

FBU submission to the consultation: Enabling closer working between the emergency services

19 October 2015

Introduction

This is the Fire Brigades Union's submission to the Home Office, Department for Communities and Local Government and Department of Health consultation 'Enabling closer working between the emergency services', announced on 11 September 2015. The FBU is the authoritative, professional voice of firefighters across the UK. The union represents the vast majority of 50,000 firefighters in England, Scotland, Wales and Northern Ireland, including wholetime (full-time) and retained (part-time, on-call) operational firefighters and control staff. The FBU speaks for firefighters and as the professional voice of the fire and rescue service.

The FBU believes it is huge mistake to allow Police and Crime Commissioners (PCCs) to take over the management of fire and rescue services. The union believes such a step would ruin the service firefighters provide to the public, damage the functioning and reputation of the fire and rescue service, diminish local democracy, worsen firefighters' working conditions and is bad news for the police service itself. Many stakeholders, councillors and other elected representatives, including MPs share these concerns. The FBU urges the government to stop and think again before it damages an irreplaceable public service.

1. Firefighters' humanitarian role – why PCCs have no place in the fire and rescue service

Firefighters join the fire and rescue service with a clear mission: to save lives and render humanitarian services to people. Firefighters fulfil many roles today, from prevention work in communities providing fire safety advice, speaking to school children and young people about fire hazards, and of course emergency intervention at fires, car accidents, chemical spills, gas leaks, floods and a host of other incidents. All of these services are humanitarian, focused clearly on saving life, preventing harm and helping people, regardless of who they are or what else they have been involved with. Firefighters are proud of this role and are taking on wider humanitarian services.

This role is defined by governments and fire and rescue services themselves. The Fire and Rescue Services Act 2004, which sets the legal framework for fire and rescue services across England and Wales, sets down the key priorities. These are "promoting fire safety", "extinguishing fires" and "protecting life and property in the event of fires". The Act adds the core function of "rescuing people in the event of road traffic accidents" and "protecting people from serious harm" at these incidents. There is also provision for other emergencies, including explicitly chemical, biological, radiological and nuclear (CBRN) and implicitly other emergencies such as flooding and terrorist attacks.ⁱ

The 'National Joint Council for local authority fire and rescue services scheme of conditions of service', known as the Grey Book, which governs firefighters' conditions, makes this focus explicit. It defines the role of local authority fire and rescue services in the United Kingdom as "the reduction in the loss of life, injury, economic and social cost arising from fires and other hazards". This includes "risk reduction and risk management in relation to fires and some other types of hazard or emergency", "community fire safety and education" and "fire safety enforcement". It highlights the emergency preparedness coupled with the capacity and resilience to respond to including road

traffic accidents, chemical spillages, transport accidents, major incidents of terrorism and other CBRN threats.ⁱⁱ

None of these tasks are directly about law enforcement. In fact to be carried out proficiently, they depend on a clear and definite separation between firefighters' humanitarian service and the police focus on law enforcement. The consultation document acknowledges that there is an important distinction between an operational firefighters and the role of a police officer. It states that "the law preventing a member of a police force from being a firefighter" would remain in place, and "there is no intention to give firefighters the power of arrest".ⁱⁱⁱ But this misses the point: in the minds of the public, if the two services are run jointly and integrated, at best the lines between the two will be blurred and it is more likely that they will be increasingly perceived as the same entity.

In reality, the jobs and roles of firefighters and police are completely different. A firefighters' role is to save life; a police officer's job is to reduce crime. Fires and other incidents firefighters respond to may or may not involve crime, but that is irrelevant; firefighters turn out to render humanitarian service. Police are primarily interested in crime. Firefighters' provide safety advice to thousands of vulnerable and hard-to-reach people in communities. Firefighters are invited into people's homes to fit and check alarms and provide other advice because there is a clear understanding that they are not there for law enforcement, they are not there to pass judgement on the lifestyles and choices of the people concerned, but simply to help them reduce their risk from fire and live safely.

If fire and rescue services are brought under the control of PCCs, this clear separation will be blurred, to the detriment of this irreplaceable community fire safety role. Incorporating the fire and rescue service under PCC management will undermine community engagement. For decades, firefighters have cherished our impartial and independent role as "helpers and savers", which has allowed us to perform our duties of saving lives and delivering an essential service in difficult political and social conditions. Firefighters do not want to take part in the eviction of tenants, or to see their equipment used against protestors for crowd control. By serving all communities and concentrating solely on our humanitarian mission, firefighters have won over the bulk of the public and been accepted. This will be fundamentally jeopardised by these PCC proposals.

2. PCC control over fire – bad news for the public

There is no precedent for police commissioners running fire and rescue services. The FBU believes that these proposals are not about expanding the role of the fire and rescue service, or investing in firefighters. It is part of a cost-cutting agenda and about opening up more of our public services to the vicissitudes of private profiteers. The FBU will strongly oppose all attempts to fragment and privatise the fire and rescue service.

PCCs: Cuts, not value for money

The FBU fears that bringing PCCs into fire and rescue services is a cost-cutting exercise. The union is aware of concerns that PCCs have not been very efficient even within the realm they were designed to work in. Even the Taxpayers Alliance found recently that 40% of PCCs had spent more than the police authorities they replaced. Adam Simmonds (Northamptonshire), one of the keenest advocates of expanding his role into fire and rescue services, already employs 37 staff just for his current PCC role, the highest recorded.^{iv} This is not value for money for taxpayers. Indeed, it would dangerously divert resources away from frontline fire and rescue activity towards empire-building prestige projects. This is not what the public have voted for, nor is it the most efficient way to manage fire and rescue services.

PCCs: No expertise to bring to fire and rescue services

The FBU believes that PCCs do not bring any skills or expertise to the fire and rescue service. Some PCCs already have an unfortunate record for ill-judged interference in matters that should not be their concern. The Police Federation told the House of Commons Home Affairs Committee of a range of concerns its members had about PCCs. First, it provided anecdotal evidence that PCCs were “interfering in operational matters outside their remit”. It highlighted the political nature of the PCCs role and that lack of demarcation between the PCC and police chief constables, which is perceived to have caused problems. The Federation added that PCCs could not claim credit for crime reduction, as they could have little impact on these trends in such a short time.^v

PCCs are highly unlikely to have had any first-hand personal experience of working in the fire and rescue service. If they take control of fire and rescue services, they will probably import expensive consultants to dispense ill-informed or outdated advice. There is already real expertise within the fire and rescue service. If ministers were really listening to the professionals who do the work, they would immediately withdraw these harmful proposals.

PCCs: Damaging equality and diversity

There is a significant body of evidence that suggests PCCs have damaged the service they oversee in terms of equality and diversity. This has visibly manifested itself in relations with particular communities (including the exclusion or ignoring of particular communities). Lord Stevens highlighted the damage PCCs have inflicted on democratic engagement and public involvement in policing. He wrote:

“The ‘single individual’ model of accountability also increases the likelihood that PCCs will frame their policing approach around the demands of their ‘natural’ support, even perhaps at the expense of minorities. If this happens policing will start to track the demands of the vocal and organised, rather than the hard---to---reach and unheard, resulting in policing resources being distributed in inverse relation to the risk of criminal harm. These outcomes are made more likely as a result of the lack of any countervailing power of the kind one finds on committees composed of members elected to represent the concerns and interests of different local areas and constituencies.”^{vi}

Fire and rescue services have taken great care to develop positive relationships with all communities. PCCs interference would put these relationships in jeopardy.

3. PCC control over fire – will disrupt the fire and rescue service

These proposals on PCCs are particularly unwelcome at the present time because they cut across and probably undermine efforts by a range of fire and rescue service stakeholders to renovate the service. Currently, the FBU along with our employers are engaged through the National Joint Council (NJC) to implement an ambitious modernisation programme for the fire and rescue service. There are five central workstreams that have the potential to transform and significantly develop the service firefighters provided to the public:

- Emergency medical response
- Multi agency emergency response to terrorism
- Environmental challenges
- Youth and other social engagement work
- Inspections and enforcement.

PCCs cut across important modernisation efforts in the fire and rescue service

Emergency medical response is probably the greatest contribution firefighters might make to promoting innovation and greater collaboration in public services at present. The government intends to implement a 24/7 National Health Service and Simon Stevens, chief executive of the NHS has argued that firefighters should make pensioners' homes safe in a bid to ease the numbers of elderly people being treated in hospitals for falls.^{vii}

The FBU has commenced negotiations with our employers on emergency medical response. The union now believes that (subject to adequate safeguards and standards) it may be in the best interests of the public, the fire and rescue service and firefighters themselves to be involved with emergency medical response. This means for the first time FBU members will be involved in a range of pilots to expand the role of the fire and rescue service in medical care. This will help the ambulance service prioritise its own specialist response, while ensuring the public receive professional care from trained staff in cases where previously they would have to wait much longer to be seen. This process of negotiation is ongoing, but the FBU is confident a robust scheme can be developed, provided the right funding, safeguards and guarantees are provided.

The potential for this kind of work is clear from a range of examples identified by the Local Government Association and the New Local Government Network. Greater Manchester Fire and Rescue Service is piloting innovative new Community Risk Intervention Teams (CRIT), responding to low level, high volume calls such as those involving falls and mental health issues.^{viii} West Midlands Fire Service is providing targeted interventions to vulnerable people with issues such as frailty, mental health issues and terminal illness, delivering full needs assessments and tailored packages of care.^{ix} The Royal Society for Public Health argues that the fire and rescue service has been “hugely proactive in introducing a new public health focus and demonstrating the potential to tackle the wider determinants of health, offer brief health advice and relieve the workload of other services”.^x

The FBU believes that the integration of firefighters into the health agenda potentially represents a win-win outcome for both services and more importantly, a qualitative improvement in services to the public. The union has seen examples internationally, such as in some cities in the United States, where this system works well for both those who need medical services and the workforce who provide it. The government has to ensure that both services are fully funded, proper training is provided and that transitional arrangements are factored in. PCCs are not relevant to this form of collaboration; in fact they will probably obstruct it by forcing police involvement.

PCCs: adverse impact on operational matters

There is a real fear from the consultation document that subordinating chief fire officers to PCCs will affect operational matters. Lord Stevens highlighted the unreasonable conflicts PCCs have created on the operational side of policing, notably with the mistreatment of chief police officers. The Lincolnshire PCC's decision to suspend its chief constable was quashed by a High Court judge, who called it "unlawful, irrational and perverse". The dismissal of the chief constable of Gwent caused great disquiet among senior officers and parliamentarians and prompted the House of Commons Home Affairs Committee to launch an inquiry into PCCs in 2014.^{xi} Similarly, in Avon and Somerset, the incoming PCC decided not to renew the chief constable's contract on a yearly basis, instead inviting him to re-apply for his post, which he chose not to do.

PCCs have been widely criticised by police officers. Lord Stevens told the Home Affairs Committee that just 5% of police officers and 2% of police staff considered the appointment of PCCs to be a good idea.^{xii} Stevens' Commission found that the new powers of dismissal "risk exerting a damaging chilling effect over the leadership of the police service, and undermining the relationship that should ideally exist between a chief constable and a PCC".^{xiii}

The FBU believes this would be even worse if rules on the roles of police chief constables and chief fire officers are altered. The union believes that it is not appropriate for chief fire officers to assume the role of police chief constables; and it is certainly not appropriate for chief constables to take on the role chief fire officer. There is no substitute for working within a service, starting at the bottom and working consistently within a profession. The FBU believes that the roles are distinct and should not be blurred – something noted by the National Police Chiefs' Council among others.^{xiv}

4. PCC control over fire – will diminish local democracy and accountability

Expanding the role of PCCs into fire and rescue services would also undermine democratic accountability and oversight of local services. PCCs currently have a miserable mandate for their existing activities and could sweep away vital democratic safeguards in the fire and rescue service.

PCCs: no mandate to take over fire and rescue services

PCCs have the worst electoral mandate of any politicians in British political history, which should prohibit any of them from taking control of fire and rescue services or the ambulance service.

According to the Electoral Commission, nearly 36.3 million people were registered to vote at the November 2012 elections for PCCs and 5.5 million votes were cast. This means that PCCs were elected with just 15.1% turnout – the lowest recorded level of participation at a peacetime non-local government election in the UK. It compares unfavourable with every recent election for new posts: the Mayor of London elections had a 34% turnout in 2000, while the devolved assemblies had turnouts of 46% (Wales), 58% (Scotland) and 69% (Northern Ireland). This is in stark contrast to the participation levels expected by the government's current trade union bill.

No PCC was elected in November 2012 with more than 20% turnout. The highest recorded turnout was 19.8% in Northamptonshire, which included the UK Parliamentary constituency of Corby where a high-profile by election was held on the same day. The lowest turnout was 12% in Staffordshire. Altogether this gives PCCs a miserable mandate for their own area of responsibility.^{xv} It provides no legitimacy to expand their empire into the fire and rescue service or the ambulance service.

New PCC elections are scheduled to take place in May 2016, but this will not give any PCC the mandate to take over fire and rescue authorities.

PCCs: undermining local democracy and accountability

Police authorities were previously made up of two-third local councillors and one-third magistrates. While this was clearly not a thoroughgoing, democratically accountable structure, it was significantly more representative of the diversity of local opinion than have one elected figure and an appointed board. PCCs are now able to run quangos packed with their cronies and friends.

Many parties have expressed concern about the resulting lack of scrutiny and accountability, not least because police and crime panels lack bite. They are as one expert put it, "a crocodile with rubber teeth". CoPaCC, an independent organisation set up to compare the work of PCCs, told the Home Affairs Committee that in 26 areas, the panel chair had the same party affiliation as the commissioner, and that this could result in the panel providing less challenging scrutiny.

Since PCCs were launched, the Westminster government has made wider moves towards further devolution, particularly since the Scottish referendum and the desire for a Northern Powerhouse. PCCs look out of place in this newly evolving structure and may indeed get in the way of such local consolidation.

The consultation document acknowledges that there are 29 fire and rescue authorities that have coterminous boundaries with police forces (20 of these are stand-alone authorities with responsibility for fire services only, and the other nine fire and rescue authorities are county councils). There are 15 fire and rescue authority areas that are not coterminous with police force

boundaries. This means one third of current fire and rescue services are already cut loose from this reorganisation, further fragmenting the service.

The consultation document suggests that the government is comfortable with abolishing fire authorities made up of democratically elected councillors and replace them with quangos of appointees, removing all credible scrutiny or accountability. The FBU believes that the announced abolition of the London and Greater Manchester fire authorities in the consultation document is utterly undemocratic.

The FBU opposes the proposal, driven by the Mayor of London, to substitute an unelected board like the Mayor's Office for Policing and Crime (MOPAC) for the existing fire authority (LFEPA) composed of elected councillors and assembly members. The majority on LFEPA were quite right in principle and representative of public opinion in opposing the Mayor's fire cuts in 2013 – this is the real reason the body is targeted for abolition. The proposals in this consultation document would mean that parts of London will have no voice and no influence over the affairs of a central, critical decision-making organisation. The proposals also weaken the mechanism of checks and balances over the mayor's decisions. Those appointed through the patronage of the mayor are inevitably less likely to scrutinise or challenge his/her decisions.

PCCs: Unrepresentative and lacking transparency

The PCCs elected in 2012 are not representative of communities found across England and Wales. In fact as a whole they are mostly people from one background: male, white and middle aged. Lord Stevens' report on policing found that of the 41 PCCs originally elected, only six were women and none were from a visible ethnic minority background. Eight of those were recently serving police officers, while others had previously served on police authorities. They were something of an unrepresentative "monoculture".^{xvi}

In the first month after the November 2012 elections, 16 PCCs were believed to have appointed their own friends, former colleagues and contacts as deputies and assistant commissioners on salaries up to £65,000. Under the new arrangements, the role of deputy commissioner is not subject to a democratic vote and does not have to be advertised.^{xvii} The Home Affairs Committee criticised the appointments of deputy commissioners and the even more ambiguous role of assistant commissioners, which are not politically restricted nor based on merit. In three cases (Humberside, Sussex and West Mercia) such appointments took place despite the police and crime panel recommending against. In West Yorkshire, the commissioner's choice of deputy was only endorsed after several police panel members had voiced concerns. In Northamptonshire, the PCC has appointed four assistant commissioners, one of whom was his campaign agent and another his campaign spokesperson.^{xviii}

Over half of PCCs have already been accused of misconduct, according to media reports. *The Times* reported a year ago that the Independent Police Complaints Commission (IPCC) had received 44 complaints about 23 PCCs between the elections in November 2012 and October 2014. These included allegations about knowledge of child sexual exploitation, mileage claims, benefit claims, driving without proper car insurance, and discussing confidential police business with others.^{xix}

In a further investigation in 2015, it was revealed that by police whistleblowers that only four officers were on duty during early morning shifts between 3am and 7am in Humberside, instead of the legally-required minimum of eight. The Humberside PCC for Matthew Grove was quoted by a Grimsby *Telegraph* journalist stating that: "If any police officers are telling you the number of officers on duty, they are breaking the Official Secrets Act and becoming criminals." In another case,

Cumbria PCC Richard Rhodes took £700-worth of taxpayer-funded trips in a chauffeur-driven Mercedes.^{xx}

These are not merely a small number of incidents in an otherwise rosy picture. They are endemic to the PCC's role and the poor system of governance associated with them. In June 2015, the Committee on Standards in Public Life watchdog called for the home secretary to launch an urgent review of the powers available to hold PCCs to account after it uncovered "significant standards risks" in the hierarchy of local policing. The watchdog recommended an urgent review of whether there are sufficient powers to take action against PCCs whose conduct falls below the standards expected of those in public office. It recommended that the pay, gifts, hospitality and outside business interests of PCCs and chief constables are made public in an easily accessible format.^{xxi}

5. PCC control over fire – will worsen firefighters’ safety and conditions

The FBU believes that PCC control over fire and rescue service represents a significant threat to firefighters’ safety and working conditions. Such a move will damage the career opportunities of all firefighters, hitting women and black and ethnic minority firefighters particularly hard. The involvement of PCCs will disrupt and worsen industrial relations within the fire and rescue service, causing unnecessary conflict.

PCCs: A threat to firefighters’ safety

For many years the FBU has complained about assaults and attacks on firefighters. Firefighters have been shot at, kicked and punched, spat at, assaulted and abused on the fire ground while fulfilling our duties. Attacks on firefighters – from vicious personal assaults to bombarding by bricks, stones and concrete as well as countless verbal abuse sadly continue to be an unwanted part of the job. These issues were set out in some depth in a report, *Easy targets? Tackling attacks on fire crews in the UK*, published by the FBU.^{xxii} Just last month another example of this behaviour took place in Northern Ireland, where firefighters were assaulted at a car fire by youths wielding bats, iron bars and bricks.

The FBU has complained about these threats to ministers and sought to find remedies. FBU members have often taken the lead in establishing prevention schemes, working with young people who may become involved in this behaviour. The FBU found a decade ago that there were around 1,500 attacks on firefighters annually. New figures obtained by the union suggest this has now been reduced to half that number, at around 800 for 2014-15. This is a welcome step forward, although with more than two attacks a day recorded (and probably many more that are not reported), there is still some way to go to eliminate this blight. However firefighters believe progress will be jeopardised by forcing a closer relationship with the police.

PCCs: will disrupt firefighters’ industrial relations

The consultation proposals contain the clear and present danger of taking firefighters, emergency fire control staff and fire support staff out of national pay and conditions, pensions and other current arrangements, leading to worse conditions for all. The consultation document states:

“Terms and conditions of firefighters and control staff are negotiated on a UK-wide basis via the National Joint Council for Local Authorities’ Fire and Rescue Services. The National Joint Council has no statutory basis and it is for fire and rescue authorities to decide whether or not to remain members. Fire and rescue authorities also have the power to negotiate changes to terms and conditions at local level whilst remaining members of the National Joint Council. The Government proposes that this same choice should remain open to Police and Crime Commissioners, who would need to approach the National Joint Council if they wished to become members.”^{xxiii}

The consultation also contains a veiled threat about the Thomas review, commissioned by the previous fire minister Penny Mordaunt. It states: “An independent review of the conditions of service of fire and rescue staff in England concluded earlier this year. The Government is considering the findings of that review.” The FBU is critical of the nature, rationale, methods and timing of the review. First, the review was not independent. The terms of reference were set by DCLG alone. DCLG staff were assigned to the review. Second, the rationale for the review was incoherent. It was said to be about conditions, but impinged on pay, pensions, equality and trade union rights. Third, the methods of the review were also highly questionable. Its surveys were hastily put together and poorly worded – the FBU’s YouGov survey was far more representative and independent. Finally, the timing was peculiar, launched after the fire minister failed to deliver on promises to make a new pensions offer. It would be best for all concerned if the review were forgotten.

The consultation document also contains an implicit threat on grievance, discipline and other human resource systems. It states the government is seeking to gather views on “the wider principle that complaints and conduct matters for fire and police should be treated in the same way under a single employer model”. While firefighters might covet the higher levels of pay found in the police service, they will not welcome interference with existing procedures that have been negotiated between employers and the FBU over many years. The implied threat is that firefighters and police will face a “race to the bottom”, with PCCs ratcheting down conditions to the detriment of all. If these are the kind of industrial relations the government wants to promote, it should expect a vigorous response from those affected.

The FBU believes PCCs represent a threat to our role as a trade union. FBU members are well aware that police do not have the right to form their own trade union or to take strike action. Firefighters will not quietly accept an attack of this nature on our union.

PCCs: will worsen equality for firefighters and control staff

PCCs parachuting into the fire and rescue service are likely to affect the career prospects of those on the fire and rescue service side. Women firefighters are concerned that these proposals will stifle promotion opportunities for everyone in the fire and rescue service, but will make it even harder for women to climb the leadership ladder. If high ranking roles are largely filled by those with police background, it will hamper the progression of firefighters coming up from the grassroots. Controls and back office roles in the fire and rescue service are mainly staffed by women, and could face the loss of their jobs due to so-called “efficiency savings” brought in by PCCs. Structures such as equality forums that have a long history in the fire and rescue service could be dumbed down or scrapped.

Black and minority ethnic firefighters have similar concerns about closer integration with police and its impact on making the workforce more ethnically diverse and representative of our communities. Black and minority ethnic firefighters are particularly concerned about matters such as recruitment and promotion, particularly given the issues of institutional racism raised by the Lawrence inquiry. Black firefighters have highlighted a number of cases where they have suffered from police stop and search, which is widely regarded as harassment by those subjected to it.

6. PCC control over fire – bad news for the police service

The FBU is aware of very widespread opposition to these proposals from other organisations and representative bodies in our fire and rescue service, the ambulance service and within the police itself.

Lord Stevens argued in his report that “we cannot find any compelling grounds for extending the reach, responsibilities and budgets of the existing 41 PCCs beyond the police service”.^{xxiv} He rightly regarded the “PCC Plus” model as an ideological invention of the right-wing think-tank Reform, which has no expertise or knowledge of the fire and rescue service, but believes its role is to advocate ever-more drastic methods for cutting public services and preparing them for the wholesale intervention of the profit driven private sector.

When this consultation was launched, the Police Federation also warned that the government’s proposals do not represent value for money. Will Riches, vice chair of the Police Federation of England and Wales said the plans could jeopardise the continuity and resilience which the police service relies on to operate effectively. He said: “Shifting a few managerial roles from one elected official to another will make no difference and I ask why the Government is pushing this now, at a time when further huge cuts are on the way? What concerns us, as a profession that relies on continuity and resilience, is that all these plans point in one direction: toward ways to do things cheaper rather than better.”^{xxv}

When these plans were muted earlier this year, Steve White, chair of the Police Federation, told the *Sunday Express* that any proposal to merge the roles of emergency service workers could put lives at risk. He said: “We can’t arrive at the situation where your home has been burgled and you don’t know whether a paramedic, a fireman or a police officer is going to turn up. I don’t think anybody would want a police car to turn up and then to wheel a hose out of the boot and start putting a fire out. That is utterly barmy.”^{xxvi}

PCCs have enough problems to deal with in the police, without seeking to expand their role into the fire and rescue service. A recent IPCC report found that police forces in England and Wales receive over 100 complaints a day, the highest figure since it began collating data 15 years ago.^{xxvii} This upward trend, which includes allegations of oppressive behaviour, harassment, alleged incivility and intolerance, indicate a range of challenges still facing the police service that PCCs should attend to.

When all of these factors are taken into consideration, the FBU has concluded that the PCC model is not fit for the governance of the fire and rescue service. The union and its members reject the interference of PCCs in our industry.

Questions

1. How do you think this new duty would help drive collaboration between the emergency services?

The FBU believes that a new “duty to collaborate” is entirely unnecessary. Local services already cooperate according to local conditions. Forcing some to go further than they want to will disrupt and damage the fire and rescue service provided to the public.

2. Do you agree that the process set out above would provide an appropriate basis to determine whether a Police and Crime Commissioner should take on responsibility for fire and rescue services?

The FBU believes that Police and Crime Commissioners should not be given the power to take on responsibility for fire and rescue services. Firefighters do humanitarian work – this should not be blurred with law enforcement. PCCs have no mandate to run fire and rescue services, nor any expertise to offer the fire and rescue service. Their mode of governance is significantly less democratic than the current fire authority model.

3. Do you agree that the case for putting in place a single employer should be assessed using the same process as for a transfer of governance?

The FBU believes that Police and Crime Commissioners should not become the employer of firefighters in a local area. Firefighters have a humanitarian role, with different safe systems of work and different arrangements for pay and conditions to the police. Existing employment relations are fit for purpose; they can be improved through negotiations. The involvement of PCCs will disrupt industrial relations.

4. What benefits do you think could be achieved from empowering Police and Crime Commissioners to create a single employer for police and fire and rescue personnel, whilst retaining separate frontline services, where a local case has been made to do so?

The FBU believes that there are no tangible benefits for the public or for firefighters if Police and Crime Commissioners become the employer instead of existing fire authorities. There is no desire locally or nationally for such a change, other than among a small number of ideologues who want to undermine local democracy, privatise local services and destroy trade unionism.

5. Do you agree that the requirement for a chief officer to have previously held the office of constable should be removed for senior fire officers?

The FBU believes the existing demarcation between chief fire officers and chief police constables is right. Chief fire officers are not suitable to manage police matters and police chief constables have no experience or expertise to bring to managing fire and rescue services. Experience and skills acquired within the profession are essential for the delivery of high quality public services.

6. How do you think the requirement for a Police and Crime Commissioner to have access to an informed, independent assessment of the operational performance of the fire service should best be met?

The FBU believes that Police and Crime Commissioners should not have any role in the operational performance in the fire service. The FBU is highly critical of the “peer review” process within the fire and rescue service. The union opposed the abolition of the fire service inspectorate in England and Wales. We agree with Ken Knight that an inspectorate, which deals with operational matters (not

just finance) is essential for improving the quality and consistency of fire and rescue services. But there is no role for PCCs in this process.

7. Do you agree that where a Police and Crime Commissioner takes responsibility for a fire and rescue service, the Police and Crime Panel should have its remit extended to scrutinise decision making in relation to fire services?

The FBU believes that Police and Crime Commissioners should not take responsibility for fire and rescue services and rejects extending the remit of Police and Crime Panels to fire matters. These panels are weak scrutiny bodies, less representative than existing fire authorities and bring no expertise on fire matters. Members appointed by the PCCs are more likely to act as cronies than to hold their boss to account. Importing a failed system of governance into the fire and rescue service is not acceptable.

8. Do you think that where a Police and Crime Commissioner takes responsibility for a fire and rescue service, the Police and Crime Panel should have its membership refreshed to include experts in fire and rescue matters?

The FBU believes that the two services have different functions in society, different roles and different cultures. They therefore require separate governance arrangements so that decisions are made by elected and accountable representatives on what is best for each service.

9. Do you think that where a Police and Crime Commissioner puts in place a single employer for fire and rescue and police services personnel, complaints and conduct matters concerning fire should be treated in the same way as complaints and conduct matters concerning the police?

The FBU believes that Police and Crime Commissioners will have no expertise in managing disciplinary and grievance matters in the fire and rescue service, which are very different from those found in the police. Attempts to import police practices into the fire and rescue service will be resented and resisted by firefighters, who have negotiated their own conditions over many years. The involvement of Police and Crime Commissioners is a recipe for industrial strife.

10. Do you agree that Police and Crime Commissioners should be represented on fire and rescue authorities in areas where wider governance changes do not take place?

The FBU rejects putting Police and Crime Commissioners on existing fire authorities. They will upset the political balance on existing fire authorities and bring no expertise on fire matters to the table. No case has been made for disrupting existing fire authorities. The introduction of Police and Crime Commissioners adds nothing and may detract from the functioning of existing fire authorities.

11. Do you agree that the London Fire and Emergency Planning Authority should be abolished and direct responsibility for fire and rescue transferred to the Mayor of London?

The FBU is fundamentally opposed to the abolition of the London Fire and Emergency Planning Authority. The FBU has had its own reasons to be critical of LFEPA since it was formed, but the authority has proven to be a robust governance body, subjecting both the Mayor and the chief fire officer to scrutiny and accountability. It is clear that the current part-time Mayor favours abolishing LFEPA simply because it has done its job properly, assessed the risks of fire cuts for London and in its majority opposed them. This was in line with local public opinion and with evidence of impacts on response times at ward level. The MOPAC model is substantially less democratic than the existing

LFEPA and would be liable to the kind of cronyism seen in other police areas. The current model in London is fit for purpose. It should not be smashed and replaced with a worse arrangement.

12. In the event that the London Fire and Emergency Planning Authority is abolished, how should responsibility for fire and rescue be incorporated into the mayoral structure?

The FBU is opposed to the abolition of LFEPA. A system of elected metro mayors does not mean there is any requirement to abolish fire authorities. London shows that an elected mayor and a fire authority made up entirely of elected representatives (from both the GLA and councils) is perfectly capable of working. In fact, this arrangement is arguably more democratic than other existing governance structures, with more checks and balances so that all communities and interests are represented.

13. To what extent do you think there are implications for local resilience (preparedness, response and recovery) in areas where the Police and Crime Commissioner will have responsibility for police and fire?

The FBU believes that Police and Crime Commissioners will damage fire and rescue service resilience. PCCs do not understand the risks assessments necessary for fire and rescue services to remain resilient in the face of varied and expanding hazards. PCCs will still have to liaise with local resilience forums and with local councils – so they will add to bureaucracy rather than help remove it. PCCs may seek to impose more cuts, reducing firefighter numbers and therefore the very people that are necessary to respond to emergency situations when needed. Some PCCs may be tempted to import cheap private providers, undermining skilled and trained professionals – a failing that will be terribly exposed in an acute crisis. PCCs did not bring anything to the table during the 2013-14 floods. Emergency responders are quite capable of managing such incidents without PCCs.

14. To what extent do you think there are implications for resilience responsibilities in areas where an elected metro mayor is also the Police and Crime Commissioner and responsible for the fire and rescue service?

The FBU believes that elected metro mayors will have to rely on the robust procedures put in place by local fire authorities for resilience purposes. Even if the elected metro mayor is also the PCC, there is no case to abolish the fire authority. Instead it should be reconstituted to reflect any changes in geographical scope, but still be composed of elected representatives reflecting the current political and geographical balance of the new jurisdiction.

15. Are there any other views or comments that you would like to add in relation to emergency services collaboration that were not covered by the other questions in this consultation?

The FBU's objections to PCCs taking over fire and rescue services are outlined in our introduction to this submission. The union believes that it is a huge mistake to allow PCCs to take over the management of fire and rescue services. The fire and rescue service is a humanitarian service and should remain that way. PCCs have nothing to offer in terms of improving the quality of service provided by firefighters. They are more likely to be advocates of cuts and privatisation. They will undermine resilience and worsen the service to the public. There is no mandate for PCC involvement in the fire and rescue service and bringing them in will worsen democracy, accountability and transparency in the service. PCCs are likely to damage industrial relations by forcing the two services to collaborate when their missions and aims are different. Firefighters' safety and conditions will be jeopardised by PCCs. These proposals are a distraction with potentially damaging consequences if they are enacted. Thousands of stakeholders, councillors and other elected representatives,

including MPs, share these concerns. The FBU urges the government to think and again stop before it damages an irreplaceable public service.

16. Do you think these proposals would have any effect on equalities issues?

The FBU believes these proposals have enormous equalities implications. PCCs are not representative of the communities they serve and have an uninspiring record of tackling equality issues within the police workforce. There is no evidence they will resolve equalities issues in the fire and rescue service – in fact they are more likely to contribute to worsening equality matters if they took over.

References

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- ⁱ Fire and Rescue Services Act 2004
<http://www.legislation.gov.uk/ukpga/2004/21/contents>
- ⁱⁱ National Joint Council for Local Authority Fire and Rescue Services, Scheme of Conditions of Service Sixth Edition 2004 (updated 2009)
<http://www.fbu.org.uk/resources/grey-book/>
- ⁱⁱⁱ Home Office, Department for Communities and Local Government and Department of Health, Enabling closer working between the emergency services, 11 September 2015
<https://www.gov.uk/government/consultations/enabling-closer-working-between-the-emergency-services>
- ^{iv} Taxpayers' Alliance, 'The cost of Police Authorities versus the Offices of Police and Crime Commissioners', 7 August 2015
- ^v House of Commons Home Affairs Committee, Police and Crime Commissioners: progress to date, 5 May 2014: 23
<http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/inquiries/parliament-2010/police-and-crime-commissioners1/>
- ^{vi} Lord Stevens, Policing for a Better Britain: Report of the Independent Police Commission, 25 November 2013
<http://independentpolicecommission.org.uk/commission-report-launched---monday-25th-november-2013>
- ^{vii} Georgia Graham, 'Firefighters should make pensioners homes safe, head of NHS England says', *Daily Telegraph*, 9 July 2014
- ^{viii} Claire Mansfield, Fire Works: A collaborative way forward for the fire and rescue service, New Local Government Network (NLGN), 16 July 2015
- ^{ix} LGA, Beyond Fighting fires, April 2015
- ^x Royal Society for Public Health, Rethinking the Public Health Workforce, 21 July 2015
- ^{xi} Stevens 2013: 82
- ^{xii} Home Affairs Committee, 2014: 5, 26
- ^{xiii} Stevens, 2013: 83
- ^{xiv} National Police Chiefs' Council, 'NPCC response to launch of consultation on further emergency services collaboration', 11 September 2015
<http://news.npcc.police.uk/releases/npcc-response-to-launch-of-consultation-on-further-emergency-services-collaboration>
- ^{xv} Electoral Commission, Police and Crime Commissioner elections in England and Wales: Report on the administration of the elections held on 15 November 2012, March 2013
<http://www.electoralcommission.org.uk/find-information-by-subject/elections-and-referendums/past-elections-and-referendums/police-and-crime-commissioner-elections?>
- ^{xvi} Stevens, 2013: 81
- ^{xvii} Hannah Furness, 'Fears of 'cronyism' as police commissioners appoint deputies', *Daily Telegraph*, 7 December 2012
<http://www.telegraph.co.uk/news/uknews/law-and-order/9728959/Fears-of-cronyism-as-police-commissioners-appoint-deputies.html>
- ^{xviii} Home Affairs Committee, 5 May 2014: 14
- ^{xix} Fiona Hamilton, 'Over half of crime chiefs accused of misconduct', *The Times*, 1 December 2014
- ^{xx} Fiona Hamilton, 'Police chief threatens officers who criticise cuts', *The Times*, 4 June 2015
- ^{xxi} Frances Perraudin, 'Police commissioners' decisions under-scrutinised, says watchdog', *The Guardian*, 29 June 2015
<http://www.theguardian.com/uk-news/2015/jun/29/police-crime-commissioners-scrutiny-watchdog>
- ^{xxii} Labour Research Department, Easy Targets? Tackling attacks on fire crews in the UK, 2008
<http://www.fbu.org.uk/resources/reports/>
- ^{xxiii} Enabling closer working between the emergency services, 11 September 2015: 17
- ^{xxiv} Stevens 2013: 83
- ^{xxv} Police Federation, 'Plans for closer emergency service collaboration are just 'cheaper rather than better'', 11 September 2015
<http://www.policemag.co.uk/updates/3241.aspx>
- ^{xxvi} Caroline Wheeler, 'Call the police, get a fireman! 'Barmy' plan to combine our 999 services', *Sunday Express*, 31 May 2015
<http://www.express.co.uk/news/uk/581144/Emergency-services-999-ambulance-police-firefighters>
- ^{xxvii} IPCC, Police complaints: Statistics for England and Wales 2014/15, 7 October 2015
<https://www.ipcc.gov.uk/page/annual-police-complaints-statistics>