The councillors on the working group are Cllrs Hilton, Acton and Hammond (elected Chair). The group is supported by LGA and CFOA officers.
12. The terms of reference for the group are that in the context of the Home Office wider fire reform programme and in particular the development of an inspection regime, the working group will consider the future role and shape of the Operational Assessment and Fire Peer Challenge, including:
 - 12.1 To consider how the introduction of an independent inspection will affect OpA and Fire Peer Challenge.
 - 12.2 To identify options and proposals for any changes to the OpA and Fire Peer Challenge that will ensure there remains a strong set of tools for improvement within the sector.
 - 12.3 To discuss the strengths and areas for improvement of the current peer

- challenge process for the fire sector that would be beneficial within the changing formalised assurance environment.
- 12.4 To discuss the positioning of Operational Assessment in the context of sector led improvement and the LGA sector led improvement offer to ensure it is complimentary to the processes introduced by central government.
 - 12.5 To advise on the developments needed to ensure that the peer challenge offer continues to add value to the sector.
 - 12.6 To advise on the promotion and communication of any changes.
13. The working group agreed a timeline for the development of a refreshed OpA and Fire Peer Challenge offer, the subsequent consultation and communication with the sector and the reporting to CFOA and FSMC. It was agreed that a proposal for a refreshed offer would be shared at the LGA Fire Conference in March 2017 and piloted from April 2017.
14. The working group also discussed future options and agreed that the OpA & Fire Peer Challenge needed to hold to the principles of sector led improvement, be forward looking and improvement focussed, and be adaptable and flexible to meet the local needs of all English Fire and Rescue Authorities.
15. Officers have been tasked to work up options for discussion at the next working group meeting in December and for consultation with FSMC and the sector.

CFOA and LGA View

16. CFOA and the LGA believe that the strength of the OpA and Fire Peer Challenge offer lies in its ability to flex and address the different needs of the FRS sector. We are therefore not developing a single solution but rather we are looking to develop a flexible offer that can be utilised as and when appropriate.
17. We propose that the existing scoping meeting with Chief Fire Officers and FRA Chairmen is used to fully understand the needs of the FRS, dependant on where they are in terms of their improvement journey and inspection outcome.
18. We are also proposing that we work with HMIC (if they are the provider of inspection for the sector) and take notice of any improvement recommendations they provide.
19. We are cognisant that any sector led improvement offer to the sector needs to add value and not additional burden, so are monitoring the proposed inspection approach carefully both in terms of the focus and roll out.

Next Steps

20. Members are asked to:
- 20.1 Note the LGA's ongoing engagement with the Home Office around the design and creation of the fire inspectorate.
 - 20.2 Comment on HMIC's preferred model of fire inspection to inform the LGA's work around this element of the fire reform agenda going forward; and
 - 20.3 Note the work within the LGA led by the Fire Peer Challenge Working Group

to consider the future role and shape of Operational Assessment and Fire Peer Challenge.

Implications for Wales

21. There are no implications for Wales at this stage as the provisions in the Policing and Crime Bill relating to inspection will only apply in England.

Financial Implications

22. There are no immediate financial implications arising from the work set out in this report.