

FBU TUC briefing note – Covid-19 inquiry – Module 1 preparedness

Summary

- The Westminster government did not properly prepare for the Covid-19 pandemic because of successive deregulatory policies over four decades, which accelerated from 2010.
- The so-called modernisation reforms introduced at the beginning of this century, particularly the Fire and Rescue Services Act 2004, weakened national resilience, emergency planning and emergency intervention.
- Fragmented local fire and rescue risk management plans (IRMPs) were drawn up with little reference to UK-wide risks.
- The limited, early-century efforts at pandemic preparedness under civil contingencies effectively ceased soon after the coalition government came to power in 2010.
- Austerity cuts removed one-in-five (20%) of frontline firefighter jobs. Firefighters were subjected to attacks on their pay and conditions, pensions, safety and trade union rights.
- The FBU gave many warnings about the consequences of these policies, which were ignored by ministers.
- Ministers only took advice from chief fire officers (CFOA/NFCC), with the FBU mostly excluded.
- Chief fire officers did not prepare the fire and rescue service for the pandemic, despite warnings in the national risk register.

Background

The post-war fire sector was governed by the Fire Services Act 1947 and overseen by the Home Office for the whole of the UK. The 1947 Act created minimum staffing for fire brigades (known as establishment levels), which meant local fire authorities could not reduce fire cover without the permission of ministers. The Act created the Central Fire Brigades Advisory Council (CFBAC) as the statutory stakeholder body to provide ministers with expert fire advice. The CFBAC was chaired by the fire minister and included representatives from the Home Office, local government, chief fire officers, the FBU and other fire specialists.

At the turn of the century the fire and rescue service was subjected to so-called 'modernisation reforms', which fragmented the sector. The Fire and Rescue Services Act 2004 in England and Wales, with similar devolved legislation in Northern Ireland and Scotland replaced the previous statutory framework. This process introduced Integrated Risk Management Plans (IRMPs) and scrapped the fire inspectorate in England. Fire responsibility was transferred to the Department for Transport, Local Government and the Regions in 2001, then the Office for the Deputy Prime Minister (ODPM) in 2002 and finally the Department for Communities and Local Government (DCLG) in 2006.

At the same time the Westminster government introduced the Civil Contingencies Act 2004, which made the fire and rescue service a category 1 responder. The Act made it a statutory requirement for emergency responders to assess the risk of an emergency occurring, to publish plans to respond to an emergency and put in place business continuity management arrangements.

Ministers took their advice from the chief fire and rescue adviser (CFRA) in England to coordinate advice and guidance on fire and rescue matters. This was Ken Knight until 2012, followed by Peter Holland. The Chief Fire Officers' Association (CFOA) was given the lead on policy drafts, planning and implementation. The FBU was excluded from most official channels.

Responsibility for fire in England returned to the Home Office in January 2017. CFA formed the National Fire Chiefs Council (NFCC) in April 2017. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) extended its remit to include inspections of England's fire and rescue services in July 2017.

The National Risk Register

Since 2008 the Cabinet Office, which is responsible for civil contingencies, has published the National Risk Register, going through six editions when Covid-19 started. It sets out the "assessment of the likelihood and potential impact of a range of different risks that may directly affect the UK". The first National Risk Register (2008) stated:

Experts agree that there is a high probability of another influenza pandemic occurring, but it is impossible to forecast its exact timing or the precise nature of its impact. Based on historical information, scientific evidence and modelling, the following impacts are predicted:

- *Many millions of people around the world will become infected causing global disruption and a potential humanitarian crisis. The World Health Organisation estimates that between 2 million and 7.4 million deaths may occur globally.*
- *Up to one half of the UK population may become infected and between 50,000 and 750,000 additional deaths (that is deaths that would not have happened over the same period of time had a pandemic not taken place) may have occurred by the end of a pandemic in the UK.*
- *Normal life is likely to face wider social and economic disruption, significant threats to the continuity of essential services, lower production levels, shortages and distribution difficulties.*

In 2008, out of the 12 main risks assessed, an influenza pandemic was assessed as having the largest relative impact and fifth greatest likelihood. The National Risk Register also highlighted the risks from new diseases. It stated:

Over the past 25 years, more than 30 new, or newly-recognised, infections have been identified around the world. The pattern of known infections also changes constantly, as the areas where disease is constantly present expand beyond traditional limits. Most of these cases are zoonotic infections, in other words, they are naturally transmissible, directly or indirectly, between vertebrate animals and humans.¹

These warnings have been repeatedly, often verbatim, in subsequent editions of the National Risk Register. The 2012 edition on the pandemic influenza risk was updated to reflect lessons learnt from the 2009 H1N1 pandemic (commonly referred to as swine flu).

The 2017 edition, operative at the beginning of the Covid-19 pandemic, had a substantial section devoted to human diseases. Pandemic influenza was still regarded as the highest risk for impact and joint highest for likelihood. It stated that "the emergence of new infectious diseases is unpredictable but evidence indicates it may become more frequent". The strategies listed to respond included:

- *Personal protective equipment - emergency responders have personal protective equipment for severe pandemics and infectious diseases. There are also protocols in place for infection control both before and during an incident.²*

¹ Cabinet Office, National Risk Register 2008 edition

² Cabinet Office, National Risk Register Of Civil Emergencies 2017 edition

The FBU therefore concludes that the risks of a pandemic were foreseeable and that fire and rescue services (alongside other category 1 responders) across the UK should have been prepared for an outbreak like Covid-19. However the union believes the fire and rescue service was woefully under-prepared and that culpability lies with ministers and their advisers (including chief fire officers).

Pandemic preparedness

During the first decade of the new century, there was heightened concern about the risks from pandemics and disease. The UK government published The *National Framework for Responding to an Influenza Pandemic* in November 2007. The Scottish *National Framework for responding to an Influenza Pandemic* was published in March of the same year. These frameworks provided information and guidance to assist organisations across all sectors to make appropriate preparations. They were subsequently updated.

After the new Westminster legislation in 2004-05, a number of ad hoc committees were convened by chief fire officers in place of the CFBAC. These were voluntary, not statutory bodies, and by invitation. There is no indication of how or even whether these meetings were reported to ministers and senior civil servants. If so, the likely route would have been through CFOA.

Between 2007 and 2011, the FBU participated in the Fire and Rescue Service Health and Safety Group. The group was made up of representatives from the FBU, CFOA, Local Government Association (LGA), Welsh Local Government Association, Scottish Executive, Institute of Fire Engineers, Unison, Health and Safety Executive (HSE), the chief fire and rescue adviser's unit (CFRAU) and the Fire Service College. The meetings were chaired by Mark Smitherman, chief fire officer in South Yorkshire Fire and Rescue Service. Carole Hall from SYFRS took minutes. The group discussed pandemic flu as a priority during this period.

The FBU holds a partial collection of minutes from these meetings. The ninth meeting on 14 June 2007, had "flu pandemic" as a standing item. The minutes note that no feedback had been received from Exercise Winter Willow, held in early 2007. Mr Smitherman gave a further report at the 10th meeting, on 25 September 2007. Minutes of the 13th meeting, on 19 June 2008, state that no update was given on flu pandemic.

At the 15th meeting on 11 December 2008, Sean Ruth from the CFRA's unit gave an update. The minutes state that he advised that "pandemic flu is still a top UK risk". Guidance from the Department of Health (lead body) was referenced. This is likely to be the Department of Health and Health Protection Agency *Pandemic Flu: Guidance for the Fire and Rescue Service*, published in January 2008 in collaboration with DCLG and CFOA.³

At the 16th meeting, on 19 March 2009, Mr Ruth gave an update, advising that the Department of Health's guidance document would be published in the next week. No title is given for this. However the minutes state that "The aim of the guidance is to bring together the UK's planning assumptions and the government's response strategy for the various aspects of an influenza pandemic that will be particularly relevant to faith communities".

³ Department for Health, Pandemic flu: advice for fire and rescue services, 30 January 2008

At the 20th meeting, on 18 March 2010, Chris Boulton from the CFRA unit is listed as rapporteur on flu pandemic risks. The minutes state that “flu cases have dropped significantly and the health adviser help line has been closed as there is no risk of pandemic flu at this time. It was agreed that this should be removed from the agenda as a standing item”.

This evidence shows that during those years, some planning and preparation took place with fire and rescue to tackle the risk of pandemic flu. Specific guidance for the fire and rescue service was published by central government. However this appeared to have ceased in 2010. The FBU is not aware of further meetings about pandemic planning and the fire and rescue service.

The agenda in fire and rescue changed dramatically when the coalition government took power in May 2010. The imposition of austerity cuts, the attack on pensions and within fire and rescue, the Fire Futures project cut across these early efforts at national resilience.

The FBU would like the inquiry to request records from the CFRA, CFA and the NFCC from 2005 until 2020, so that any of their preparedness planning for pandemics can be examined. If discussions were held, there appears to have been little or no communication with the FBU regarding preparedness, including the training of firefighters. This left fire and rescue poorly prepared for Covid-19.

Failure of ministerial oversight

Under the post-2004 legislation, the department responsible for fire in England (or devolved governments) were required to produce a National Framework. This was touted as a strategic plan outlining how targets and other objectives are to be delivered.

The first Fire and Rescue National Framework in England (2004) stated that the government was “responsible for setting clear priorities and objectives for the Fire and Rescue Service”. The National Framework would do this by making clear:

- the government’s expectations for the fire and rescue service
- what fire and rescue authorities are expected to do; and
- what support government will provide.

The first National Framework did explain that fire and rescue services should establish business continuity management arrangements, so that an authority can function in an emergency.⁴

However it is striking that there was no mention of the risks of pandemic flu, despite the recent experience with Severe Acute Respiratory Syndrome (SARS) in 2002-03. The National Framework is revised biennially, so there have been numerous changes over the years. These strategic plans have been much reduced in length since the early publications. More importantly, none of the National Framework documents have highlighted pandemics as a strategic priority for fire and rescue services in England to manage.

Under Section 25 of the Fire and Rescue Services Act, ministers are meant to provide the Westminster parliament with a biennial report on how well fire and rescue authorities are meeting their statutory responsibilities. Although fire and rescue authorities are implored to have effective business continuity arrangements in place, these reports have been very brief and blithely signed off. The paucity of recent Section 25 reports is visible in successive editions. Again, none highlight pandemics as a significant risk that fire and rescue services are equipped to tackle.

⁴ ODPM, The Fire and Rescue Service National Framework 2004/05, July 2004

Failure of localism

The modernisation agenda included the introduction of local Integrated Risk Management Plans (IRMPs). These were promoted as a major improvement to fire and rescue service resilience. The assumption was that these local IRMPs would sit beneath the structure of the national risk assessment and the national risk register. The operative term was that “risks” would be fully evaluated. Instead, the process has often ignored or downplayed national and local risks, while allocating an ever-smaller quantity of “resources” as best they could. Local IRMPs have a range of titles, including Community Safety Plan, Corporate Risk Management Plan, Safety Plan and Strategic Plan. They also cover different periods of three to five years, illustrating the fragmentation.

In April 2020, the FBU examined the most recent local IRMPs. Our analysis found that 30 out of 50 (60%) did not even mention “pandemic” or “flu” as a risk. Almost all of those that did simply referred to the national risk register or local resilience forums. Mostly the terms only appears once or twice in documents sometimes 50 pages or more in length. None set out the detailed steps that would be taken in the event of a pandemic. None appeared to reference a separate pandemic plan.

The FBU believes that planning for emergencies should take place *before* the emergency occurs. This should have been the guide for the fire and rescue service and for all public services in relation to the threat of a pandemic or any other national emergency. The public will rightly want to know what their local fire and rescue service has done in advance to prepare for pandemics. There is little information in IRMPs to reassure people that such planning has taken place, at best only promises that it ought to have been undertaken.

FBU warnings on resilience

In 2006, the FBU warned ministers and the ODPM Select Committee of the problems with the new fire safety regime. The FBU’s memorandum warned:

A central fault line in current national resilience planning is that IRMPs allow fire & rescue authorities to “manage” their local risks and in some instances contemplate and carry out significant cuts in personnel. We see little evidence that they are assessing risk and planning their levels of personnel with any view to the national need to be capable of responding to a series of protracted major incidents. And we see little evidence that ODPM is giving sufficient, if any, guidance on this matter; guidance that is urgently needed before the collective national response capability of the service is degraded any further...

There needs to be a meaningful review of the stakeholder consultation process. In its haste to rid itself of the national committee structure covered by the Central Fire Brigades Advisory Council, the ODPM had little or no idea of what it would do to replace the functions that the CFBAC covered, including the creation of policy documents that all organisations were signed up to. The national structure no longer exists leading to disputes which are breaking out across the fire and rescue services in England.⁵

In late 2012, fire minister Brandon Lewis commissioned the recently-retired chief fire and rescue adviser Ken Knight to produce an “efficiencies” review. His report, *Facing the Future*, which the FBU called a fig-leaf to justify austerity, was published in May 2013. It was the subject of an inquiry by the CLG select committee at Westminster. The FBU’s submission to the select committee inquiry stated:

⁵ FBU, Memorandum by the Fire Brigades Union (FBU) (FRS 63), House of Commons ODPM Committee, The Fire and Rescue Service Session 2005–06 Volume II Oral and Written evidence, 13 March 2006: Ev 259

1.15 Over the last decade the service has increased its role and function significantly. Only since 2008 have national risks been assessed and drawn together in the National Risks Register. Since the advent of the Civil Contingencies Act, fire and rescue authorities have responsibilities to involve themselves in Local Resilience Forums and to create and update the Local Risk Register for their area. Fire and rescue services are required to address the risks and to account for their operational response arrangements within their IRMP.

1.16 There is no evidence of any fire and rescue services carrying out their requirements to assess, and report their planning assumptions. The [Knight] Review makes no comment on this matter and makes no impact assessment of the ability of fire and rescue services to meet their response requirements.⁶

On 9 September 2013, FBU general secretary Matt Wrack gave oral testimony to the select committee. Asked about Knight's claims that national resilience had not been affected by austerity, Wrack told MPs:

Yet again I cannot see how Ken Knight can reach that conclusion. If you reduce significantly the resources the fire and rescue service has in terms of fire engines, firefighters and their availability, then you must impact on your ability to respond to major incidents. A related question is: how does Ken Knight know? How does the Minister know? Who is doing any monitoring? For example, for a local IRMP that might decide to close a number of fire stations, who is doing centrally any measurement of the impact of that on planning nationally for resilience? I am not convinced anyone is doing it...⁷

The FBU's Comprehensive Spending Review submission (September 2015) mentioned "Pandemic influenza and related outbreaks of disease" as one of eight risks in the National Risk Register that the fire and rescue service may have to tackle.⁸

FBU warnings on austerity

The FBU made numerous, explicit public warnings about the consequences of job cuts for national resilience and public safety. This is important for pandemics and other emergencies, such as floods, wildfires and terrorist incidents. The public rightly expects firefighters as skilled, trained professionals to respond swiftly to emergencies. But this requires prior investment in firefighter jobs, training and equipment.

In autumn 2010, the FBU warned the Westminster government of the consequences of austerity. The FBU's submission to the Comprehensive Spending Review (September 2010) stated:

The fire and rescue service has to be ready for an emergency, national or local, 24/7 and 365. Whether it is a fire or a flood, terrorist attack or explosion, the public rightly expects that professionals will be available to deal with the situation. We cannot predict the future; but we do know that there are many challenges on the horizon that can be foreseen and planned for now.⁹

⁶ Knight Review of the Fire and Rescue authorities in England. Written evidence from the Fire Brigades Union (FRR 16), 9 July 2013

⁷ House of Commons. Oral evidence. Taken before the Communities and local government committee. Knight review of fire and rescue service. Monday 9 September 2013. HC 311-ii

⁸ FBU, Submission to the Comprehensive Spending Review 2015, 30 September 2015: 7

⁹ FBU, A service to be proud of – a service worth defending. FBU submission to the Comprehensive Spending Review, September 2010: 8

On 20 October 2010, ministers published their spending review. The FBU's press release warned that ten thousand fire service jobs were under threat from central funding budget cuts. Matt Wrack said:

This government seems intent on imposing cuts that will wreak havoc within the fire and rescue service and short change both the public and firefighters.

These pernicious cuts must be fought to defend public safety. They are not inevitable, but politically driven. The FBU will oppose these draconian attacks on an essential frontline service and robustly defend the key role firefighters play in keeping communities safe.

We cannot just meekly roll over and accept this. Neither should the employers. Firefighters are professionals – and we won't stand by and see our service dismantled piecemeal.¹⁰

The FBU repeatedly warned ministers over the next decade that central funding cuts would lead to savage cuts in firefighter jobs, weakening national resilience, emergency response and putting public safety at risk. In September 2014, the FBU's *Sounding the Alarm* report stated:

Since the coalition government came to power over 5,000 frontline firefighter jobs have been cut across the UK, threatening national resilience...

The FBU has been accused of 'scaremongering' when our representatives have highlighted the threat these jobs cuts make to national resilience. However even chief officers are now warning that any further reductions to fire and rescue service funding will compromise our ability to resource the national resilience requirements... This confirms FBU warnings that cuts are threatening national resilience.¹¹

The FBU's *Budget submission*, 26 September 2017, highlighted the National Audit Office report, *Financial sustainability of fire and rescue services*, which found that between 2011 and 2015, over 30% of central funding was cut from fire and rescue services in England.¹²

In October 2019, just month before the Covid-19 pandemic began, the FBU made a submission to the Treasury ahead of the budget on 6 November 2019. The FBU warned ministers:

Since 2010, around 12,000 firefighter jobs have been cut across the UK – almost one-in-five (20%) of the total number of jobs. This is a travesty, without precedent in the history of the fire and rescue service.¹³

Fire and rescue services are only resilient and can guarantee business continuity if they have sufficient staff. A decade before the Covid-19 pandemic, there were 60,000 firefighters employed across the UK. At the beginning of the Covid-19 pandemic there are around 48,000. One-in-five or 20% firefighters have been lost due to austerity cuts.

The FBU repeatedly made representation to MPs in the form of lobbies, briefings, publications and bulletins on resilience matters. The FBU has published annual job cut figures in the *FRS Matters* bulletin. While the FBU did not anticipate nor warn specifically about the scale of the Covid-19 pandemic, the union did warn of the consequences for national resilience of cuts and other central government policies.

¹⁰ Fire Brigades Union warns of 10,000 job losses in Fire and Rescue Service, press release, 20 October 2010

¹¹ FBU, *Sounding the alarm: the future of our fire and rescue service*, 1 September 2014: 8-9

¹² FBU, 2017 Budget submission, 26 September 2017: 5

¹³ FBU submission to the Treasury, Budget Wednesday 6 November 2019, October 2019: 10