

25 September 2015

Consultation on Enabling closer working between the Emergency Services

Purpose

For discussion and direction.

Summary

Following a Conservative Party manifesto commitment to enable fire and police services to work more closely together, the Government issued a consultation on *Enabling closer working between the Emergency Services* on 11 September. This paper introduces the consultation and proposes a timetable for compiling an LGA response

Recommendations

Members are recommended to:

1. Consider the consultation and submit views to the LGA to enable the compilation of an agreed response.
2. Agree the timeline for compiling the response outlined at paragraph 11 below.

Action

Officers to draft a response for agreement by FSMC lead members and subsequent submission no later than the deadline of 23 October 2015

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Consultation on Enabling closer working between the Emergency Services

Background

1. Prior to the election, the Conservative manifesto made a number of commitments that have implications for the Fire and Rescue Service (FRS). Among them was an undertaking to enable fire and police services to work more closely together and develop the role of our elected and accountable Police and Crime Commissioners (PCCs). Work to deliver this commitment is now underway with the publication of a consultation on [Enabling closer working between the Emergency Services](#) on 11 September 2015 with a response deadline of 23 October 2015.

Measures under consultation

2. In summary the measures being consulted on are:
 - 2.1. Introducing a new duty on all three emergency services to actively consider collaboration opportunities with one another to improve efficiency and effectiveness.
 - 2.2. Enabling PCCs to take on the duties and responsibilities of fire and rescue authorities (FRAs), where a local case is made.
 - 2.3. Where a PCC takes on the responsibilities of a FRA, enabling him or her to create a single employer for police and fire staff, facilitating the sharing of back office functions and streamlining management.
 - 2.4. In areas where a PCC has not become responsible for the FRS, enabling them to have representation on their local fire and rescue authority.
 - 2.5. Abolishing the London Fire and Emergency Planning Authority (LFEPA) and giving the Mayor of London direct responsibility for the FRS in London, as will be the case in Greater Manchester.
3. The Government is proposing three governance models for closer working between police and fire, with local areas to consider the options and put forward an approach that best suits their local circumstances:
 - 3.1. PCC takes responsibility for FRS alongside his responsibilities for the police (see diagram on consultation document page 11).
 - 3.2. PCC takes responsibility for FRS with a single employer, who would be a Chief Officer, with the post open to both senior police and senior fire officers (see diagram on consultation document page 14).
 - 3.3. Where a PCC doesn't take responsibility for the FRS they should have the opportunity to be represented on the local FRA or County Council Committee with voting rights (see consultation document page 17).

Some issues raised by the consultation

4. In considering a response to the consultation, it should be noted that the Government has no intention to amalgamate the two services and Government funding for the two organisations will remain separate.
5. Although it is intended that agreement should be reached locally on any new governance arrangements, where all parties are not in agreement over the governance model being sought by the PCC, the PCC would be able to submit the business case to the Home Secretary and the Secretary of State for DCLG for them to reach a view (see consultation document page 10).
6. The rationale for the approach being taken by the Government is that local services that are responsive and accountable to local people are best placed to make the right decisions for their communities. Although the consultation talks about the three emergency services the focus is on the FRSs, which of course already have local accountability. There is reference to PCCs having an increased role in ambulance governance structures, which unlike FRSs face increasing demand for their services, but these are not likely to significantly increase the local accountability of the ambulance service.
7. While the consultation acknowledges that not all PCC and FRS boundaries are coterminous, it glosses over the issue of alignment and the cost and upheaval any alignment would cause. Likewise while it recognises that giving PCCs a governance role in the 15 FRSs, which are integrated in County Councils 'would be more complex', it rather over simplifies the issue by saying that 'voting rights extended to Police and Crime Commissioners would need to be restricted only to matters affecting the fire and rescue service' (consultation document page 17). Would the PCC expect to have a vote on the Council budget for example?
8. The consultation explains that the 'Government believes that where a PCC takes responsibility for fire and rescue, the remit of the Police and Crime Panel should be expanded to include scrutiny of the PCC's fire responsibilities' (consultation document page 15), which would significantly expand the remit of police and crime panels. Would the panels get additional funding to cover the additional resources this would require?
9. There is a question on strengthening the peer review process (consultation document page 15). How will the LGA's offer around peer reviews fit in with FRSs where the PCC has taken responsibility?
10. Finally there is an interesting question over the handling of complaints where a PCC puts in place a single employer for the FRS and police service (consultation document page 16). Is the police complaints system appropriate for application to the fire service?

Response to the consultation

11. The consultation asks 16 questions, which are summarised on page 22 of the consultation document and at the appendix to this paper. The LGA will be compiling a response for submission by 23 October and is looking forward to receiving Members' views. The following timetable for completing the response is proposed:

25 September 2015

12 Oct 1200	Deadline for submitting comments/views on the consultation to the LGA. Please send to john.wright@local.gov.uk copy to lucy.ellender@local.gov.uk
12 - 16 Oct	LGA staff draft response and seek LGA Leadership agreement on broad line to take based on the submitted views of the FSMC
16 Oct	Submit draft response to FSMC Lead Members, copy to Group Offices, for approval/comment
20 October	LGA receives Fire Commission comments/views
20 Oct 1800	LGA receive approval/comment from FSMC Lead Members
21 - 22 Oct	LGA staff finalise response
22 October	Submit response to Home Office

Next steps

12. Members are asked to:

12.1. Consider the consultation and submit views to the LGA to enable the compilation of an agreed response

12.2. Agree the timeline for compiling the response outlined at paragraph 11 above

Financial Implications

13. None.