

FBU submission to the Home Affairs Select Committee

Inquiry into Home Office preparedness
for Covid-19 (Coronavirus)

21 April 2020



This is the Fire Brigades Union's (FBU) submission to the Home Affairs Select Committee inquiry into Home Office preparedness for Covid-19 (Coronavirus), launched on 12 March 2020. The FBU is the professional and democratic 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 welcomes the Home Affairs Select Committee inquiry and the opportunity to submit evidence. The union's submission is confined to the most relevant terms of reference: how fire and rescue service business continuity plans are being designed to best safeguard the public and emergency service workers; and the preparedness of fire and rescue services to support Local Resilience Forums during a possible civil contingencies emergency.

Summary

The FBU's central argument is the lack of preparedness by governments, fire employers and chief fire officers for the Covid-19 pandemic. Planning for emergencies should take place *before* the emergency occurs. Key failures include going back nearly two decades include:

- Legislation that fragmented the fire and rescue service
- Poor national risk management
- The lack of central government oversight
- The exclusion of key stakeholders (notably the FBU)
- Devastating funding cuts
- Slow response this year on testing and protective equipment.

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.

Responsibility for fire in England returned to the Home Office in January 2017. The National Fire Chiefs Council (NFCC) was formed 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 has published the National Risk Register, going through six editions including the latest issued in 2017. 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 latest (2017) edition has 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". As part of the strategies listed to respond to such a pandemic, the text states that:

- *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

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 at the top with ministers and their advisers (including chief fire officers). Alarming, this failure appears to extend far beyond the fire and rescue service.

Failure of ministerial oversight

Under the post-2004 legislation, the department responsible for fire (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.³

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.

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 provide information and guidance to assist organisations across all sectors to make appropriate preparations. They were subsequently updated.

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, Chief Fire Officers Association (CFOA), Local Government Association (LGA), Welsh Local Government Association, Scottish Executive, Institute of Fire Engineers, Unison, Health and Safety Executive (HSE) and Fire Service College. The group discussed pandemic flu as a priority during this period.

In 2008 the Department of Health and Health Protection Agency published *Pandemic Flu: Guidance for the Fire and Rescue Service*, in collaboration with DCLG and CFOA.⁴ The guidance warned of the high risk of pandemic flu and the likely risks faced by operational firefighters. It included advice on the use of personal protective equipment (PPE) by firefighters and highlighted the impact of staff shortages. But the guidance was very general. It did not address the difficult question of what firefighters should do if PPE or other equipment was not provided in sufficient quantities (and/or to the right standard) during a pandemic.

The FBU is not aware of any further, more detailed guidance for fire and rescue services since this publication. The guidance was not refreshed in light of international experience of swine flu in 2009-10 or other significant global health guidance. This represents a failure of leadership to plan and prepare for a pandemic like Covid-19.

Inspection reports

After the inspectorate in England was abolished, the Audit Commission was given some of its responsibilities, until this responsibility too was scrapped. In 2010 the Audit Commission published a report on business continuity management in the fire and rescue service in England. It warned that flu pandemics could affect fire and rescue services and concluded that there were “some good plans to deal with longer-term disruptions such as flu pandemics”. However it warned:

5 But services cannot deal with every situation indefinitely. If disruptions are sudden, involve high numbers of staff, last a long time and are widespread, there is a higher chance the risk to the public will increase.⁵

During 2018 and 2019, HMICFRS carried out its first inspections of fire and rescue services in England. In January 2020, the chief inspector published the first Annual Assessment of Fire and Rescue Services in England 2019, making critical comments about business continuity arrangements in the service.

FRSs need robust continuity arrangements. Otherwise, they risk service failure during an unexpected incident. We were pleased to find such arrangements in nearly all the services we inspected. However, around half the services we inspected weren’t regularly testing or updating their plans...

We found that some of the plans were out of date and some crucial staff couldn’t locate plans for their area of work. Services should make sure there is a testing programme for their continuity plans, particularly in high-risk areas of the service such as control.⁶

The FBU has examined the reports on local fire and rescue authorities. They bear out the chief inspector’s comments, with 22 of the 45 reports containing some criticism of business continuity arrangements. More than a third (16 out of 45) had business continuity identified by inspectors as ‘Areas for Improvement’. Some inspectors proposed that “The brigade should ensure it has good business continuity arrangements in place that take account of all foreseeable threats and risks. It needs to review and test plans thoroughly.” In other cases where inspectors did not grade business continuity as an area for improvement, they nevertheless made critical observations:

At the time of inspection, staff had limited exposure to testing the plans in full to evacuate to the secondary control room...

The service should make sure it maintains adequate resilience arrangements to mobilise fire engines at all times...

The service recognises the need to improve its business continuity arrangements and is in the process of updating its plans...

No doubt some fire and rescue services would dispute some of these observations. Nevertheless, they do indicate a lack of preparedness for an unpredictable but nevertheless foreseeable risk such as a pandemic, which would inevitably stress business continuity arrangements due to staff sickness.

Failure of localism

The introduction of local IRMPs was 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.

The FBU has examined the most recently published local IRMPs. Our analysis found that 30 out of 50 (60%) do not even mention “pandemic” or “flu” as a risk. Almost all of those that do simply refer to the national risk register or local community risk register. 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 union starts from the principle 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.

Impact of cuts

Fire and rescue services are only resilient and can guarantee business continuity if they have sufficient staff. A decade ago, there were 60,000 firefighters employed across the UK. Today there are around 48,000. This means one-in-five or 20% firefighters have been lost due to austerity cuts. A decade ago, when swine flu emerged, fire and rescue services had 15,000 firefighters on duty, 365 and 24/7. Now we are down to 12,000 on duty across the UK. The official figures for England since the 2004 Acts were introduced are devastating:

Job cuts in England (headcount, 31 March)

	Wholetime	Retained	Control	Firefighters
2004	31,856	13,015	1,519	46,390
2019	22,801	12,222	1,134	36,157
Change	-9,055	-793	-385	-10,233
%	-28%	-6%	-25%	-22%

Job cuts have not been as severe in the devolved administrations, but Wales has seen 15% of firefighters cut over the same period, with 7% cut in Scotland.⁷

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.⁸

In 2013, the FBU also warned about resilience in our critique of the Knight Review, produced at the behest of ministers. The FBU's submission to the CLG select committee inquiry stated:

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.⁹

The FBU has repeatedly made representation to MPs in the form of lobbies, briefings, publications and bulletins on resilience matters. For more than a decade the union has made submissions to every comprehensive spending review. The FBU has published annual job cut figures before governments have published their figures, in an easily accessible format, the *FRS Matters* bulletin. While no organisation fully anticipated the scale of the current Covid-19 crisis, warnings from health and other bodies were made. Cutting fire and rescue services in light of this current situation (and after other tragedies such as the Grenfell Tower fire) now looks like the height of folly.

UK-wide response to Covid-19

The longer term background to pandemic preparation is vital. The fire and rescue service is based around planning and operating procedures designed to keep the public and firefighters safe. This should never be made up on the hoof. However the FBU is concerned that once Covid-19 was recognised as a significant risk, still plans were not made and opportunities were lost to prepare the fire and rescue service for the impact of this virus.

On 30 January, The World Health Organisation formally declared that coronavirus was a public health emergency of international concern (PHEIC). On 10 February, health minister Matt Hancock declared that “the incidence or transmission of novel Coronavirus constituted a serious and imminent threat to public health”. The prime minister announced the Coronavirus Action Plan, to tackle this outbreak.¹⁰ The WHO characterised Covid-19 as a global pandemic on 11 March.

The FBU has been effectively shut out of central government advisory bodies since the CFBAC was scrapped. Ministers now take counsel exclusively from the NFCC. It is not clear to the union what steps were taken by the Home Office or the NFCC as the risks of Covid-19 became known. It is not clear what steps were taken to ensure business continuity in the likely event of widespread staff absence. It is not clear what was done to ensure firefighters and emergency control staff as frontline emergency responders would have access to testing, for their own health and to ensure that the public, their work colleagues and their households were not infected. It is not clear what steps were taken to ensure that firefighters would have the necessary supplies of PPE. The committee could ask these questions and clarify the response. However the remedy is a statutory advisory body including the FBU, so that the fire and rescue service is better prepared in future.

The FBU’s contribution

The FBU has taken up the implications of Covid-19 since the risks became apparent this year. The union’s collective bargaining arrangements with fire employers are conducted through the UK-wide National Joint Council (NJC) for local authority fire and rescue services. Although the NJC was subject to an attack from the chief inspector in his first annual report, it has proven remarkably adept at responding to this pandemic. The NJC produced its first circular on *Novel Coronavirus: Covid-19* (NJC/1/20) as early as 21 February 2020. The circular signposted sources of authoritative advice and put in place arrangements for staff sickness absence.

On 20 March the FBU wrote to the relevant ministers with responsibility for fire and health in England, Wales, Scotland and Northern Ireland setting out the case for early priority Covid-19 testing of fire and rescue personnel. On 24 March the FBU, NJC and the NFCC agreed that firefighters would:

- Minimise prevention activity, such as home-safety checks, except for where deemed necessary by a risk assessment
- Avoid visiting hospitals, care and nursing homes or any other premises where vulnerable people reside, except for fire and other emergencies. Any requests for non-emergency visits by homeowners or premises staff will need to be agreed by service management
- Continuously review the types of incidents attended by firefighters in line with the associated risk of infection.

On 23 March, the FBU wrote to fire minister James Brokenshire about Covid-19 and the fire and rescue service response, explaining our concerns about the lack of preparedness. On 26 March, the FBU signed a tripartite UK-wide agreement with fire service national employers and the NFCC as an urgent response to the crisis. Under the agreement, firefighters will:

- Deliver essential items like food and medicines to vulnerable people
- Drive ambulances and assist ambulance staff
- Move dead bodies, should the outbreak cause mass casualties.

The organisations have met regularly to discuss any additional requests for assistance made by Local Resilience Forums and Strategic Coordination Groups or other parties. All activities considered must be risk assessed with fire and rescue personnel must be given any necessary additional training and the appropriate PPE. The additional work taken on by firefighters is temporary to tackle the Covid-19 pandemic. Initially in place for two months, the agreement can be extended or shortened if agreed between all parties.

On 9 April the agreement was extended to include:

- Face fitting for masks to be used by frontline NHS and clinical care staff working with Covid-19 patients
- Delivery of PPE and other medical supplies to NHS and care facilities.

On 16 April the agreement was further extended to include:

- Non-blue light ambulance driving
- Covid-19 testing
- Driving Instruction by fire driver trainers to deliver training for non-fire personnel.

Absence

Fire and rescue services are already reporting staff absences due to Covid-19. Firefighters are already having to self-isolate when they have symptoms or someone in their family has exhibited symptoms. There are no substitutes for operational firefighters and emergency control staff when they are away from work sick or self-isolating. The professional training, technical skills and fitness levels required for these roles means that it is not possible to replace staff immediately. Control room absence is a particular concern because of the deep reductions in staff in recent years. Some control rooms run at certain times with only a handful of personnel, in the worst cases reducing to a staffing level of one.

Last month some services were already reporting significant rates of staff absence. The FBU revealed on 24 March that some large fire and rescue services such as the London Fire Brigade, West Midlands Fire Service and the Scottish Fire and Rescue Service had more than 5% staff in isolation. On some days in the worst hit brigades, 10% of the workforce was absent at the end of March.¹¹

By Easter, the FBU found that around 3,000 firefighters across the UK were absent from work due to self-isolating because either they or someone they live with exhibited symptoms of Covid-19. This equated to an overall staff absence rate of 5%. Staff absence was already running as high as 12% in some brigades.¹²

Equipment shortages

Firefighters already work with specialist equipment, which is shared among the workforce and therefore liable to spread infection unless handled properly. Fire kit, breathing apparatus, face masks and other equipment are often shared between individual firefighters and crews. Control rooms are often situated in tight spaces where social distancing is difficult. Firefighters' everyday work already means they will come into contact with people with Covid-19. The additional tasks also put firefighters at greater risk. Firefighters already have rigorous cleaning regimes in place, but need

governments to guarantee supplies of PPE, cleaning products and other equipment to keep them safe and the necessary funding to enable fire employers to provide these.

In the first week of April, fire and rescue services were already reporting problems obtaining PPE or other items. This included:

- the supply of additional fire kit
- breathing apparatus and face mask cleaning products
- parts and supplies for fire engines.

Testing

The FBU fully supports testing for NHS staff and other essential workers. Firefighters are on the frontline dealing with emergencies every day, in contact with people with Covid-19 or people who might transmit the virus. Firefighters want central government to sort out testing so that they too are properly diagnosed and treated if they get Covid-19 and available to work if they are well.

The FBU wrote to all four governments on 20 March to request testing for firefighters. The union welcomed efforts by the Scottish government to make some testing available for firefighters from 6 April and Matt Hancock's announcement on 17 April that firefighters are now eligible for testing at the regional centres. However the union is astonished it took so long for testing to be made available to frontline firefighters, given the role in emergency response. A testing strategy should have been central to any strategy identifying 'key workers.'

Westminster guidance states that arrangements for the test are a matter for employers. The FBU wants governments, employers and the NFCC to ensure that the procedure for these tests is as straightforward as possible for firefighters. The union is alarmed by reports of NHS staff having to drive for hours or turned away from testing centres because of the appointment system. Asymptomatic workers also need testing. The FBU is liaising with other stakeholders to ensure the fire service procedure is implemented efficiently.

Compensation for deaths and injuries

The FBU is also concerned about the issue of firefighters' pension schemes and compensation should they become sick or die as a result of Covid-19. The union is seeking clarification for our own schemes, but believe all workers should have decent provision. The government should underwrite pensions and compensation schemes so that all workers and their families do not suffer further detriment as a result of doing their jobs. This is another aspect of preparedness that has been neglected.

Conclusion

The FBU believes the UK fire and rescue service has been woefully underprepared for the Covid-19 pandemic. The union believes that responsibility for the failure to prepare adequately lies ultimately with ministers and central government. The institutional fire regime has been successively weakened – notably by the absence of a statutory, permanent advisory committee with wide representation. The exclusion of the FBU from multiple channels has hampered accountability and risk management. Within that context fire authorities and their principal managers have not planned properly for such an outbreak. Politicians and fire leaders have a duty to firefighters to resolve the current issues. They should also be held to account for the lack of preparation.

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