

## Culture in the fire and rescue service

### Purpose of Report

For direction.

**Is this report confidential? No**

### Summary

The report outlines the findings of the His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) Spotlight report on values and culture. Mark Hardingham and Rob MacDougall will be coming along from the National Fire Chiefs Council (NFCC) to discuss their draft Culture Action Plan with members.

**LGA Plan Theme:** Other service specific support

### Recommendations

#### That the Board

- 1. discusses and provides feedback on the NFCC draft Culture Action Plan (Appendix B);**
- 2. Considers how we will work together to achieve improvements; and**
- 3. Approves the revised next steps list (paragraph 37).**

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## Culture in the fire and rescue service

### Background

1. Since the discussion at the last FSMC meeting in March the inspectorate has now released their spotlight report into values and culture in the fire and rescue service. The NFCC have also published their draft culture action plan for feedback. The NFCC are attending the meeting to discuss their action plan.
2. This report outlines the key points from the report and the recommendations. There are some specific recommendations targeted at the LGA, the Fire Standards Board (of which we are a part) and at fire and rescue authority employers and Chief Fire Officers, however members will have an interest in a wider number of the recommendations.
3. A reviewed set of Next Steps are included in paragraph 37.

### HMICFRS Spotlight Report

4. HMICFRS's spotlight report into values and culture was published on 30 March. It highlighted that HMICFRS had found examples of bullying, harassment and discrimination in every service.
5. In writing the report HMICFRS focused predominantly on evidence collected from their second round of fire and rescue service inspections, particularly looking at those services that were:
  - Issued with a cause of concern or are for improvement in these areas
  - Issued an outstanding grade in these areas;
  - Or showed examples of innovative or promising practice in these areas.
6. They also reviewed evidence relating to how services are using the Core Code of Ethics, evidence on watch cultures and the influence of other factors or organisations. They used the following sources of evidence:
  - service inspection reports
  - HMICFRS evidence gathering templates
  - the HMICFRS independent reporting line
  - their staff survey (to which they received 11,486 Fire and Rescue Service (FRS) staff responses)
  - their national reports

- their policing reports on similar matters
- relevant external research in this area
- relevant literature sources, including evidence from other sectors
- publicly available evidence on how FRS cultures may be influenced.

## Findings

7. HMICFRS found that many services had invested in their attempts to improve their values and culture. Progress had been made but they found that in many services efforts to improve values and culture have not always meant improvements in staff behaviours. Bullying, harassment and discrimination were to varying degrees present in all services.

## Subgroups, watches, challenging poor behaviour

8. They found that subgroups within services can have an impact on the culture overall, with some groups having their own culture within the service. Watches were cited as a particular example of this, with many creating their own subcultures. They also were told of differences in experiences of operational and support staff.
9. HMCIFRS said that they had found instances where some staff had felt the need to fit in with the prevailing culture, which staff can then find difficult to challenge. In some services they found that a lack of action on previous cases around these issues has contributed to poor behaviour, that people did not trust the grievance processes and that they have either been targeted, or fear being targeted, for speaking up. The idea that sometimes poor behaviour is dismissed as “banter” was a recurring theme, with HMICFRS saying that “staff told us of racist, sexist and homophobic comments and behaviours which had gone unchallenged or been dismissed as banter.” There outlined that some staff had spoken of an “old boys’ club”, where people can get away with inappropriate behaviours “if they know the right people”.
10. Similarly, they found that some managers felt unable to deal with or challenge inappropriate behaviours. There may be a range of reasons for this including a lack of confidence, or fear about the impact on their career etc.
11. They stated that staff need a secure way to raise concerns without fear of reprisals, and that will ensure that their concerns are taken seriously and investigated with appropriate outcomes. They said that there was no consistent process, policy or standard for FRS staff in carrying out these cases. Information

shared by services in relation to misconduct, grievance and complaint cases showed that in the course of investigations a quarter of individuals were dismissed, and almost half were permitted to resign or retire.

## Background checks

12. The report stated that background checks needed to improve. There are currently no consistent standards for FRSs to follow for background checks for staff and there are no specific legal obligations for services to conduct checks on existing staff.

## Leadership

13. Leadership was identified as key to creating a positive culture. They stated that the behaviour of leaders set the tone for the service, but only 27 per cent of respondents to HMICFRS's staff survey agreed that senior leaders consistently model and maintain service values. A clear understanding of discipline and grievances, promotions, retention and successful recruitment practices was present in services where a lower proportion of staff reported experiencing bullying, harassment and discrimination. Those services also had good training, used equality impact assessments, and promoted positive action that was understood by staff.
14. They stated that further training was needed for supervisors and middle managers to support them in their leadership and management roles. Without training it can mean that managers do not feel able to challenge or address issues such as bullying, harassment and discrimination.

## Equality, diversity and inclusion

15. HMICFRS stated that services needed to do more to improve their diversity, as well as being more inclusive to support and retain existing staff. Equality impact assessments were generally being completed but their quality was varied. They found that staff were not receiving ongoing and relevant EDI training, and that it was not frequent. Most services did have EDI training but it was not mandatory, leading to a patchy take up across staff.
16. Positive action was also often misunderstood, with a lack of understanding about the benefits. Positive action was sometimes seen in a negative light.
17. The report outlines that many services do not have a good understanding of the diversity of their staff, and are not using their equality and diversity data to direct

activities. They said that services are not clear on what action they need to take to improve the diversity of their staff.

### Operational and non-operational staff

18. Staff can have different experiences depending on whether they are operational or non-operational, which can also have an impact on career progression and opportunities. They said that on call staff often said that they experienced worse treatment than their wholetime counterparts.

### Talent management, progression

19. Progression opportunities can be limited. Some leadership adverts require incident command experience, which limits the pool of candidates. Not all services were found to have fair and accessible promotion processes for all staff.
20. Poor talents management, promotion processes and succession planning can lead to unfairness. Most services have a fair and transparent process but many staff perceived them as unfair. There were perceptions of nepotism apparent in services where there was no effective talent management process.

### National work

21. The inspectorate highlighted the work of the Fire Standards Board, who had recently introduced two new standards called “Leading the service” and “Leading and developing people”, building on the Core Code of Ethics. There is also the Code of Ethics Standards.
22. They also outlined the work on the NFCC in promoting values and culture through promoting best practice, and its people programme was in its second phase. They have also produced tools and guidance for FRSs to use and have begun to map the Fire Standards Board’s standards against their people programme.
23. The Core Code of Ethics was praised as a key development. They found that most services were adopting the Core Code of Ethics.
24. They also said that the Fire and Rescue National Framework for England should be strengthened, and that the Government should consider the findings and recommendations of their report when doing so.

## Recommendations within the report

25. There are a total of 35 recommendations in the directed at a range of organisations. There is one recommendation directed at the LGA, as well as some directed at fire and rescue authorities and employers. These recommendations are:
- **Recommendation 2:** By 1 October 2023, National Employers, the Local Government Association and the National Fire Chiefs Council should review any current independent arrangements whereby staff can raise concerns outside their FRS. They should then ensure that all FRS staff have access to an independent reporting line that can be used as a confidential way to raise concerns outside their own FRS.
  - **Recommendation 15:** By 1 October 2023, the Home Office should work with the National Fire Chiefs Council and fire and rescue service employers to make sure there is a process to handle misconduct allegations against chief fire officers. The Home Office should immediately notify HMICFRS of any allegations and outcomes that it is aware of.
  - **Recommendation 26:** By 1 October 2023, as a precursor to the development of the College of Fire and Rescue, chief fire officers and the National Fire Chiefs Council should work with the Home Office to consider how they can improve the training and support they offer to staff in management and leadership development. This should include authority members in respect of their assurance leadership roles and should ensure that opportunities are offered fairly across all staff groups.
26. There are also a number of others for chief fire officers particularly but which pertain to member's role in holding chief fire officers to account for their delivery. Members will therefore have an interest at a local level on these recommendations and in ensuring that they have assurance that activities are being completed.
27. A number of recommendations have been directed at the Fire Standards Board, of which the LGA is a part, with Councillor Nick Chard representing the LGA. There will be an extra meeting of the Fire Standards Board to look at how to respond to the recommendations directed at them.
28. The full list of recommendations is included in **Appendix A**. Areas within recommendations where it is expected FRAs members will wish to take an interest in have been highlighted in the Appendix. These would be areas where FRAs would need to hold Chief Fire Officers to account for their delivery, receiving information as well as setting expectations.

## LGA response

29. The [LGA responded in the media to the publication of the report](#). Lead Members have also discussed the possibility of a formal response to HMCIFRS to highlight where there are issues of interest to the LGA even if we are not formally included within the recommendations.
30. We have held some initial discussions with the Home Office on the recommendations.

## NFCC

31. The NFCC held their culture conference in March with a range of contributors including the Fire Minister, Nazir Afzal, the Fire Brigade's Union, Women in the Fire Service, the Asian Fire Service Association, the Firefighters Charity amongst others. At the conference the NFCC committed to producing an action plan on culture and inclusion following the discussions with attendees.
32. At the end of April, the NFCC released their draft Culture Action Plan (**Appendix B**) for wider discussion with the sector. The NFCC's draft Culture Action Plan has been mapped against the principles in the Core Code of Ethics and including short, medium and long term activities.
33. Mark Hardingham and Rob MacDougall will be attending the FSMC to discuss their draft action plan.

## Implications for Wales

34. Fire and rescue related policy is a devolved matter and much of the Committee's work will focus on changes for Fire and Rescue Authorities in England, with the Welsh Local Government Association leading on lobbying for Welsh Fire and Rescue Authorities.

## Financial Implications

35. None

## Equalities implications

36. HMCIFRS's spotlight report highlights a number of EDI issues for the sector. Including the lack of diversity within the workforce, a lack of data on diversity, a

lack of targeted activity, poor understanding of positive action and training on EDI issues etc.

## Next steps

37. The next steps were discussed at the FSMC in March. They have now been amended in line with that discussion:

- Engagement with the NFCC, HMICFRS, the Home Office, and the Unions was a key principle of making sure that work on this issue would be effective going forwards.
- Respond to HMICFRS's spotlight review with input from across the LGA.
- A free, one-day conference for members looking at their governance and leadership role in EDI, alongside their employer role. This is planned for the 27 June 2023. The programme would be worked on jointly with the Workforce team and with input from the Equalities Advocate. It would be a mix between discussion and practical training sessions.
- Refresh and renew the membership and remit of the EDI Champions Network.
- Look at the wider programme of governance and leadership training for leaders in the service, especially scrutiny of senior officers in this area.
- Engage with the NFCC on the development of their action plan.
- Engage with the IFSG once its next steps are identified as well as on potentially reviewing its social media guidance.
- Prepare media lines to respond to any inquiries the LGA may receive around fire service culture.
- Consider the relevant employment law and related legal framework in which fire authorities act, including in relation to watches.
- Continue to engage with the Home Office on sector-led support and wider issues around culture seeking funding to support a sector-led improvement offer on these issues.
- Sharing lessons learned from services that have experienced issues



## Appendix A

### Raising concerns

**Recommendation 1:** By 1 October 2023, chief fire officers should make sure their services provide a confidential way for staff to raise concerns and that staff are aware of whistleblowing processes.

**Recommendation 2:** By 1 October 2023, National Employers, the **Local Government Association** and the National Fire Chiefs Council should review any current independent arrangements whereby staff can raise concerns outside their FRS. They should then ensure that all FRS staff have access to an independent reporting line that can be used as a confidential way to raise concerns outside their own FRS.

**Recommendation 3:** By 1 June 2023, chief fire officers should **review the support available for those who have raised concerns** and take any action needed to make sure these provisions are suitable.

**Recommendation 4:** By 1 June 2023, chief fire officers should assure themselves that updates on how concerns are being handled are shared with those who have raised them. The updates should be given in an accessible way that encourages trust and confidence in the service response. Consideration should be given to creating a **professional standards function** to handle conduct concerns in service (or from an external service) to have oversight of cases, to make sure they are conducted in a fair and transparent way and to act as a point of contact for all staff involved.

**Recommendation 5:** By 1 June 2023, chief fire officers should make sure they provide accessible information for all staff and members of the public on **how they can raise concerns and access confidential support** (including through external agencies). Chief fire officers should also make sure accessible information is provided on how concerns and allegations will be investigated in a way that ensures confidentiality and is independent of the alleged perpetrator.

### Background checks

**Recommendation 6:** By 1 January 2024, the Home Office, working with the Ministry of Justice, should make sure that the Government incorporates fire and rescue authority employees within the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 so that they are eligible for the appropriate DBS checks.

**Recommendation 7:** By 1 May 2024, the Home Office, working with the fire and rescue sector, should make sure that the Police Act 1997 (Criminal Records) Regulations 2002, or a similar appropriate legislatively enabled solution, makes detailed provisions for fire and rescue services.

**Recommendation 8:** By 1 December 2023, the **Fire Standards Board**, in liaison with the National Fire Chiefs Council, should review the existing relevant standard(s) and underpinning guidance. It should:

- clearly state the requirements for background checks undertaken by services;
- clarify the minimum requirements (including levels of DBS checks) for all roles, particularly roles where staff have access to vulnerable members of the public;
- define the standards required to embed a culture across fire and rescue services that empowers all members of staff and local communities to report concerns; and
- be subject to review following any legislative change.

**Recommendation 9:** By 1 January 2024, chief fire officers should:

- immediately review their current background checks arrangements, and make sure that suitable and sufficient background checks are in place to safeguard their staff and communities they serve; and
- make sure that appropriate DBS check requests have been submitted for all existing, new staff, and volunteers, according to their roles as identified by the **Fire Standards Board**.

**Recommendation 10:** By 1 September 2023, chief constables should make sure they are appropriately using their Common Law Police Disclosure powers in circumstances involving employees of fire and rescue services.

## Misconduct handling

**Recommendation 11:** By 1 December 2023, the **Fire Standards Board**, in liaison with the National Fire Chiefs Council, should review the existing relevant standard(s) and supporting guidance to clearly state how services should handle staff disclosures, complaints and grievances.

**Recommendation 12:** By 1 March 2024, chief fire officers should provide assurances to HMICFRS that they have implemented the standard on staff disclosure, complaint and grievance handling.

**Recommendation 13:** By 1 December 2023, the **Fire Standards Board**, in liaison with the National Fire Chiefs Council, should review the existing relevant standard(s) and supporting guidance to clearly state how services should handle misconduct and safeguarding-related allegations and outcomes. These should include requirements to:

- conduct and complete investigations, whether or not the staff member under investigation leaves;
- consider whether the incident requires immediate dismissal;
- provide training for staff who are carrying out investigations; and
- ensure the diversity/neutrality of the investigation panel/person.

**Recommendation 14:** By 1 March 2024, chief fire officers should provide assurances to HMICFRS that they have implemented the standard on misconduct allegations and outcomes handling.

**Recommendation 15:** By 1 October 2023, the **Home Office** should work with the National Fire Chiefs Council and **fire and rescue service employers** to make sure there is a process to handle misconduct allegations against chief fire officers. The Home Office should immediately notify HMICFRS of any allegations and outcomes that it is aware of.

**Recommendation 16:** By 1 October 2023, the National Fire Chiefs Council should develop and manage a national barred list that holds details of staff who have been dismissed for gross misconduct (including staff who have already left services). It should ensure that this list is referred to in all appointment processes to prevent those who are barred from rejoining another service. After the College of Fire and Rescue has been established (see recommendation 25), it should take responsibility for managing the list.

**Recommendation 17:** With immediate effect, chief fire officers should notify HMICFRS of any **allegations** that have the potential to constitute staff gross misconduct that:

- involve allegations of a criminal nature that have the potential to affect public confidence in FRSs;

- are of a serious nature; or
- relate to assistant chief fire officers or those at equivalent or higher grades.

**Recommendation 18:** By 1 August 2023, chief fire officers should provide assurances to HMICFRS that **all parties are supported** in relation to ongoing investigations.

**Recommendation 19:** By 1 July 2023, the Home Office should examine whether any **appeal processes** for fire and rescue misconduct cases are appropriate.

## Leadership

**Recommendation 20:** By 1 June 2023, chief fire officers should have plans in place to ensure they meet the **Fire Standards Board's** leading the service standard and its leading and developing people standard.

**Recommendation 21:** By 1 June 2023, chief fire officers should make sure there is a **full, 360-degree feedback process in place for all senior leaders and managers** (assistant chief fire officer equivalent and above) in service.

**Recommendation 22:** By 1 September 2023, chief fire officers should make sure there is a **full, 360-degree feedback process in place for all other leaders and managers in service**. The process should include gathering feedback from a wide range of sources including colleagues and direct reports.

**Recommendation 23:** By 1 June 2023, chief fire officers should **seek regular feedback from staff about values, culture, fairness and diversity, with due regard to the leading and developing people standard**. They should show how they act on this feedback.

**Recommendation 24:** By 1 October 2023, chief fire officers should put plans in place to **monitor**, including through the gathering and analysis of staff feedback, watch and team cultures and provide prompt remedial action for any issues they identify.

## Management and leadership training and development

**Recommendation 25:** By 1 January 2025, the Government should establish a College of Fire and Rescue, as proposed by the White Paper Reforming our Fire and Rescue Service. There should be no further delay to its implementation.

**Recommendation 26:** By 1 October 2023, as a precursor to the development of the College of Fire and Rescue, chief fire officers and the National Fire Chiefs Council should work with the Home Office to consider how they can improve the training and support they offer to staff in management and leadership development. This should include **authority members in respect of their assurance leadership roles and should ensure that opportunities are offered fairly across all staff groups.**

## Diversity data

**Recommendation 27:** By 1 June 2023, chief fire officers should make sure their **equality impact assessments** are fit for purpose and, as a minimum, meet the requirements of the National Fire Chiefs Council equality impact assessment toolkit.

**Recommendation 28:** By 1 June 2023, chief fire officers should review how they gather and use **equality and diversity data** to improve their understanding of their staff demographics, including applying and meeting the requirements of the National Fire Chiefs Council equality, diversity and inclusion data toolkit.

**Recommendation 29:** By 1 December 2023, the Home Office should publish greater detail on the protected characteristic data it collects about FRS staff, including joiners and leavers, by rank and role.

**Recommendation 30:** By 30 December 2024, the Home Office should align the data it collects on protected characteristics with the Office for National Statistics harmonised standard and publish this data.

**Recommendation 31:** By 1 December 2024, the Home Office should collect and publish experimental statistics on public complaints and conduct matters in relation to FRS staff, similar to that which it currently publishes on police forces in England and Wales.

## Improving diversity

**Recommendation 32:** By 1 June 2023, chief fire officers should, as a priority, specify in **succession plans** how they intend to improve diversity across all levels of the service. This should include offering increased direct-entry opportunities.

**Recommendation 33:** By 1 August 2023, chief fire officers should develop plans to promote **progression paths** for existing staff in non-operational roles and put plans in place to reduce any inequalities of opportunity.

## The Core Code of Ethics

**Recommendation 34:** With immediate effect, chief fire officers should review their implementation of the **Core Code of Ethics** and make sure it is being applied across their services.

## The fire and rescue national framework for England

**Recommendation 35:** By the end of this Parliament, the Government should consider the findings and recommendations in this report when refreshing the Fire and Rescue National Framework for England.