

**Meeting:** Fire Services Management Committee

**Date:** 9 December 2022



## Accountability and Transparency

### Purpose of report

For discussion.

### Summary

Home Office officials will be attending FSMC to discuss with members how accountability and transparency in the fire and rescue sector can be strengthened ahead of the Home Office's publication of its response to the Fire Reform White Paper.

**Is this report confidential?** No

### Recommendations

That members note the Home Office presentation and provide their views on how accountability and transparency in the fire and rescue sector can be strengthened.

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# Accountability and Transparency



## Background

1. Following the publication of the Fire Reform White Paper, the Home Office have expressed an interest in hearing further suggestions for how the fire sector can improve its accountability and transparency, ahead of any changes in governance. They noted that a number of areas had suggested that accountability and transparency improvements could be made without the need for governance change and are interested to have a discussion with FSMC members on what those suggestions might be.

## The Fire Reform White Paper

2. The Fire Reform White Paper spoke about improving accountability through changes in governance and the use of executive leadership, saying that “effective political oversight would maintain and enhance public accountability”.
3. The White Paper also states that the lack of executive oversight in most Fire and Rescue Authorities (FRAs) and the “variation and inconsistency between governance models have hampered accountability and transparency for the public.” The committee system is also criticised saying that unlike Police, Fire and Crime Commissioners (PFCCs), or combined authority mayors, it “can slow decision making and impair accountability”. The White Paper states that the Government believes that the four PFCCs have “strengthened local accountability, enhanced collaboration and [made] improvements in what their fire services provide the public.”
4. The White paper outlined the Government’s principles for good governance and asked about other options for fire governance that aligned with these:
  - there is a single, elected – ideally directly elected – individual who is accountable for the service rather than governance by committee.
  - there is clear demarcation between the political and strategic oversight by this individual, and the operationally independent running of the service by the chief fire officer.
  - that the person with oversight has control of necessary funding and estates.
  - decision-making, including budgets and spending, is transparent and linked to local public priorities.
5. There were also proposals around making a clear distinction between strategic and operational planning, with the Community Risk Management Plan (CRMP) becoming the operational plan under the purview of the chief fire officer and the strategic plan established by the FRA that sets the priorities for the service. The operational plan

would then set out how the strategic priorities would be met and the risks mitigated. The balanced leadership model, setting out the different responsibilities of chairs and chiefs, also should be considered in how the Home Office sees the split of responsibility and where they see the role of governance in decision making:

<b>Task</b>	<b>Responsible</b>
Setting priorities	Executive leader
Budget setting	Executive leader
Setting precept	Executive leader
Setting response standards	Executive leader
Opening and closing fire stations	Executive leader
Appointment and dismissal of chief fire officer	Executive leader
Appointment and dismissal of other fire service staff	Chief fire officer
Allocation of staff to meet strategic priorities	Chief fire officer
Configuration and organisation of resources	Chief fire officer
Deployment of resources to meet operational requirements	Chief fire officer
Balancing of competing operational needs	Chief fire officer
Expenditure up to certain (delegated) levels	Chief fire officer

6. The intention is to have a brighter line defining the different roles of the strategic and operational leadership.
7. Within the LGA's response to the Home Office we set forward a number of different models that could provide a starting point for further discussion with the Home Office, they were:
  - Greater delegation of decisions to the chair of the FRA (Option 1).
  - Create a cabinet/scrutiny model for governance on both metropolitan authorities and combined authorities (Option 2).
  - Metropolitan and combined authorities reorganise themselves to create a small management committee to exercise an authority's executive functions, which would then be scrutinised and supported by/accountable to the full authority (Option 3).
8. Option 3 could be introduced without the need for primary legislation, though it would be needed in the case of options 1 and 2.
9. However, we understand that the Home Office are interested in a wide variety of ideas, that would not necessarily be linked with changes to governance structures.

## **National Fire Framework**

10. The current National Fire Framework outlines the importance of accountability and says that in demonstrating their accountability to communities FRAs need to:
  - be transparent and accountable to their communities for their decisions and actions;
  - provide the opportunity for communities to help to plan their local service through effective consultation and involvement; and

- have scrutiny arrangements in place that reflect the high standard communities expect for an important public safety service.
11. There is no requirement for FRAs to have an overview and scrutiny function in legislation, unlike councils which are required to have them due to the Local Government Act 2000 (apart from county council services). However, the mention of scrutiny within the Fire Framework does provide FRAs with the ability to set up scrutiny arrangements. **Appendix A** outlines the committees FRAs already have in place.

## LGA work

12. Our "[Leading the fire sector](#)" document contains 6 conditions for effective performance oversight:
- Responsibility for performance oversight must be clearly assigned
  - FRA members must have a positive attitude towards scrutiny
  - Senior officers must have a positive attitude towards scrutiny
  - Arrangements for effective work programming must be in place
  - Those undertaking scrutiny must have access to a range of reliable information from a variety of sources
  - Those undertaking scrutiny must possess/have access to the knowledge and skills necessary to do so effectively
13. We subsequently undertook training and created videos around using these six conditions and the principles of good governance from "[The International Framework: Good Governance in the Public Sector](#)" produced by the International Federation of Accountants and the Chartered Institute of Public Finance and Accountancy (CIPFA).
14. More recently colleagues in LGA improvement have been approached by a number of FRAs for help in ensuring that their governance is fit for purpose. They have done some initial work with a number of FRAs based on the RACI Framework and the work contained within "[Leading the Fire Sector](#)". This has been delivered by officers, with member support.
15. The RACI acronym stands for:
- **Responsible:** Means those who actually deliver the work.
  - **Accountable:** Means the person or persons (or member level body) who are ultimately answerable for the activity or decision – it is often expressed as those having Yes/No/Veto power.
  - **Consulted:** Reflects that every deliverable is strengthened by review and consultation and parties can provide input based on their skills, knowledge and experience – genuine consultation must be listened to and there must be genuine opportunities to influence.
  - **Informed:** When interested parties can simply expect to be kept in the loop – but in a timely manner.

## **Proposal**

16. Ahead of the meeting members are asked to consider how accountability and transparency in FRAs can be improved. During this discussion members may wish to seek clarity from Home Office officials on:

- What is meant by accountability and transparency in this context?
- What are the key issues facing the fire and rescue service and can they only be addressed by governance change, or would other measures which do not require legislation be acceptable?

17. In response to the Home Office presentation members may wish to:

- Outline the existing committee arrangements in FRAs which demonstrate that it is possible to move to more of an executive and scrutiny function within FRAs under the existing legislation.
- Draw attention to the LGA's existing work programme to support improvements in transparency, accountability and governance. With additional funding it would be possible to expand this programme further.
- Highlight the cost implications of moving from existing FRAs to alternative forms of governance, especially where there are no coterminous boundaries with other forms of governance such as in the South West.
- Remind the Home Office of the LGA's proposals in our response to the Fire Reform White Paper (and set out above at paragraph 7), which although in the case of two of the options would require legislative change this would deliver on the principles outlined in the White Paper without the costs associated with moving to other forms of governance.

## **Implications for Wales**

18. The Fire Reform White Paper is an England only document.

## **Financial Implications**

19. None.

## **Equalities Implications**

20. No direct implications, though when the response to the Government's White Paper have been assessed the LGA will make a full assessment.

## **Next steps**

21. Officers will look to structure further discussions with the Home Office based on members' views.