

Hereford & Worcester Fire Brigades Union Response to the Consultation on
the
Initial Business Case considering the governance of
Shropshire Fire and Rescue Service
and
Hereford and Worcester Fire and Rescue Service
by the
West Mercia Police and Crime Commissioner

The FBU is the democratic, professional voice of firefighters and other workers within fire and rescue services across the UK. We represent the vast majority of wholetime (full-time) and retained (part-time, on-call) operational firefighters and control staff across the UK.

The FBU opposed the inclusion of the ability for PCC's to take over fire governance during the debate and consultation on the Policing and crime Bill (now act), there was no public demand and no mandate for the change.

PCCs were first elected in 2012 and most recently in May 2016. Public engagement in the elections has been dismal on both occasions (West Mercia turnout 2016 20.7%, 2012 14.5%) when account is taken of simultaneous local council elections in 2016 this is poor.

The success of the PCC model of governance of Police Services across the country remains unproven and to allow its expansion to fire seems hasty and ideologically driven.

There is little evidence that the introduction of PCCs as replacement for a Police Authority has led to efficiency in governance or protected the numbers of front line police officers. There has been a 7% reduction in Police Officers since 2012 (160 warranted officers across West Mercia since the introduction

of PCC) West Mercia is currently 25th of 43 Police Forces (England & Wales) for numbers of officers per 100,000 population.¹

Since 2012, 70 Wholetime Firefighters posts have been lost, there is currently a crewing proposal consultation which will see the loss of a further 7 Wholetime Firefighter posts. The upshot of this that HWFRS will have lost 41% of its Wholetime Firefighters in just 5 years.

HWFRS had 184 Wholetime Firefighters in 2012, it will be left with just 107 Wholetime Firefighters if these latest cuts are agreed.

Due to the extent of the cuts to HWFRS in recent years, staff in HWFRS faced the real threat of compulsory redundancy. This was avoided due to FBU Members taking secondment opportunities in other FRS's and raft of voluntary redundancies and early retirements.

HWFRS FBU believe that if there are further cuts to be made then the senior management structure of this Service must be reviewed to see what savings can be made from a restructure of HWFRS senior management.

The PCCs Draft Business Case gives no reassurance that further cuts to front line staff can be avoided.

The most recent Home Affairs Select Committee report² into PCCs states *"The introduction of PCCs has worked well to date and has had some beneficial effect on public accountability and clarity of leadership in policing. However, this reform is still relatively new and understanding its impacts is still a work in progress. Any expansion of the PCC role needs to be incremental and carefully judged."* This would lead us to believe that bypassing the representation model and moving straight to governance is a step too far too soon and should be given much more serious consideration. With the Policing and Crime Act 2017 making collaboration a mandatory duty on Fire, Police and Emergency Ambulance Trusts there is no artificial barrier which can be maintained by any party. The representation model expanded to allow an appointed FRA member to sit on Police and Crime panels as a reciprocal arrangement could deliver all of the proposed benefits of the governance model without any of the implementation risks. The FRA should give consideration to reducing the costs of governance whilst maintaining democratic representation.

During the PCC election the public were given no indication of John Campions plans to take on fire governance in his official election literature.³

How can the PCC claim that he has any mandate for assuming governance?

No PCC was elected as Policing, Fire and Crime Commissioner. If the joint governance bid is successful, in order to achieve a genuine mandate John Campion should stand down and seek re-election as PFCC, this would remove any suspicion that the merger was engineered as a power grab or some kind of empire building exercise and give the new PFCC a full term in which to achieve the stated aims

Whilst the FBU maintains its position that the PCC governance model is not the right way forward for the Fire & Rescue service, we recognise the reality of the situation and the possible outcome of the consultation. On that basis we make the following points:-

NJC role maps, terms and conditions

The National Joint Council for Local Authority Fire and Rescue Services (the NJC) is the body responsible for agreeing the national framework of pay and conditions for wholetime and retained firefighters and fire control staff. It consists of 28 members appointed by the representative bodies of the employers and employees and each side is free to bring proposals to negotiations.

The NJC has an excellent record of progressing vital industrial relations matters. This includes the pay award process; ongoing work on terms and conditions; a fitness agreement; implementing the part-time workers settlement agreement; amending the Grey Book sections concerned with maternity, childcare and dependency; and the Grey Book sections relevant to health, safety and welfare.

The NJC has also been working on five significant work streams to transform and bring genuine improvement to the fire and rescue service:

- Environmental challenges flooding, inland water safety, snow, wild fire
- Emergency medical response: co-responding, falls, on-site trauma care, provision of community training
- Multi agency emergency response (MTFA): joint working, any issues falling out of JESIP

- Youth and other social engagement work: arson reduction, working with risk of offending youth groups
- Inspections and enforcement: schools, illegal homes, crown properties, expansion of unregulated business use, related fire safety advice.

Bringing these work streams to fruition through the NJC will undoubtedly improve the service to the public whilst progressing firefighters' conditions of service. This is a 'win-win' programme of change, underlining the virtues of a national system of employment relations.

National bargaining provides stability, is cost-effective, strategic and efficient, providing both the necessary competence and capacity that cannot be reproduced locally. Our members also value the national arrangements for negotiating their pay with five out of six (87%) indicating they were in favour of a national pay structure in a recent YouGov survey of firefighters organised by the FBU.

It also makes strategic sense given that the demands on and operations of the service are not limited by administrative boundaries. Firefighters cross borders on emergency calls every single day and carry out work in areas covered by other fire and rescue services. Major incidents requiring large number of firefighters from many services are a regular occurrence. In these circumstances, national bargaining arrangements through the NJC provide a mechanism for addressing terms and conditions issues for sound organisational and operational reasons. They reduce costs by avoiding the unnecessary duplication and ensure that firefighters facing the same risks at incidents enjoy broadly the same conditions of service.

The FBU seek a firm commitment that, in the event of a transfer of governance, our members will continue to be employed on NJC terms and conditions and role maps, the PFCC will seek representation at NJC level and representative bodies will be afforded a seat on the PFCP.

The Single Employer Model

The FBU is very concerned that a single-employer model, with increasingly integrated police and fire services including combined senior management, common complaints and conduct systems, and joint support services, would seriously undermine the firefighting profession.

Stakeholders from both the fire and police services have expressed concern that a single employ model does not serve their own organisations best interests or those of the wider public

Although the FBU Recognise that your business case recommends the Governance model we have concerns that this is just a precursor to full integration.

The FBU seek a firm commitment that you will not seek to introduce a single employer model.

Non-warranted policing activities

Firefighters are dedicated professionals who provide an independent, humanitarian service. Operational and organisational independence from the police is a red line.

While the Policing and Crime Act maintains the ban on serving police officers working as firefighters, many PCCs have been eager to emphasise that there is scope for firefighters to undertake non-warranted police activities, such as work with vulnerable people, particularly around issues relating to mental health, which take a substantial amount of police time. In some parts of the country, firefighters are exploring police community support officer (PCSO) work.

The FBU seek a firm commitment that you will maintain firefighters' operational independence from the police, and that firefighters will not be compelled to undertake police community support officer (PCSO) work.

Establishment, crewing, pumps and stations

Since 2010, the government has reduced central funding for fire and rescue authorities in England by over 30%. As a result, 11,000 frontline firefighters have been lost, 40 stations have closed and scores of appliances have been removed.

Fire and rescue services have downgraded their fire cover through the introduction of day crewing/plus and reduced night cover, lowering establishment and minimum staffing levels and replacing second pumps with targeted response vehicles, all of which diminish the service to the public. As a result, emergency response times are at a twenty year high.

How quickly firefighters arrive at the scene and how many resources are available can be the difference between a life and death. Financial savings must not come before public safety. It is imperative that fire and rescue services are properly funded, with resources determined by risk, not cost.

The FBU seek a firm commitment that you will maintain Hereford & Worcester Fire and Rescue Services' current establishment as a minimum initial requirement. This level is inadequate anyway and we seek a commitment to returning to the levels required to ensure local and national resilience to fire and other emergencies.

Efficiency savings

The government's austerity agenda has resulted in the police service facing similar unprecedented budget cuts. The FBU is concerned that under a shared governance model, fire service resources could be used to prop up ailing police forces. Although the legislation ensures police and fire services will continue to receive separate funding, there is still room for budget flexibility on shared and joint costs.

The FBU seek a firm commitment that the cost of joint ventures will be apportioned fairly, reflecting the usage use of each service, and that any efficiency savings achieved from the fire and rescue service will be reinvested in fire and rescue service front line staff and resources.

Privatisation/Mutualisation

The Fire and Rescue Service has witnessed creeping privatisation in many areas. Personnel, estates, training and frontline equipment including fire engines, have been handed over to the private firms seeking to make a profit out of the Fire Service. It is always claimed that this is a more 'efficient' way to operate but too often this proved not to be the case as epitomized by the scandalous FiReControl PFI contracts and the disastrous experience with AssetCo in London.

We have also seen examples elsewhere of privatisations which have completely failed, forcing the state to step in with a public bail-out. The failure of Metronet on the London underground is just one such example.

These examples highlight how the privatisation of emergency services is a dangerous and flawed policy. Local communities cannot afford to rely on the commercial success or otherwise of a private firm to ensure that they have fire cover. The only sensible and safe policy for the Fire and Rescue Service is that it remains firmly in the public sector.

The FBU seek a firm commitment that Hereford & Worcester Fire and Rescue Service frontline, operational personnel and resources, will remain in the public sector.

Control Rooms

Despite the government's assurances that the police and fire service will remain operationally distinct, several PCC have mooted merging police and fire controls and employing joint call handlers.

Fire control operators are uniformed personnel and an integral component of the fire and rescue service. They are dedicated professionals with an in-depth specialist knowledge of fire control and command, trained to provide life preserving advice to members of the public trapped, and determine what resources to mobilise to fire and rescue incidents.

Police control operators have a very different culture (non-uniformed) and call handling procedures with a separate role for call handlers and dispatchers.

The FBU seek a firm commitment that Hereford & Worcester Fire and Rescue Service control staff will continue to be employed on NJC terms and conditions and adhere to nationally negotiated role maps.

Use of Fire Service Premises

Aside from the savings in governance it appears that there is to be a radical review of the police estate in order to release capital and make greater use of fire services premises with the assumption that this is desirable and productive. We have grave concerns that a permanent police presence on fire stations may have an adverse effect on community use of those stations. Many community groups and charities which make use of the community facilities on fire stations work with the most vulnerable members of the community, asylum seekers from more authoritarian parts of the world for example, who may feel uncomfortable using a facility with an overt law enforcement presence.

Further we foresee a significant risk of reputational damage to the fire service if identified as an arm of law enforcement.

The FBU seek a commitment that community facilities and the neutrality of the fire service will not be compromised in the shared estate or in wider collaboration measures.

References

2 House of Commons Home Affairs Committee, Police and Crime Commissioners: here to stay, Seventh Report of Session 2015-16, March 2016

3 PCC Candidate Election Leaflets 2016 <https://www.choosemypcc.org.uk/area/west-mercia>

Regards

Steven Gould

FBU Brigade Secretary HWFRS